



BILFINGER

SIEMENS

**Bilfinger – Siemens Consortium : Edinburgh Tram Network
Meeting Notes**

Subject	B&S Consortium Board Meeting No 07	Location	B&S Consortium Office
Date	16 January 2013	Time	10:00AM
Attendees	Representing	Attendees	Representing
Martin Foerder	Bilfinger	Josef Frentz	Siemens
David Darcy	Bilfinger	Julie Owen	Siemens
Matthew Hicks	Bilfinger	Axel Eickhorn	Siemens
Mark Miller	Bilfinger	Simon Linnemans	Siemens
Peter Widdowson	Bilfinger	Alfred Brandenburger	Siemens
		Gordon Wakeford	Siemens

Apologies

Distribution B&S Consortium Management Board

Attachments Contractor Period HS&E Returns (08/12/2012 & 05/01/2013)
Application for Payment Status (08/12/2012)

Item	Description	Action	Date
1	MANAGEMENT & ADMINISTRATION		
1.1	Notes of Previous Meetings		
1.1.1	The minutes of the B&S Consortium Board Meeting No 06 held on 17 October 2012 were accepted without any amendments.		
1.2	Minutes of this Meeting		
1.2.1	These minutes will be reviewed in the next meeting.	All	17/04/13
1.3	Consortium Management		
1.3.1	Transition from Alfred to Simon during December 12/January13. Letter confirming this change is ready to be sent to CEC/T&T to inform them of the change.	PSc/	
1.3.2	It was confirmed that Kevin Russell has now left Bilfinger Construction. Peter Widdowson is Kevin's replacement		
2	HEALTH, SAFETY, ENVIRONMENT, QUALITY		
2.1	Contractor Period HS&E Returns		
2.1.1	MFo updated meeting re incidents/accidents statics for periods ending 8 December 2012 and 5 January 2013 respectively – copy attached to minutes.		

Project Accident Frequency Rate (AFR) = 0.10.
David Darcy stated that this was a very good result and that the typical target for major contractors in the UK was 0.2.

Period to 8 December 2012

- 11 Minor Incidents during this reporting period in total
- 3 minor injuries i.e. as small cut on fingers
- 4 small service damages including water pipe and signals

Item	Description	Action	Date
	<p>damage</p> <ul style="list-style-type: none"> • 1 Unsafe Condition to M.O.P. • 2 Near misses both involving RRV MEWPs • 1 Environmental incident – oil spill recovering one of the MEWPS (above) <p>It was noted that LB have carried out the investigation into the MEWPS incidents however B&S have commented and reported facts.</p> <p>Period to 5 January 2013</p> <ul style="list-style-type: none"> • 3 Incidents, all of which were service related including 2" gas main, Fibre optic cable that had been uncovered but not damaged and damage to a communications chamber. <p>GWa asked if any of the incidents had involved members of the public. MFo stated there were but these were very minor and ABr raised that cyclists were amongst them, in particular in Princes Street prior to the re-works.</p> <p>It was also noted that since B&S returned control of the 'Incident Hotline' back to CEC that the numbers of incidents concerning B&S had dropped dramatically.</p> <p>GWa also asked if the Project had compensated any members of the public. MFO stated that we had, but that they were minor in value and in the wider interests of the parties in relation to the negative press that could be associated with it. All agreed.</p> <p>Overall safety record remains very good and noted that we have now works circa. 4M manhours.</p> <p>(Note: The Annual Accident Frequency Rate runs from April to March, Industry Standard = 0.20 and M.O.P = member of public.)</p>		
2.2	Health, Safety, Environment and Quality - General		
2.2.1	<p><u>Environment</u></p> <p>Baird Drive issue resolved prior to Christmas with all material being removed to Avondale. This was agreed between B&S, SEPA and CEC and it also included moving the material from Pumpherston.</p> <p>PWi dealt with further queries coming in from Daily Record reporter and nothing was reported.</p> <p>It is not foreseen that there will be any further contaminated materials to be removed from site.</p>	Note	
2.2.2	<p><u>Quality</u></p> <p>MFo advised that the quality department are continuing to close out NCR's and noted that there were only 21% of NCR's open as of end December. There are no concerns regarding the process and they are being raised by B&S QA system internally. MFo stated that this shows a proactive attitude to quality.</p> <p>DDa asked if T&T get involved. MFo and AEi stated that they have</p>	All	ongoing

