

2008/87

**Gill Lindsay**

**From:** Gill Lindsay  
**Sent:** 18 March 2008 17:39  
**To:** 'Willie Gallagher'  
**Cc:** 'Andrew Fitchie'  
**Subject:** RE:

Willie

To confirm our call, Tom has received your letter and has agreed and confirmed that Tie may immediately lodge the Notice of Intention to Award Contract.

Kind regards

Gill

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**From:** Willie Gallagher [mailto:Willie.Gallagher@tie.ltd.uk]  
**Sent:** 18 March 2008 10:00  
**To:** Graeme Bissett (external contact); Stewart McGarrity; Steven Bell; Jim McEwan; Susan Clark; Geoff Gilbert  
**Cc:** david\_mackay@ [REDACTED] Gill Lindsay; Andrew Holmes; Neil Renilson (TEL)  
**Subject:** FW:

Last throw of dice!

Willie

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**From:** Willie Gallagher  
**Sent:** 18 March 2008 09:59  
**To:** 'Richard.Walker@bilfinger.co.uk'  
**Cc:** flynn.michael@siemens.com; Andrew Fitchie; LAING Ian  
**Subject:** RE:

Richard,

I would agree that we have made good progress. It is unfortunate that we were not able to use the weekend more productively, rather than spend time negotiating back a major contractual change in position by BBS. On that matter, tie have made a counter-proposal to BBS that any monies remaining unused in the £3m pot is shared equally between both tie and BBS. This compensates tie/CEC for having to accept the risk of uninsured claims beyond the £3m for breach of contract.

Can I stress that our counter proposal is the basis of our agreement to the deal. If this is not agreed, we will go back to the negotiations. You already understand that if the previous position held, we would have closed the discussions – it was simply not acceptable.

I look forward to hearing the outcome of your discussions in Germany asap.

Regards,

Willie

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**From:** Richard.Walker@bilfinger.co.uk [mailto:Richard.Walker@bilfinger.co.uk]  
**Sent:** 17 March 2008 21:36  
**To:** Willie Gallagher

23/03/2008

**WED00000447\_0001**

Subject:

Dear Willie,

Notwithstanding our current negotiations, I am delighted at the progress we have made over the last few weeks. You will understand and appreciate that to allow the execution of the Infraco Contract by the end of this month we require sight of the completed suite of contract documents (Infraco Contract; PCGs; Bonds; Schedules to the Contract; Novated Contracts, Novation Agreements and Schedules etc.) by no later than the end of this week. To the extent that completed documents are not yet available, we shall require the most up to date version reflecting negotiations to date. I appreciate that everyone is working very hard but this time is critical. Assuring you of our best and fullest intentions.

Regards,

Richard

Richard Walker B.Tech.(Hons.) C.Eng. MICE  
Managing Director  
Bilfinger Berger UK Ltd  
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