

PRIVILEGED AND CONFIDENTIAL – PREPARED IN CONTEMPLATION OF MEDIATION
FOISA EXEMPT

IN THE MATTER OF A MEDIATION

BEFORE MICHAEL B SHANE

BETWEEN:

tie Limited ("tie")

and

Bilfinger Berger Civil UK Limited, Siemens plc, and
Construcciones y Auxiliar de Ferrocarriles S.A.
together the Infraco ("Infraco")

tie's Exhibits

WITHOUT PREJUDICE

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REPLACEMENT COVER FOR TIE EXHIBITS.DOC

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tie Limited – Edinburgh Tram Network

Mediation before Michael B. Shane

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- 1 Design Development and Pricing Assumption No. 1.
- 2 Progress of the Works – Clauses 34.1 and 80.13.
- 3 Note on the interaction of Clauses 65 and 80.
- 4 Time.
- 4.1 City Inn v Shepherd Construction Limited [2010] CSIH 68.
- 5 Audit Scotland, Edinburgh Trams Interim Report dated February 2011.
- 6 Cessation of Works at Section 2A (Haymarket/Haymarket Yards) to Section 7 (Airport).
- 6.1 Maps showing outstanding planning variations, approvals and IFCs.
- 6.2 tie letter INF CORR 6884, dated 7 December 2010, in relation to Siemens 36 initiative.
- 7 DRP Overview.
- 8 Change Statistics at 9 February 2011.
- 9 Time taken to provide Estimates and Gantt chart showing examples of Estimate delays.
- 10 tie letter INF CORR 5133, dated 24 May 2010, in relation to Permit to Start Works.
- 11 Programme Comparison to Rev 1 at Period 11
- 12 tie letter INF CORR 5772, dated 10 August 2010, in relation to future conduct on the matter of Notified Departures and tie Changes.
- 13 Photographs showing availability to work.
- 14 Breakdown of Cessations.
- 15 INTC 536 slides.
- 16 Note on the Programme and its deficiencies.
- 17 Note on updating the Programme for progress and change.
- 18 Summary of Remediable Termination Notices and direct correspondence and tie letter, INF CORR 7011/AS, dated 24 February
- 19 Note on On-Street Trackform Design and Integration – Failure to programme "Deliverables", with attached correspondence.
- 20 Note on On-Street Trackform Design and Integration – Failure to timeously produce and submit for review an integrated trackform design with attached correspondence.

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- 21 Note on On-Street Trackform Design and Integration – Failure to obtain necessary Consents with attached correspondence.
- 22 Defects to Princes Street.
- 23 Conditional Report for Princes Street.
- 24 Photos of defects on Princes Street.
- 25 E-mail note from Steven Bell to Infraco, dated 22 February 2011, in relation to Princes Street.
- 26 Note on INTC Interface – Infraco response time to production of an IFC with related correspondence.
- 27 Note on Infraco Default – Failure to Produce Estimates – INTC 106.
- 28 Note on Infraco Default – Track Monitoring Action Plan, WPP and Form C Delays; and Construction Phase Plan; with relevant correspondence and WPP and Form C Tracker.
- 29 Note on Infraco Default – Gogarburn Retaining Walls (W14C), with relevant correspondence.
- 30 Project Carlisle correspondence.
- 31 Project Phoenix Statement.