From: Fitzgerald, Sharon Sent: 29 April 2005 15:54

To: Dave Ramsay (David.Ramsay@tie.ltd.uk)
Subject: FW: SDS Contract Mark-Up/Clarification

Importance: High

Dr Sharon Fitzgerald

Associate

DLA Piper Rudnick Grav Cary Scotland LLP

T: + M: + F: +

From: Fitzgerald, Sharon
Sent: 28 April 2005 20:17

To: ian.kendall@tie.ltd.uk; Paul Alliott (Paul.Alliott@tie.ltd.uk); Gerry.Henderson@tie.ltd.uk; Dave Ramsay

(<u>David.Ramsay@tie.ltd.uk</u>); 'Willie Fraser'; <u>mark.bourke@tie.ltd.uk</u>

Cc: Fitchie, Andrew; Cassels, Alan

Subject: RE: SDS Contract Mark-Up/Clarification

Importance: High

Dear All

Please find attached the contract mark-up, and the amendments to the scope of services with regard to risk management. (please could someone check the drafting in para 2.1.6 of the scope as the drafting does not make sense.)

We need to consider the SDS/JRC Agreement and the payment for model maintenance post novation. We may need some words in the warranty to tie covering payment.

Please advise as to when we are meeting to discuss the Agreement and the Clarification Note which I circulated on Tuesday.

Regards Sharon





SDS Agreement - F 25 April 2005....

Final Version SDS Scope of Wor...

Dr Sharon Fitzgerald

Associate

DLA Piper Rudnick Gray Cary Scotland LLP

From: Fitzgerald, Sharon Sent: 26 April 2005 19:34

To: <u>ian.kendall@tie.ltd.uk;</u> Paul Alliott (<u>Paul.Alliott@tie.ltd.uk</u>); <u>Gerry.Henderson@tie.ltd.uk</u>; Dave Ramsay

(<u>David.Ramsay@tie.ltd.uk</u>); Willie Fraser; <u>mark.bourke@tie.ltd.uk</u>

Cc: Fitchie, Andrew; Cassels, Alan
Subject: SDS Contract Mark-Up/Clarification

Importance: High

Dear All

Please find attached a copy of the "Clarification Note" which it is proposed is issued with the revised SDS contract. I have included a few general notes on the tie approach to the mark-up, a few specific comments and then 4 clarification questions for bidders to respond to.

Paul/Gerry - I have incorporated your comments and my proposed amendments are shown in tracked changes.

Mark - are you happy with the insurance comment?

I shall be out of the office tomorrow, so please direct your comments to Alan.

To update you all with regard to other actions:

- The mark-up of the SDS Agreement is close to completion this will be ready on Thursday
- The risk management services have been incorporated into the scope and this will be circulated with the contract
- The insurance questionnaire clarifications have been prepared and will be sent to Mark tomorrow.

Can we arrange to meet up on Thursday after the visits or on Friday? Once the mark-up to the SDS is agreed - we need to decide what, if any, drafting is taken over to the TSS contract. The TSS contract together with its revised scope of risk management services can then be issued to bidders.

I shall call Ian tomorrow to confirm.

Last week, we ran through a few actions - in particular, please advise on the evaluation methodologies and estimated delivery date for review.

Regards Sharon

Dr Sharon Fitzgerald
Associate
DLA Piper Rudnick Gray Cary Scotland LLP
T: +
M: F: +
<< File: Clarification Note to SDS Bidders.DOC >>