
From: Reynolds, Steve
Sent: 11 May 2008 18:48
To: Ayres, Greg
Subject: Updated PPT with Timeline Graphic

As discussed Greg:-



ETN.ppt

Other issues with Willie are the actions required prior to us being able to sign the Novation Agreement. (And note that yet another revision to the document was received at 1854 on Friday 9th from **tie** legal.. The fact that the document is still moving provides further evidence of the contract /legal process having become extremely protracted).

Four key points to be finally closed out with **tie** and actioned prior to signing are:-

- All "final account" AFP cash paid to bank - including full and final settlement of the balance of the £2.5m and £450k claims.
- **tie** to issue the instruction to PB to make the changes to bring about alignment with the revised Employer's Requirements. With agreed price and programme impact. This is essential in the context of the wording of the novation agreement re us being compliant with the ERs and is something that I am on record as insisting is a prerequisite for novation from early March. Our response to the **tie** instruction went in on Friday. Note that **tie**'s instruction letter wasn't finalised until Wednesday (30 Apr). Alan Dolan and Dave Gibb worked until 4am Thursday morning to turn this round so we shouldn't (we can't) accept **tie** attempting to defer this item until post novation.
- Agreement of the scope, price, and resourcing of the enhanced Construction Support Services. (Our detailed proposal for the team of twelve written by Jason and issued to **tie** 28 April). Again I am on record as advising **tie** that this must be secured prior to novation. This is key for our future management team deployment and we absolutely must have **tie** confirmation of agreement to pay for what BBS has stated is a key team.
- Agreement on the final wording of the PB Collateral Warranty in favour of **tie**. This is where the definition of the services to be provided direct to **tie** sits and we have yet to agree a final form of words. We have our proposal and **tie** understands the basis of my reasoning for that proposal so this shouldn't be a show-stopper.

Other points as per my running action list:-



Close-out
Actions.docx

None of these issues is particularly difficult - all that they require is that **tie** devotes the time required to dealing with us. **tie** has spent a lot of time dealing with BBS one-to-one of late. Now those negotiations appear to be all but complete we need a couple of solid days with **tie** to close out these remaining issues.

Steve

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