

	B	C	D	E	F	G	H	I	J	K	L	M	
2	Carillion Utility Services Limited v tie Limited; Mediation on 9 & 10 November 2010											APPENDIX 1	
3	Schedule 4 Rates and Prices claim - Analysis of likely settlement scenarios												
4	Scenario 1				Scenario 1 Totals		3,854,323	2,741,566					
5							Range of 'Top-line' values		Range (Workings)				
6	Orig. CUS Claim Amt	Claim Head	Issues arising			From	To	From	To				
7	3,753,466	Labour				3,753,466	3,753,466	356,410	356,410				
8			1 Hiab Driver hours - Labour and plant		Range	-231,927	-429,214	-8,289	-15,340	-7,051			
9			2 Embargo Hours		Range	-71,130	-140,713	-3,033	-6,000	-2,967			
10			3 Rate Difference		Agreed	-116,994	-113,000	345,088	335,070				
11			4 Rate Increase (£14.89 to £18.80)			-897,229	-871,182						
12			5 Claimed versus Paid			-6,883	-6,883	238					
13			6 Disruption found - Goes to question of culpability			<i>To be resolved separately</i>							
14			7 Remedials generally - Goes to question of culpability			<i>To be resolved separately</i>							
15	2,226,801	Plant				719,016	0	4,610,542	4,610,542	From	To		
16			1 Main Plant items derived from CPA					-717,737	-1,435,473	50%	100%		
17			2 Excavators/Breakers					-201,000	-134,000				
18			3 Hiab hours overclaim					-61,500	-41,000	-980,237	-1,610,473		
19			4 Main Plant values/rates - 'windfall' from Values not cost					-388,930	-253,224	1,806,243	1,176,006		
20			5 Small Plant 'windfall'					-400,000	-700,000				
21			6 Remedials to be deducted					-213,103	-368,432	7.50%	18.00%		
22			7 Recovery under measure and change control					-1,909,256	-1,909,256				
23								719,016	-230,844				
24	217,231	Reinstatement				0	0						
25	105,272	Prelims				50,000	50,000						
26	225,311	Traffic Management				112,500	112,500						
27						3,310,819	2,354,974						
28	434,028	Fluctuations		7.0%		231,757	164,848						
29	583,830	Markup		8.8%		311,747	221,744						
30	1,300,000	Claim Prep. Costs				0	0						
31	8,845,938	Totals				3,854,323	2,741,566						
32	8,848,839												

	B	C	D	E	F	G	H	I	J	K	L	M	
2	Carillion Utility Services Limited v tie Limited; Mediation on 9 & 10 November 2010											APPENDIX 2	
3	Schedule 4 Rates and Prices claim - Analysis of likely settlement scenarios												
4	Scenario 2				Scenario 2 Totals		5,431,375	4,562,277					
5							Range of 'Top-line' values		Range (Workings)				
6	Orig. CUS	Claim Head	Issues arising			From	To	From	To				
7	3,753,466	Labour				3,753,466	3,753,466	356,410	356,410				
8			1 Hiab Driver hours - Labour and plant		Range	-231,927	-429,214	-8,289	-15,340	-7,051			
9			2 Embargo Hours		Range	-71,130	-140,713	-3,033	-6,000	-2,967			
10			3 Rate Difference		Agreed	-116,994	-113,000	345,088	335,070				
11			4 Rate Increase (£14.89 to £18.80)										
12			5 Claimed versus Paid			-6,883	-6,883	238					
13			6 Disruption found - Goes to question of culpability			<i>To be resolved separately</i>							
14			7 Remedials generally - Goes to question of culpability			<i>To be resolved separately</i>		Plant Values					
15	2,226,801	Plant				1,176,457	692,787	4,610,542	4,610,542	From	To		
16			1 Main Plant items derived from CPA					0	0	0%	0%		
17			2 Excavators/Breakers					-268,000	-134,000				
18			3 Hiab hours overclaim					-82,000	-41,000	-350,000	-175,000		
19			4 Main Plant values/rates - windfall from Values not cost					-524,636	-562,318	2,436,479	2,611,479		
20			5 Small Plant 'windfall'					-400,000	-700,000				
21			6 Remedials to be deducted					-250,193	-571,180	7.50%	18.00%		
22			7 Recovery under measure and change control					-1,909,256	-1,909,256				
23								1,176,457	692,787				
24	217,231	Reinstatement				0	0						
25	105,272	Prelims				50,000	50,000						
26	225,311	Traffic Management				112,500	112,500						
27						4,665,488	3,918,943						
28	434,028	Fluctuations		7.0%		326,584	274,326						
29	583,830	Markup		8.8%		439,302	369,008						
30	1,300,000	Claim Prep. Costs				0	0						
31	8,845,938	Total				5,431,375	4,562,277						
32	8,848,839												

