

Control Number : Fathom-01-00062438  
Group Identifier : Fathom-01-00062438  
Attachment Status : Freestanding  
Key Date : 12/03/2008 05:56  
Sort Date : 12/03/2008 05:56

**To:** Steven Bell[Steven.Bell@tie.ltd.uk]; Geoff Gilbert[Geoff.Gilbert@tie.ltd.uk]; Jim McEwan[Jim.McEwan@tie.ltd.uk]; Matthew Crosse[Matthew.Crosse@tie.ltd.uk]; Graeme Bissett (external contact)[graeme.bissett@[REDACTED] Fitchie, Andrew[Andrew.Fitchie@dlapiper.com]; Stewart McGarrity[Stewart.McGarrity@tie.ltd.uk]; Susan Clark[Susan.Clark@tie.ltd.uk]  
**From:** Willie Gallagher  
**Sent:** Wed 12/03/2008 5:56:35 AM  
**Subject:** FW: SDS Novation

I will call Greg this morning and plan to meet asap.

Willie

-----Original Message-----

**From:** Ayres, Greg [mailto:AyresG@pbworld.com]  
**Sent:** 11 March 2008 22:17  
**To:** Willie Gallagher  
**Cc:** Reynolds, Steve  
**Subject:** Re: SDS Novation

Willie

I just picked this up, having been at dinner after a late meeting in th Manchester office

I will be in Edinburgh from midday tomorrow. We did have an appointment at 4 pm. However I understand from Steve that tomorrow is a crunch day for you re BBS and the tram board

Please be assured that PB wishes to provide support to you and the tram project

We do need however to safeguard our commercial position and be properly compensated for the additional services provided to date and for any risks undertaken , especially those risks which are extended and increased by unforeseen developments within your procurement execution of the infraco contract. Certainly we need time to fully understand the bbs scope and program before. Signing up to lds which were not in our base bid

Both I and Stuart Glenn can meet with you from midday tomorrow.

Please call me first thing, as it is in no ones interest to lose a tranche of funding on this project,

Regards  
Greg

[REDACTED]

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

**From:** Willie Gallagher <Willie.Gallagher@tie.ltd.uk>  
**To:** Ayres, Greg  
**Cc:** Reynolds, Steve  
**Sent:** Tue Mar 11 18:25:19 2008  
**Subject:** SDS Novation

Greg,

I tried to call you but my number is obviously not correct. Perhaps you can give me a call on

I am extremely concerned over the progress on SDS / BBS novation. I have to appear in public at Council on Thursday and report accurately on the project progress. My hope and intent was to lodge our intent to award contract notification tomorrow to enable contract close in March. If this is not possible, we lose £20m of Transport Scotland funding and to be blunt, without being over emotional, the project will politically unwind.

I can well understand both sides of the current discussion, but we need to find a solution to the current impasse. I have no idea what SDS can and will be prepared to agree to, it would appear not to be on your negotiation agenda.

I know the guys are currently in meetings, but we are not really making any tangible progress on the big picture concern.

Hope you can help,

Willie

---

From: Ayres, Greg [mailto:AyresG@pbworld.com]  
Sent: 28 September 2007 14:28  
To: Willie Gallagher  
Cc: Reynolds, Steve  
Subject: FW: Letter for Executive Chairman of tie Limited

This message has been archived. View the original item  
<<http://tie002s002/EnterpriseVault/ViewMessage.asp?VaultId=125ED2A5F84EEDC45ACC08D4113CB09691110000tie-vault.tieltd.local&SaveSetId=7000000000000000~200709281327300000~0~B8458ACA3DEF473CB56F6B01AE4FADB>>

Willie,

I did pick up your email while on vacation here in Virginia. I spoke to Steve yesterday

Attachments:

Fathom-01-00062438

DLA00006391\_0003

Ayres 260907.pdf

(85 KB)

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Control Number : Fathom-01-00062439

Group Identifier : Fathom-01-00062439

Attachment Status : Parent

Key Date : 12/03/2008 05:57

Sort Date : 12/03/2008 05:57

**To:** Stewart McGarrity[Stewart.McGarrity@tie.ltd.uk]; Steven Bell[Steven.Bell@tie.ltd.uk]; Jim McEwan[Jim.McEwan@tie.ltd.uk]; Graeme Bissett (external contact)[graeme.bissett@██████████ Fitchie, Andrew[Andrew.Fitchie@dlapiper.com]; Geoff Gilbert[Geoff.Gilbert@tie.ltd.uk]; Susan Clark[Susan.Clark@tie.ltd.uk]; Matthew Crosse[Matihew.Crosse@tie.ltd.uk]  
**From:** Willie Gallagher  
**Sent:** Wed 12/03/2008 5:57:53 AM  
**Subject:** FW: SDS Novation  
SDS Novation Prerequisites.doc

For info.

