
From: Richard Jeffrey
Sent: 25 February 2010 15:27
To: Julie Thompson
Subject: RE: Message from Richard Jeffrey - COMMERCIALLY CONFIDENTIAL & FOISA EXEMPT - From Brian Cox

Sensitivity: Confidential

Julie, please copy original message to nick smith and alan coyle.
R

Sent from my Windows Mobile® phone.

From: Julie Thompson <Julie.Thompson@tie.ltd.uk>
Sent: 25 February 2010 14:54
To: Richard Jeffrey <Richard.Jeffrey@tie.ltd.uk>
Subject: FW: Message from Richard Jeffrey - COMMERCIALLY CONFIDENTIAL & FOISA EXEMPT - From Brian Cox

FYI

From: Brian Cox [mailto:briancox@██████████]
Sent: 25 February 2010 14:53
To: Julie Thompson
Subject: RE: Message from Richard Jeffrey - COMMERCIALLY CONFIDENTIAL & FOISA EXEMPT
Sensitivity: Confidential

Richard

Many thanks: let's hope all this leads where we want to go – my fingers will be kept firmly crossed for the duration!

Regards.

Brian

From: Julie Thompson [mailto:Julie.Thompson@tie.ltd.uk]
Sent: 25 February 2010 13:57
To: Brian Cox; Strachan, Peter; Scales, Neil; Kenneth.Hogg@scotland.gsi.gov.uk; 'david_mackay' (██████████); Steven Bell; Stewart McGarrity; Alastair Richards; Campbell, Bill; 'Dave Anderson'; Marshall.poulton@edinburgh.gov.uk; Donald McGougan
Cc: Tom Aitchison; Jenny Dawe
Subject: Message from Richard Jeffrey - COMMERCIALLY CONFIDENTIAL & FOISA EXEMPT
Importance: High
Sensitivity: Confidential

Dear Board member,

This note is sent to you in your capacity as a member of the TPB, and is accordingly commercially confidential.

Just a quick note to update you on the preparations for the TPB board meeting on 10th March.

I believe our strategy of bringing things to a head is working. At my last meeting with Bilfinger Berger they said, unprompted, "If this was a marriage we would be asking for a divorce". In addition, there is a critical meeting with the consortium on Tuesday next week, and David and I are having dinner with Siemens at Board level on Wednesday and now Kenneth Reid, a main board director of Bilfinger Berger parent company, has asked to see David for a chat on Friday next week (they specifically wanted the chat before our board).

We are working on three broad options, each of which has several sub-options. (I intend to present 2 or 3 worked up options to the board on the 10th, not all 20 or so options we have considered). The three main categories of option are;

- 1) Termination of the whole Infraco contract. Sub options include where and when to terminate, if and how to re-procure the project and different options depending on the grounds for termination and the strength of our legal case.
- 2) BSC complete part of the works, then, by negotiation, BB exit the project and we find a way, working with Siemens to complete the project. Sub-options include where and when BB exit, and many different options as to how we complete the works with Siemens.
- 3) BSC complete the project, different sub option include with or without amendments to the contract.

For the chosen options we will consider pros and cons of each option, looking at issues such as cost, time, risk, certainty, control, trust, politics, stakeholder support, etc

I would stress that whilst I hope we can reach consensus around the way forward, any option other than simply carrying on with the existing contract and the existing consortium will still be subject to further discussions/negotiations with BSC, so we will not be able to announce to the world on the 11th march that 'things are now different'.

If you have any queries on this please do get in touch.

Regards

Richard

Richard Jeffrey
Chief Executive

tie Limited
Citypoint
65 Haymarket Terrace
Edinburgh EH12 5HD

Direct li [REDACTED]
Fax: 01 [REDACTED]
Email: Richard.Jeffrey@tie.ltd.uk

www.edinburghtrams.com
www.tie.ltd

Find out more about Edinburgh Trams online (click below):



The information transmitted is intended only for the person to whom it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this e-mail please notify the sender immediately at the email address above, and then delete it.

E-mails sent to and by our staff are monitored for operational and lawful business purposes including assessing compliance with our company rules and system performance. TIE reserves the right to monitor emails sent to or from addresses under its control.

No liability is accepted for any harm that may be caused to your systems or data by this e-mail. It is the recipient's responsibility to scan this e-mail and any attachments for computer viruses.

Senders and recipients of e-mail should be aware that under Scottish Freedom of Information legislation and the Data Protection legislation these contents may have to be disclosed to third parties in response to a request.

tie Limited registered in Scotland No. SC230949. Registered office - City Chambers, High Street, Edinburgh, EH1 1YT.
