

## NOTES OF MEETING

tie

18 February 2005

**Distribution:** Andrew Fitchie; Sharon Fitzgerald; Colin Clelland

Attendance at meeting with Tom Blackhall at tie. The up-to-date position was that Tom was meeting with all of the utilities at 10.00 that morning and he passed to me a note of the agenda he was proposing to raise with them. He indicated that not all of the utilities were able to attend but that most have said that they are in principle happy to go with a single contractor carrying out the bulk of the work. The purpose of the meeting with the utilities today was for Tom to discuss this further and then to plot out a course to take matters forward.

I discussed where he had got to in his thinking about how this might be achieved. What he really wanted was to identify, in discussions with the utilities, the sort of contractors that they would be happy to see carry out the bulk of the work. (It struck me that this would need to be a competitive tendering exercise but I saw an advantage in finding out who the utility would be happy with.) The idea that the contractor will do the majority of the work, perhaps 80-90%, leaving each of the utilities to do some part of the work i.e. probably the last connection of it.

The issues which we needed to move forward were the question of securing a fair price from each of the utilities.

The contractual set-up, issues of programming and how the utilities would man their elements of the work and liaison with the roads department, police and traffic monitoring.

I attach a draft manuscript diagram setting out some of the thinking in relation to how this might be done. It seemed to me (subject to discussions with AF and SF) that the appropriate way might be to agree sub-contract/framework supplier agreements with each of the utilities. That would mean securing terms and conditions with them and agreeing prices with them which would then be passed up the line to the contractor who would take that into account in submitting tenders and in relation to pricing for the overall job. TIE would obviously need collateral contracts back from each of the utilities in relation to the connection works.

We agreed that, following his meeting, Tom would contact me to discuss how things had gone with a view to us having a further meeting. In the meantime I would give some further thought to how this contractual procurement might best be achieved.

Tom was quite keen to use either a NEC or ICE form of contract if we weren't going to use some form of bespoke contract.

**UTILITIES DIVERSION**  
**Possible Contractual Mechanism**