	B	C	D	E	F	G	H	I	J	K	L	M
2	Carillion Utility Services Limited v tie Limited; Mediation on 9 & 10 November 2010											APPENDIX 3
3	Schedule 4 Rates and Prices claim - Analysis of likely settlement scenarios											
4	Scenario 3				Scenario 3 Totals	4,173,843	3,333,031					
5							Range of 'Top-line' values		Range (Workings)			
6	Orig. CUS	Claim Head	Issues arising			From	To	From	To			
7	3,753,466	Labour				3,753,466	3,753,466	356,410	356,410			
8			1 Hiab Driver hours - Labour and plant		Range	-231,927	-429,214	-8,289	-15,340	-7,051		
9			2 Embargo Hours		Range	-71,130	-140,713	-3,033	-6,000	-2,967		
10			3 Rate Difference		Agreed	-116,994	-113,000	345,088	335,070			
11			4 Rate Increase (£14.89 to £18.80)			-897,229	-871,182					
12			5 Claimed versus Paid			-6,883	-6,883	238				
13			6 Disruption found - Goes to question of culpability			<i>To be resolved separately</i>						
14			7 Remedials generally - Goes to question of culpability			<i>To be resolved separately</i>		Plant Values				
15	2,226,801	Plant				993,480	508,061	4,610,542	4,610,542	From	To	
16			1 Main Plant items derived from CPA					-287,095	-287,095	20%	20%	
17			2 Excavators/Breakers					-241,200	-134,000			
18			3 Hiab hours overclaim					-73,800	-41,000	-602,095	-462,095	
19			4 Main Plant values/rates - windfall from Values not cost					-470,354	-500,499	2,184,384	2,324,384	
20			5 Small Plant 'windfall'					-400,000	-700,000			
21			6 Remedials to be deducted					-235,357	-530,631	7.50%	18.00%	
22			7 Recovery under measure and change control					-1,909,256	-1,909,256			
23								993,480	508,061			
24	217,231	Reinstatement				0	0					
25	105,272	Prelims				50,000	50,000					
26	225,311	Traffic Management				112,500	112,500					
27						3,585,283	2,863,035					
28	434,028	Fluctuations		7.0%		250,970	200,412					
29	583,830	Markup		8.8%		337,590	269,583					
30	1,300,000	Claim Prep. Costs				0	0					
31	8,845,938	Total				4,173,843	3,333,031					
32	8,848,839											

	A	C	D	E	F	G	H	
1								
2			Claim Head	Orig. CUS Claim Amt				
3		1	Labour	3,753,466			3,753,466	
4		2	Plant	2,226,801			2,226,801	
5		3	Reinstatement	217,231				
6		4	Prelims	105,272				
7		5	Traffic Management	225,311				
8		6	Fluctuations	434,028			434,028	
9		7	MUDFA Markup	583,830			583,830	
10		8	Claim Prep. Costs	1,300,000				
11			Totals	8,845,938			6,998,124	
12			<i>Actual claim amount</i>	<i>8,848,839</i>			0.791112	
13			[minor difference is due to computer rounding]					

	A	C	D	E	F	H	I	J	K	
1										
2										
4		Overall Range:	5,431,375	2,741,566						
5										
6		Possible Settlement	Range:		Key Variables					
7		Scenarios	From	To						
8		Scenario 1 Totals	3,854,323	2,741,566	Take rate increase deduction; 50% to 100% deduction off Main plant CPA					
9		Scenario 2 Totals	5,431,375	4,562,277	Concede rate increase deduction; and concede Main plant CPA					
10		Scenario 3 Totals	4,173,843	3,333,031	Take rate increase deduction; take 20% to 20% deduction off Main plant CPA					
11					Note: in each instance Small plant allowed but less windfall					
12		<i>Note: the above shows a slight over-deduction of plant ranging from £82,000 to £164,000 for CUS concessions on Labour hours</i>							13,554,000	13,554,000
13								4,645,000	5,431,375	
14		Baseline Options	4,173,843	3,333,031				34.27%	8,122,625	
15									0.599278829	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
1																	
2						Running Totals	4,173,843	3,333,031									
3							Range of 'Top-line' values			Workings							
4		Orig. CUS Claim Amount	Claim Head	Issues arising			From	To		From	To						
5		3,753,466	Labour				3,753,466	3,753,466		356,410	356,410						
6				1	Hiab Driver hours - Labour and plant	Range	-231,927	-429,214		-8,289	-15,340	-7,051			270000	248161.8	231926.9
7				2	Embargo Hours	Range	-71,130	-140,713		-3,033	-6,000	-2,967			82807	76109.38	71130.26
8				3	Rate Difference	Agreed	-116,994	-113,000		345,088	335,070						
9				4	Rate Increase (£14.89 to £18.80)		-897,229	-871,182							17.49	14.89	2.60
10				5	Claimed versus Paid		-6,883	-6,883		238							
11				6	Disruption found - Goes to question of culpability		To be resolved										
12				7	Remedials generally - Goes to question of culpability		To be resolved										
13		2,226,801	Plant				993,480	508,061		4,610,542	4,610,542	From	To				
14				1	Main Plant items derived from CPA					-287,095	-287,095	20%	20%	1,435,473			
15				2	Excavators/Breakers					-241,200	-134,000						
16				3	Hiab hours overclaim					-73,800	-41,000	-602,095	-462,095	2,786,479	21.53%	600,000	
17				4	Main Plant values/rates - windfall from Values not cost					-470,354	-500,499	2,184,384	2,324,384				
18				5	Small Plant 'windfall'					-400,000	-700,000						
19				6	Small plant associated with main plant CPA					0	0						
20				7	Remedials to be deducted					-235,357	-530,631	7.50%	18.00%				
21				8	Recovery under measure and change control					-1,909,256	-1,909,256						
22										993,480	508,061						
23		217,231	Reinstatement				0	0									
24		105,272	Prelims				50,000	50,000									
25		225,311	Traffic Management				112,500	112,500									
26							3,585,283	2,863,035									
27		434,028	Fluctuations		7.0%		250,970	200,412									
28		583,830	Markup		8.8%		337,590	269,583									
29		1,300,000	Claim Prep. Costs				0	0									
30		8,845,938	Total				4,173,843	3,333,031									
31		8,848,839															

