

Draft Letter of Comfort to be provided by City of Edinburgh Council

Dear Sirs

**EDINBURGH TRAM NETWORK
INFRASTRUCTURE DELIVERY CONTRACT ("THE CONTRACT")
tie LIMITED AND [BIDDER]**

We refer to the procurement process now commencing and in which you are participating as a pre-qualified bidder.

As you are aware, **tie** Limited is a wholly owned subsidiary of CEC. This letter shall apply equally should any Contract awarded ultimately be assigned or novated by **tie** Limited to another CEC owned and controlled company.

CEC confirms that subject to final approval for release to CEC of allocated grant funding from the Scottish Ministers, **tie** Limited will be fully funded by CEC to discharge promptly and in full all payment obligations and financial liabilities anticipated to be incurred by **tie** Limited pursuant to any Contract awarded. The availability of funds for such discharge shall be subject to satisfaction of relevant conditions precedent to payment under the Contract and at all times to adherence to the terms and conditions of the Contract, in particular those provisions regulating modality and timing of and substantiation for payment applications, as well as set-off rights, provision of performance security and dispute resolution.

The provision of this letter by CEC is subject to the terms and conditions of your participation in the ITN process conducted by **tie** Limited for the Contract. The assurances provided are to assist with your corporate approval processes regarding participation in the procurement and to give appropriate comfort as to **tie** Limited's ability to meet its financial obligations under any Contract awarded, but not for any other purpose.

This letter may only be disclosed by you to third parties with the express prior written consent of CEC.

Yours faithfully

**For and on behalf of
City of Edinburgh Council**

cc. Andie Harper, Project Director (ETN), **tie** Limited