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**From:** Reynolds, Steve [mailto:ReynoldsS@pbworld.com]  
**Sent:** 11 March 2008 19:29  
**To:** Willie Gallagher  
**Cc:** Ayres, Greg  
**Subject:** RE: SDS Novation

Willie

To confirm that Greg (and Stuart Glenn) will still be in Edinburgh tomorrow afternoon. Unfortunately neither is available on Thursday but both would be very pleased to have the opportunity for discussions with you, recognising that this may not be possible due to your other commitments.

For the record let me advise that I believe significant progress has been made this afternoon on the terms of the draft Novation Agreement and we have also made clear our needs in respect of understanding the scope of the BES Civils proposal. I understand tie is now close to agreement on a final offer for this pivotal element of the agreement.

Best regards - Steve

---

**From:** Willie Gallagher [mailto:Willie.Gallagher@tie.ltd.uk]  
**Sent:** 11 March 2008 18:25

**To:** Ayres, Greg  
**Cc:** Reynolds, Steve  
**Subject:** SDS Novation

Greg,

I tried to call you but my number is obviously not correct. Perhaps you can give me a call on [REDACTED]

I am extremely concerned over the progress on SDS / BBS novation. I have to appear in public at Council on Thursday and report accurately on the project progress. My hope and intent was to lodge our intent to award contract notification tomorrow to enable contract close in March. If this is not possible, we loose £20m of Transport Scotland funding and to be blunt, without being over emotional, the project will politically unwind.

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**From:** Ayres, Greg [mailto:AyresG@pbworld.com]  
**Sent:** 28 September 2007 14:28  
**To:** Willie Gallagher  
**Cc:** Reynolds, Steve  
**Subject:** FW: Letter for Executive Chairman of tie Limited

**This message has been archived. [View the original item](#)**

Willie,

Fathom-01-00062439

DLA00006391\_0008



I did pick up your email while on vacation here in Virginia. I spoke to Steve yesterday

**Attachments:**

Ayres 260907.pdf

(85 KB)

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Control Number : Fathom-01-00033532  
Group Identifier : Fathom-01-00033532  
Attachment Status : Freestanding  
Key Date : 12/03/2008 07:40  
Sort Date : 12/03/2008 07:40

To: 'willie.gallagher@tie.ltd.uk'[willie.gallagher@tie.ltd.uk];  
'graeme.bissett@tie.ltd.uk'[graeme.bissett@tie.ltd.uk];  
'steven.bell@tie.ltd.uk'[steven.bell@tie.ltd.uk]  
From: Fitchie, Andrew  
Sent: Wed 12/03/2008 7:40:23 AM  
Subject: Re: SDS Novation

Willie

Thanks. My view is that ,yes, progress was made but PB still have the ability to cost the project significant more money. They already have in terms of BBS protection money and serious softening of the original risk transfer for design. Their attitude in negotiations translates a negativity which BBS pick up and play back to tie in money.

Time for PB to act like a consultant supporting tie's endeavour, not a recalcitrant contractor. "Can do" not " maybe if you pay me and then I will think about it"

A  
Andrew Fitchie  
Partner  
DLA Piper Scotland LLP  
T: +44 (0) [REDACTED]  
M: +44 (0) [REDACTED]  
F: +44 (0) [REDACTED]

----- Original Message -----

From: Willie Gallagher <Willie.Gallagher@tie.ltd.uk>  
To: Steven Bell <Steven.Bell@tie.ltd.uk>; Geoff Gilbert <Geoff.Gilbert@tie.ltd.uk>; Jim McEwan <Jim.McEwan@tie.ltd.uk>; Matthew Crosse <Matthew.Crosse@tie.ltd.uk>; Graeme Bissett (external contact) <graeme.bissett@[REDACTED]> Fitchie, Andrew; Stewart McGarrity <Stewart.McGarrity@tie.ltd.uk>; Susan Clark <Susan.Clark@tie.ltd.uk>  
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DLA00006391\_0011

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Sent: 28 September 2007 14:28  
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