Item	Description	Action	Date
	<p>visibility of the process but do not tend to raise NCRs but could if they wished.</p> <p><u>Section B Completion:</u> Collation of documents underway and uploading to Technical Library. MFo stated that we are further advance than we were for Section A Completion and the same stage.</p> <p>DDa asked if CAF were collaborating with the process. ABr stated that the 5 units required for Section B were commissioned prior to Christmas.</p> <p>Section B Completion is to be 8 March.</p>		
3	CONTRACT / CLIENT ISSUES		
3.1	Governance Structure		
3.1.1	<p>MFo advised that CEC have reduced T&T further. Coordination on Testing & Commissioning should be directly between LB/CEC/CAF & Infracore without T&T involvement, however the contractual reporting route and route for submissions has to be T&T.</p> <p>Julian Weatherley has left the Project officially and has handed over to Rob Leech. Rob was already on the Project and this is seen as a positive step as he has been closer to the works and should be able to give stronger direction to the T&T team.</p> <p>No new Org. chart has been provided but staff have left T&T to join LB and also left the project completely.</p> <p>CEC and in particular CSM will be taking a greater role and being supported by T&T.</p> <p>GWa asked if T&T have to stay engaged. JOw stated it would not be politically possible to remove T&T entirely. It was noted that T&T have been generally proactive in achieving the Council's obligations and supporting the Works. The Control meetings have to be maintained as they keep a check on T&T. This is helped greatly by CSM being the Chair of the Control Meetings, without which T&T may have fallen into the same position as tie.</p>	Note	
3.2	Cost Engineering		
3.2.1	<p>B&S requested issue of TCO for programme saving Rev 4 to 4C. TCO issued at end October 2012</p>	Note	
3.3	T&T		
3.3.1	<p>T&T are still difficult on commercial issues. CSM still required to decide on controversial issues.</p> <p>It has been agreed with CSM that he will take a more direct role with issues that remain unresolved at Valuation meetings. It will now be the case that CSM will instruct either immediately following the valuation meeting or within 5 days.</p>	Note	

Item	Description	Action	Date
	<p>Current issue- Applicable uplift to de-scoped works. T&T are looking for a higher uplift when de-scoping works. The principal has been agreed repeatedly but with each new item GEa resurrects the same argument. In relation to our current position this is a minor issue and should be resolved with CSm. GEa will have to be properly managed as we approach Completions. CSm stated intent is to have financial close within 3 months of Completion.</p> <p>T&T appear to be concerned with their own liability to CEC if they are not seen to be challenging and re-challenging the valuations. However, MFo stated that there is sufficient mechanism to control through escalation.</p>		
4	PROGRAMME & CONSTRUCTION PROGRESS		
4.1	Programme		
4.1.1	<p><u>General Progress - Programme (Revision 5)</u> There is a slippage of about 13 weeks to Section C&D Completion dates, all caused by On Street delays. Sectional B Completion date is back on the contractual date. MFo advised that the cost engineering exercise (Programme Rev5c) [On street embargoes and Traffic Management changes] has banked 22 weeks in time. This programme is being administered informally and at the 05 January 2013 14 weeks had been drawn down from the 22 weeks.</p> <p>CSm is intent to draw down the full 22 weeks though MFo stated this is going to be difficult as everything is now within B&S scope except for small section at Palmerston Place.</p> <p>MFo stated that this is not, however, relevant as the Client has 'bought a 22 week saving whether it is fully utilised or not.</p>		
4.1.2	<p><u>Programme (Revision 5 and 5c)</u> Programme Revision 5 has been approved on 01/06/2012.</p> <p>Revision 5c has been agreed to monitor the 22 week banked time going forward (instead of Rev 4c).</p>	Note	
4.2	Construction Progress		
4.2.1	<p><u>Section 1C – York Place (YPL)</u> Area handed over to B&S December 2012.</p> <p><u>Section 1C – St Andrew Square (SAS)</u> Track laying has been completed and Bilfinger completing surfacing works. Target finish Feb '13.</p> <p><u>Section 1C/1D - Princes Street</u> Minor snagging items on-going, street lighting, illuminated bollards and signs.</p> <p><u>Section 1D – Shandwick Place (SPL) and Haymarket (HAY)</u> Small section to be handed back to B&S at Palmerston Place, target late Jan '13. Programme for Civil works to be complete May '13. System works thereafter. Issue anticipated with large extent of</p>		

