
From: Damian Sharp
Sent: 25 April 2008 17:53
To: Dennis Murray
Cc: David Carnegie
Subject: Settling outstanding changes

Dennis

You asked me to speak to Steve Reynolds about the outstanding changes following the draft letter I had given him earlier in the week. Steve was "totally snowed under" so he sent Jason to speak to me.

During that discussion Jason dropped the bombshell that there are 2 more changes coming our way for the separation of 1A and 1C into parts. That is not entirely surprising since the need to do this arises in part at least from Forth Ports and Picardy Place changes. The nasty part was the suggestion this would cost £390k! I have yet to receive the changes to review the make up of that £390k. Jason also said these changes would include management – I said management was potentially eligible provide SDS could prove there was no double counting with the Prolongation Claim that has already been settled.

I suggested to Jason that we settle on a global sum for the other changes as there was no time to go through them one by one. Jason clearly preferred us to go through them one by one. I said there was no other way to get through them before novation but if SDS wanted to go through them one by one then we would be continuing on beyond novation. This prompted Jason to say that BBS were insistent that all SDS changes had to be settled before novation. So I suggested that if we got BBS to agree that tie would deal with these particular changes post novation then that would be OK with SDS. Jason then backtracked quickly and said that SDS had never considered such a situation because of BBS's expressed views and would probably not be willing to novate with changes that are not fully agreed.

I kept myself in check and refrained from expressing how outraged I am that a new bunch of expensive changes were being tabled on a Friday afternoon. I did say that tie would not find it acceptable to be forced to conclude changes without adequate time for consideration. Jason claimed it was not SDS's intention to put the gun to tie's head by using the imminent date of novation to which I responded that it didn't matter what their intention was the effect was the same.

We agreed that a session is need on Tuesday with the intention of resolving this. Steve Reynolds is here on Monday but between PD review, prior & technical approvals meetings and the dentist I doubt if I could be part of a meeting on Monday.

All in all very disappointing response from SDS but at least Steve has left himself the wriggle room of being able to overrule Jason next week.

Next steps for us:

- quick review of the extra changes
- set up & prepare for a meeting on Tuesday
- I will express my disappointment to Steve about getting a second set of changes on a Friday afternoon
- could you speak to BBS to test if no outstanding changes really is a "die in a ditch" issue for them

If we really have to close all the changes before novation then we could wait until the last moment and reject them all as not having sufficient justification! Current SDS behaviour is hardening my position not softening me up!

Damian

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