
From: Tony Glazebrook
Sent: 28 March 2008 15:15
To: Steven Bell
Subject: FW: Antwort: RE: ETN, Design Construction Meeting on 02 April 08
Attachments: Antwort: RE: ETN, Design Construction Meeting on 02 April 08

Hi Steven,

Susan expressed some concern to me yesterday over whether this meeting of mine arranged for Wednesday next week should proceed.

I understand that there has been a programme meeting today - although I don't know who was at it - which might have affected or obviated my meeting.

The liability issue implied in Ralf' email below, and clearly expressed to me at my last meeting with Ralf is quite clear as far as I can see.

If something is "wrong" due to failure to comply with any of: ER, standard, statute, contract, previously stated and accepted requirement etc then the liability is not on tie to resolve or fund the consequential effort.

If something is "wrong" because of a not previously raised requirement then the body (e.g.TEL, CEC, Transdev) who raises it will be liable (unless that liability causes them to change their mind of course!) for the consequences.

Design review will not examine 100% of SDS' self-assured design output. However, where it does uncover a "difference" then the Engineering team will establish the root cause, and hence the liability. "Differences" which emerge outwith tie's design review process will need separate treatment, led by the most logical person within tie following the identification of the "difference".

In any case, from reading Ralf's email below I can see that the immediate response of SDS to BBS' way forward is highly likely to be for themw to say that repackaging will cause further delay and cost - which will probably be unacceptable to all parties.

I imagine that the generality of this issue must have arisen through the multitudinous negotiations between tie and BBS - and with SDS through the Novation negotiations.

However, not having been party to any of those discussions I don't know and I am left with the feeling that BBS has some undeclared agenda within their stance on this issue.

Are you able to illuminate and advise me please?

Cheers,

Tony