Item	Description	Action	Date
	<p>surfacing complete but remaining closed to public. Discussion to be arranged with CSm to minimise impact but allow system works to continue unaffected.</p> <p><u>On Street – General</u> The current way of working has been the correct way to go. Change mechanisms have worked but been assisted by the reasonableness of CSm. It should be noted that along Shandwick Place there have actually been 3x more conflicts that notified at Mediation.</p>		
4.2.2	<p><u>Section 2A – Haymarket Yards</u> Civil works completed; minor outstanding works with System works.</p>		
4.2.3	<p><u>Section 5A / 5B – Network Rail Structures</u> All of the structures have now completed. Track-work installation in Section 5B & 5C completed with the exception of the NR structures. Ducting and OLE works on-going between Russell Road and Murrayfield. Target completion for Civil works is end January '13 with Graham Construction due to de-mobilise March 2013.</p> <p>Track-work over Carrick Knowe on going and South Gyle Access Bridge and approaches to follow.</p> <p>Edinburgh Park Bridge – final changes to plinths underway with both Bilfinger and Siemens checking the work. 4 weeks before track-work to commence.</p>		
4.2.4	<p><u>Section 5B/5C/6 - A8 Underpass</u> Area up to A8 Underpass handed over to Siemens. Underpass not handed over as this forms part of the 'Gateway' project. Target for the Gateway section is May '13.</p>		
4.2.5	<p><u>Section 6 – Depot</u> Works completed. Refer item 7 for Maintenance.</p>		
4.2.6	<p><u>Section 7</u> Civil Works substantially completed. No issues to achieve Section B Completion. Tamping completed last year. JOw noted that agreement was required for the final visit of the tamper during summer 2013.</p> <p>Currently on-going - snagging civil works and outstanding Siemens works, document collation, Eastfield Avenue lining and high friction surfacing to be completed by B&S and a letter is to be requested for this change in timing only as it is included in original scope.</p>	All	Ongoing
5	COMMERCIAL		
5.1	<p><u>Payment Status</u> Certifications by the Certifier, Colin Smith (Hg Consulting) are generally in line with period report applications for payment.</p> <p>Application for Payment Status to 8 December 2012 is attached to the minutes, shows application of £405.6M against a payment of</p>		

