

**Hannah Whyte**

**From:** Alan Coyle  
**Sent:** 25 March 2009 11:40  
**To:** Gill Lindsay  
**Cc:** Max Thomson; Marshall Poulton  
**Subject:** RE: Supplemental Agreement - PDF Version  
**Sensitivity:** Confidential  
**Follow Up Flag:** For Your Information  
**Flag Status:** Completed

Gill

In relation to the supplementary agreement, it would seem on the face of it that it should not cost us anymore than Princes St would have anyway as tie were always at risk of unforeseen ground conditions. The issue is that BB do not have faith in the existing change mechanism and wanted the side agreement for Princes St. This has not yet been tested in terms of financial outturn, though this is work tie will have to do in the coming weeks to test the robustness of the risk allowance and impact on final cost estimates.

Regards

Alan Coyle | Principal Finance Manager (Acting)/Financial Services Lead (Edinburgh Tram Project) | Financial Services | City Development Team | Level 2/5 Waverley Court | 4 East Market St EH8 8BG | [alan.coyle@edinburgh.gov.uk](mailto:alan.coyle@edinburgh.gov.uk) |  
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**From:** Gill Lindsay  
**Sent:** 25 March 2009 11:18  
**To:** Alan Coyle  
**Subject:** RE: Supplemental Agreement - PDF Version  
**Sensitivity:** Confidential

Alan

Thanks for this copy as discussed at IPG this am. Colin and Nick will be joining you at city point now, supplemented by myself on a visible daily basis. We had been waiting to hear that Tom had liaised with David MacKay.

On the supplemental agreement, Marshall advises that these are the completed terms and not any interim situation pending resolution of DRP. Can you advise if the impact of the agreed commercial terms in this agreement have been costed and how they will be contained.

Gill

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**From:** Alan Coyle  
**Sent:** 23 March 2009 13:48  
**To:** Donald McGougan  
**Cc:** Max Thomson; Marshall Poulton; Gill Lindsay  
**Subject:** FW: Supplemental Agreement - PDF Version  
**Sensitivity:** Confidential

Donald

With regard to the attached supplementary agreement on Princes St, here is a brief note of the main points.

**Issues still outstanding**

Agreement on Base Date Design Information to Issued for Construction Drawings.  
Responsibility of delays to date still outstanding and agreement required.

03/04/2009

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Payment of the 3/4 week delay on Princes St to date, agreement needed but likely to be a pain/gain share.

tie will conduct a rigorous review of these items and the risks surrounding them.

### Supplementary Agreement on Princes St

Agreement in place to pay Infraco on a demonstrable cost basis for additional work relating to unforeseen ground conditions whereby they may be required to undertake full road reconstruction over and above the tendered works (attachment has a drawing demonstrating this). Infraco will be paid for their actual costs related to Princes St less the tender price.

Additional on site resources will be required by tie to sign off Infraco resources used on a daily basis.

### DRP

2 original items still going forward to DRP. tie very confident of Prelims issue, supplementary agreement on Princes St may muddy the waters in relation to the instruction to get on with work while DRP is enacted.

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**From:** Stewart McGarrity [mailto:Stewart.McGarrity@tie.ltd.uk]

**Sent:** 23 March 2009 12:39

**To:** Alan Coyle; Gregor Roberts

**Subject:** FW: Supplemental Agreement - PDF Version

**Sensitivity:** Confidential

See copy of the SA attached – NB very confidential and must be read in the context of the comments I made to you earlier this morning. Come back to me with any questions you may have.

Stewart

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**From:** Julie Smith

**Sent:** 20 March 2009 21:15

**To:** Julie Smith; Alastair Richards - TEL; Dennis Murray; Steven Bell; Stewart McGarrity; David Mackay; Flynn, Michael (Siemens TS); Brueckmann, Roland; Ian.Laing@pinsentmasons.com; Kevin.Russell@civil.bilfinger.co.uk; Martin.Foerder@civil.bilfinger.co.uk; Antonio M Campos (acampos@caf.es); AUrriza@caf.net; Richard Walker (richard.walker@bilfinger.co.uk)

**Cc:** Frank McFadden; Susan Clark; Jim McEwan

**Subject:** Supplemental Agreement - PDF Version

**Sensitivity:** Confidential

Dear All,

Please find attached the signed PDF Supplemental Agreement.

Kind regards

Julie

Julie Smith

PA to Susan Clark - Edinburgh Tram Deputy Project Director

PA to Steven Bell - Edinburgh Tram Project Director

tie limited

03/04/2009

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