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**From:** David Powell  
**Sent:** 06 February 2007 14:22  
**To:** Matthew Crosse; Susan Clark; Geoff Gilbert  
**Subject:** Infraco Tenders

Colleagues,

Following a discussion with Geoff last week, at which it was proposed that I might re-engage with the Infraco evaluation/negotiation process and take an overview of the technical aspects of two procurement streams, I have taken the opportunity to take a first quick look through the two Infraco bids received. There are a number of common characteristics which will need to be addressed in order for us to proceed with any degree of confidence:

- There is little, if any direct reference to tie's overriding system performance requirements in either bid.
- It is extremely difficult to benchmark what has been declared by the bidders against tie's stated requirements.
- Similarly, it is not possible to gain a clear picture of how the bidders' proposals relate to the PB designs
- Not all of tie's questions have been fully answered – this is much more the case for Roley than Scoop
- Much of the technical submissions are generic, rather than tailored to meet the characteristics and needs of our project.
- The bids are littered with references to various standards, many of which originate from outside the UK. This situation is considerably more applicable to Roley than Scoop. Our requirements documentation was generally silent on this issue, so we have left ourselves wide open to this scenario.
- There is next to no detail in either bid which allows us to develop the interfaces between the tram and the infrastructure – this will be a key issue in the facilitated negotiations. We have been working on the Tramcos in this regard and need to act similarly with the Infracos.

In summary, it is difficult to gain a proper appreciation of what has actually been offered from reading the technical documentation – there may be more illuminating material in the pricing sections of the bid, but I doubt it. I believe that tie is currently significantly at risk that there will be many areas where our bidders could choose to manipulate this situation to their advantage as negotiations unfold.

My initial thoughts are that we need to address this issue by firstly gaining a clear understanding of how the bidders' proposals relate to the Employer's Requirements. The most obvious way to do this would be to ask our bidders to provide a structured clause by clause commentary against the Employer's Requirements, which is due to re-released shortly (as I understand).

In parallel with this, we should be developing an appreciation of the differences between the PB design and any assumptions that the bidders have made, particularly where this may have an impact on the Approvals that we will be seeking – this would probably best be achieved by a series of workshops, at which we would need to have the support of our colleagues from PB. In this we should be mindful of the fact that the design itself will have undergone a degree of change as PB have embarked on detailed design.

In terms of resources required to achieve this, I will obviously have to spread myself across the two workstreams, thereby creating a gap within Tramco – I propose that Mark Gardner be re-engaged on a part time basis to fill in here. I have cleared this with Mark and have forwarded his CV to Matthew. I also think that we need to tap some more of our available expertise to assist in the negotiations with Infraco – to this end, I suggest that Bruce Ennion be re-allocated to work for tie on a full time basis through the negotiating phase. I also think that we need to look across our available pool of technical resources (tie, TSS and PB) to determine who would be the most appropriate personnel to assist in the technical evaluation, and where appropriate, negotiation of the various engineering disciplines – to the best of my knowledge, they are spread across the various organisations.

I would be happy to develop these thoughts further with you all, but will not be back in Edinburgh until Monday. In the meanwhile, I will start fleshing some of these thoughts out.

Best Regards

David