Item	Description	Action	Date
	<p>£405.3M. Delta made up of £369k for Bilfinger and £2k for Siemens (all rounded)</p> <p>Valuation meeting process working well.</p> <p>Changes and variations is only source of disagreement. On Street Works Estimate works with a rolling 5w rolling agreement, carrying forward any disagreement. Flip over now unlikely.</p>		
5.2	<p><u>Change Tracker</u> Since Mediation, there are 240 live changes (PMC's) to 5 December 2012 and 245 to date.</p> <p>As at 5 January 2013, 96 Estimates have been submitted with a total value of circa £9.5M. CEC/T&T have issued 101 tie Change orders with a total value of circa £11.5M. 130 PMC's which are administered through the Schedule Part 45 On Street Works Estimates to date, £3.425 has been applied for and £3.056 has been certified.</p> <p>Variance on value of issued tie Change Orders between T&T and B&S figure is caused by £2M de-scope of St. Andrew Square has been included in B&S figure but not T&T figure.</p> <p>Differences are being ruled by CSm, normally in B&S favour. Normal cause of dispute is a different interpretation by T&T resulting from them not being part of settlement agreement. Normally B&S and CEC stand together on matters.</p> <p>It was noted that there have been over 100 changes off street and this is mainly due to there being too many people involved in making small changes. CSm is working to prevent this.</p>		
6	PROJECT ISSUES		
6.1	<p><u>Design</u> Agreement reached before Christmas for changes to mid-November. £350k (Bilfinger) and £30k (Siemens) lower than had been submitted but acceptable. Few issues have occurred after and two higher value disputes have been excluded.</p> <p>B&S manage the production of As-Built drawings with Section B on-going.</p>		
6.2	<p><u>Operator</u> CEC have advised that LB will be the Operator but that this has not been formalised yet due to on-going legal discussions. LB are acting as the Operator in the interim and B&S have a good working relationship with LB staff. B&S do not have any concerns over these arrangements.</p> <p>The ticket vending machine supplier has now been confirmed and this may lead to minor adjustments at the tram stops.</p> <p>Commissioning of trams with CAF done before. Next interface will be</p>	Note	

Item	Description	Action	Date
	between Section C and Section D completions. All testing can now be done on the Test Track. No issues have been raised with Section B Completion. Outstanding documents being gathered, most snagging complete with some minor systems tests on-going.		
7	MAINTENANCE		
7.1	<u>Maintenance Obligations</u> B&S obligations, in respect of core maintenance, commence from Section D completion date however, maintenance in respect of Section A has commenced and is on-going with Robertson FM working for Bilfinger up to Section D completion. Thereafter 10 year maintenance agreed with a CEC only step in at 3 years.		
8	OTHER BUSINESS		
8.1	Julie Owens expressed her thanks to Alfred Brandenburger for his work up to retirement. Alfred stressed that this was helped by the whole teamwork on ETN.		
8.2	Gordon Wakeford stated that everyone should be proud of the works now achieved and that it is satisfying to see such progress, with a chance to complete before 8 July 2014 though this is very much an internal aspiration as there are many risks, most notably weather, up ahead.		
8.3	GWa asked what had become of York Place to Leith. All de-scoped except for certain completion works to two bridges. Core works are now completed.		
8.4	A budget has now been found for a new Gateway building between the Airport Terminal building and the tram stop. This is out with Section B and the kiosk is de-scoped from B&S.		
8.5	Focus has to be on completion of ETN project but relationships need to be maintained for future prospects.		
8.6	Next Meeting: Wednesday 17/04/13 at 10am – Meeting Room 2, B&S Consortium Office Further Board Meetings are as follows: Wednesday, 17/07/2013 Wednesday, 16/10/2013	All	17/04/13
Recorded By:	Peter Widdowson	Date:	16/01/13

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Contractor Health & Safety and Environmental Period Return

To be completed and returned to Colin Happer (colin.happer@edinburghtrams.com) by the Thursday of week 1 for each period.)

