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**From:** Martin Foerder - BB Civil UK  
**Sent:** 03 March 2011 11:56  
**To:** Brandenburger, Alfred; Flynn, Michael (Siemens TS); Wakeford, Gordon;  
julie.owen@siemens.com  
**Cc:** David Darcy - BB Civil UK; CN=Richard  
Walker/OU=Directors/OU=Civil/O=Bberger@Bilfinger Berger UK  
**Subject:** Fw: tie - Infraco Mediation

FYA

Regards,

Martin Foerder  
**Project Director**

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Bilfinger Berger UK Limited

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*Registered in England and Wales*  
*Company No: 2418086*

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----- Forwarded by Martin Foerder/Project Management/Civil/Bberger on 03/03/2011 11:55 -----

**From:** "MCMILLAN Fraser" <Fraser.McMillan@pinsentmasons.com>  
**To:** <Martin.Foerder@civil.bilfinger.co.uk>  
**Cc:** "FORSTER Louise" <Louise.Forster@pinsentmasons.com>  
**Date:** 03/03/2011 08:32  
**Subject:** FW: tie - Infraco Mediation

Martin

Tie's response to Siemens below.

Fraser

**Fraser McMillan**  
Partner  
Head of Scotland Office  
Pinsent Masons LLP

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**Winner British Legal Awards 2010-11 – Law Firm Innovation**  
**From:** Nolan, Brandon [mailto:Brandon.Nolan@mcgrigors.com]  
**Sent:** 02 March 2011 18:00  
**To:** MCMILLAN Fraser  
**Subject:** RE: tie - Infraco Mediation

Fraser

It is derived from Siemens Contract Price Analysis which was provided at tender stage. Siemens CPA is £96.9m from which £68m is deduced in respect of Airport to Haymarket on the basis of the detail in the CPA.

Brandon

**From:** MCMILLAN Fraser [mailto:Fraser.McMillan@pinsentmasons.com]  
**Sent:** 02 March 2011 16:25  
**To:** Nolan, Brandon  
**Subject:** RE: tie - Infraco Mediation  
Brandon

Siemens have asked where you get the £68m reference from. Could you oblige?

Fraser

**Fraser McMillan**  
Partner  
Head of Scotland Office  
Pinsent Masons LLP

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**Winner British Legal Awards 2010-11 – Law Firm Innovation**  
**From:** Nolan, Brandon [mailto:Brandon.Nolan@mcgrigors.com]  
**Sent:** 01 March 2011 18:33  
**To:** MCMILLAN Fraser  
**Subject:** tie - Infraco Mediation

Fraser

With regard to Infraco's Project Phoenix Proposal Price (Appendix 1) tie and CEC would request more detailed information in relation to Siemens' PPP Price Breakdown (Appendix 1.2).

Siemens' PPP of c £136.5m is double Siemens' original price of c £68m (Airport to Haymarket). It is not clear what the basis for this increase is. There is no Schedule Part 4 PA 1 issue in relation to Siemens' work which has undergone little change since tender.

Without further information in relation to Siemens' PPP Price Breakdown meaningful analysis of it is not possible. Nor is it possible for tie and CEC to understand the basis for the very substantial increase which is being proposed.

Can any further details be provided in advance of the mediation to enable proper consideration to be given to the PPP Price?

I appreciate that Biggart Baillie LLP represent Siemens but thought it appropriate to observe the line of communication through you.


I await your response.

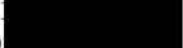
Regards


Brandon

**Brandon Nolan**  
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