RETURN DATA			
Contractor -	<input type="text" value="BBS"/>	Date completed -	<input type="text" value="08/12/2012"/>
Year -	<input type="text" value="2012"/>	Period -	<input type="text" value="5-9"/>

PEOPLE DATA			
Average number of direct employees on ETP -	<input type="text" value="103"/>	Hours worked of direct employees on ETP -	<input type="text" value="16832"/>
Average number of subcontract / others inc visitors on ETP -	<input type="text" value="352"/>	Hours worked of subcontract / others inc visitors on ETP -	<input type="text" value="67747"/>
Number of work sites -	<input type="text" value="21"/>		

INCIDENT DATA (leave blank if none)	DIRECT	SUBCON	M.O.P.
Fatal	<input type="text"/>	<input type="text"/>	<input type="text"/>
Major	<input type="text"/>	<input type="text"/>	<input type="text"/>
Over 3 day	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dangerous Occurrence	<input type="text"/>	<input type="text"/>	<input type="text"/>
Reportable Disease	<input type="text"/>	<input type="text"/>	<input type="text"/>
Injury - Non RIDDOR	<input type="text"/>	<input type="text" value="3"/>	<input type="text"/>
Near Miss/ Unsafe Condition	<input type="text"/>	<input type="text" value="2"/>	<input type="text" value="1"/>
Service Damage	<input type="text"/>	<input type="text" value="4"/>	<input type="text"/>
RTA (in and around ETP)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Positive Intervention (if measured)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Environmental Incident	<input type="text"/>	<input type="text" value="1"/>	<input type="text"/>

ENFORCEMENT NOTICE / VISIT DATA	NOTICE	VISIT
H.S.E Enforcement	<input type="text"/>	<input type="text"/>
SEPA	<input type="text"/>	<input type="text"/>
Local Authority	<input type="text"/>	<input type="text"/>
Other	<input type="text"/>	<input type="text"/>

CONTRACTOR AUDIT / INSPECTION DATA	PLANNED	ACTUAL
Inspections	<input type="text" value="12"/>	<input type="text" value="12"/>
Audits	<input type="text"/>	<input type="text" value="0"/>

Contractor Health & Safety and Environmental Period Return

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RETURN DATA			
Contractor -	<input type="text" value="BBS"/>	Date completed -	<input type="text" value="05/01/2013"/>
Year -	<input type="text" value="2012 - 2013"/>	Period -	<input type="text" value="5-10"/>
PEOPLE DATA			
Average number of direct employees on ETP -	<input type="text" value="89"/>	Hours worked of direct employees on ETP -	<input type="text" value="8667"/>
Average number of subcontract / others inc visitors on ETP -	<input type="text" value="265"/>	Hours worked of subcontract / others inc visitors on ETP -	<input type="text" value="38482"/>
Number of work sites -	<input type="text" value="21"/>		
INCIDENT DATA (leave blank if none)			
	DIRECT	SUBCON	M.O.P.
Fatal	<input type="text"/>	<input type="text"/>	<input type="text"/>
Major	<input type="text"/>	<input type="text"/>	<input type="text"/>
Over 3 day	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dangerous Occurrence	<input type="text"/>	<input type="text"/>	<input type="text"/>
Reportable Disease	<input type="text"/>	<input type="text"/>	<input type="text"/>
Injury - Non RIDDOR	<input type="text"/>	<input type="text"/>	<input type="text"/>
Near Miss/ Unsafe Condition	<input type="text"/>	<input type="text"/>	<input type="text"/>
Service Damage	<input type="text"/>	<input type="text" value="3"/>	<input type="text"/>
RTA (in and around ETP)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Positive Intervention (If measured)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Environmental Incident	<input type="text"/>	<input type="text"/>	<input type="text"/>
ENFORCEMENT NOTICE / VISIT DATA			
	NOTICE	VISIT	
H.S.E Enforcement	<input type="text"/>	<input type="text"/>	
SEPA	<input type="text"/>	<input type="text"/>	
Local Authority	<input type="text"/>	<input type="text"/>	
Other	<input type="text"/>	<input type="text"/>	
CONTRACTOR AUDIT / INSPECTION DATA			
	PLANNED	ACTUAL	
Inspections	<input type="text" value="0"/>	<input type="text" value="0"/>	
Audits	<input type="text" value="0"/>	<input type="text" value="0"/>	

BBS Consortium Edinburgh Tram Network			Period End : 61 Application Nr : 1213/01/0064		Period End : 61 Application Nr : 1213/01/0064		
Application for Payment Status			APPLICATION			Certified	
SECTION			Current Cumulative	Previous Cumulative	Period	Current Cumulative	Period not Certified
OFF STREET WORKS							
PRELIMINARIES							
	BBUK		70,741,298.24	69,541,298.24	1,200,000.00	70,741,298.24	0.00
	Siemens		49,470,546.41	48,443,769.22	1,026,777.19	49,470,546.41	0.00
MILESTONES							
	BBUK		105,372,441.02	103,943,339.93	1,429,101.09	105,462,339.93	(89,898.91)
	Siemens		17,810,038.08	17,498,120.49	311,917.59	17,720,139.43	89,898.65
DESIGN							
	01	SDS Application (Pre Mediation)	6,031,706.00	6,031,706.00	0.00	6,031,706.00	0.00
ADDITIONAL WORKS							
	02	Pre Mediation Change					
		SDS	2,430,694.50	2,430,694.50	0.00	2,430,694.50	0.00
		BBUK	20,888,743.67	20,888,743.67	0.00	20,888,743.67	0.00
		Siemens	2,139,333.32	2,139,333.32	0.00	2,139,333.32	0.00
	03	Post Mediation Change					
		BBUK	1,464,546.88	2,092,227.16	(627,680.28)	1,464,546.69	0.19
		Siemens	368,279.25	358,153.75	10,125.50	366,331.60	1,947.65
	04	HG Certificates 1,2, 3A,B & C					
		BBUK	12,500,000.00	12,500,000.00	0.00	12,500,000.00	0.00
		Siemens	36,500,000.00	36,500,000.00	0.00	36,500,000.00	0.00
TOTAL FOR OFF STREET WORKS			325,717,627.37	322,367,386.28	3,350,241.09	325,715,679.79	1,947.58
ON STREET WORKS PRICE							
PRELIMINARIES							
		Preliminaries - BBUK	9,905,895.00	9,332,186.00	573,709.00	9,905,895.00	0.00
		Preliminaries - Siemens	1,022,775.00	954,590.00	68,185.00	1,022,775.00	0.00
MILESTONES							
		BBUK	10,389,722.41	8,622,821.93	1,766,900.48	10,389,721.99	0.42
		Siemens	3,008,460.79	2,628,075.54	380,385.25	3,008,460.79	0.00
ADDITIONAL WORKS							
		Post Mediation Change					
		BBUK	5,021,002.14	4,573,792.81	447,209.33	4,651,703.59	369,298.55
		Siemens	2,195,795.73	2,056,285.10	139,510.63	2,195,795.73	0.00
TOTAL FOR ON STREET WORKS			31,543,651.07	28,167,751.38	3,375,899.69	31,174,352.10	369,298.97
Maintenance							
Infraco Maintenance Mobilisation							
		BBUK	13,000.00	13,000.00	0.00	13,000.00	0.00
		Siemens	648,593.28	648,593.28	0.00	648,593.28	0.00
Infraco Spare Parts							
		Infraco					
CAF (PRE NOVATION)							
08A Tram Supply Contract							
		Milestones	47,436,940.65	47,436,940.65	0.00	47,436,940.65	0.00
		Change	328,471.26	328,471.26	0.00	328,471.26	0.00
CONTRACT TOTAL			48,427,005.19	48,427,005.19	0.00	48,427,005.19	0.00
By Company							
		BBUK (incl SDS)	244,848,948.52	239,969,810.24	4,879,138.28	244,479,649.61	369,298.91
		Siemens	113,073,923.21	111,226,920.71	1,847,002.50	113,071,975.56	1,947.65
		CAF	47,765,411.91	47,765,411.91	0.00	47,765,411.91	0.00
TOTAL			405,688,283.63	398,962,142.86	6,726,140.78	405,317,037.08	371,246.55