	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
	2	1	2	3	4	5	6		7	8	9	10	11	12	13	14	15	16
3	Section Alleged Actual hrs Ddt: 'allowed' in Rates Ddt: 'allowed' in Change Control Net claimed as 'disruption' Alleged Disruption %							Possible labour disruption percentage 'ranges'										
4			(Incl.Hiab)	Approx.					5%	10%	25%	50%	100%	150%	175%	200%	300%	500%
6	1	SECTION 1A-01-01	23,950 hrs	5,106 hrs	1,256 hrs	17,588 hrs	344%		255 hrs	511 hrs	1,276 hrs	2,553 hrs	5,106 hrs	7,659 hrs	8,935 hrs	10,212 hrs	15,317 hrs	17,588 hrs
7	2	SECTION 1B-01-01	30,280 hrs	5,031 hrs	1,171 hrs	24,078 hrs	479%		252 hrs	503 hrs	1,258 hrs	2,516 hrs	5,031 hrs	7,547 hrs	8,805 hrs	10,062 hrs	15,094 hrs	24,078 hrs
8	3	SECTION 1B-01-02	24,160 hrs	5,557 hrs	3,526 hrs	15,078 hrs	271%		278 hrs	556 hrs	1,389 hrs	2,778 hrs	5,557 hrs	8,335 hrs	9,724 hrs	11,113 hrs	15,078 hrs	15,078 hrs
9	4	SECTION 1C-01-01	30,600 hrs	9,885 hrs	18,751 hrs	1,964 hrs	20%		494 hrs	989 hrs	1,964 hrs	1,964 hrs	1,964 hrs	1,964 hrs	1,964 hrs	1,964 hrs	1,964 hrs	1,964 hrs
10	5	SECTION 1C-03-01	71,620 hrs	27,669 hrs	3,584 hrs	40,368 hrs	146%		1,383 hrs	2,767 hrs	6,917 hrs	13,834 hrs	27,669 hrs	40,368 hrs	40,368 hrs	40,368 hrs	40,368 hrs	40,368 hrs
11	6	SECTION 1C-04-01	52,020 hrs	14,194 hrs	7,715 hrs	30,112 hrs	212%		710 hrs	1,419 hrs	3,548 hrs	7,097 hrs	14,194 hrs	21,290 hrs	24,839 hrs	28,387 hrs	30,112 hrs	30,112 hrs
12	7	SECTION 1C-05-01	39,460 hrs	9,127 hrs	5,032 hrs	25,302 hrs	277%		456 hrs	913 hrs	2,282 hrs	4,563 hrs	9,127 hrs	13,690 hrs	15,972 hrs	18,253 hrs	25,302 hrs	25,302 hrs
13	8	SECTION 1D-01-01	62,090 hrs	18,260 hrs	9,726 hrs	34,103 hrs	187%		913 hrs	1,826 hrs	4,565 hrs	9,130 hrs	18,260 hrs	27,391 hrs	31,956 hrs	34,103 hrs	34,103 hrs	34,103 hrs
14	9	SECTION 2A-01-01	13,940 hrs	5,857 hrs	4,092 hrs	3,991 hrs	68%		293 hrs	586 hrs	1,464 hrs	2,929 hrs	3,991 hrs	3,991 hrs	3,991 hrs	3,991 hrs	3,991 hrs	3,991 hrs
15	10	SECTION 5B	1,280 hrs	946 hrs	280 hrs	54 hrs	6%		47 hrs	54 hrs	54 hrs	54 hrs	54 hrs	54 hrs	54 hrs	54 hrs	54 hrs	54 hrs
16	11	SECTION 5C	7,010 hrs	3,422 hrs	3,905 hrs	-316 hrs	-9%		-316 hrs	-316 hrs	-316 hrs	-316 hrs	-316 hrs	-316 hrs	-316 hrs	-316 hrs	-316 hrs	-316 hrs
18	Totals		356,410 hrs	105,054 hrs	59,036 hrs	192,320 hrs	183%		4,765 hrs	9,806 hrs	24,401 hrs	47,102 hrs	90,636 hrs	131,972 hrs	146,290 hrs	158,191 hrs	181,065 hrs	192,320 hrs
20	Labour Rate:		2,863,649	£14.89					£70,957	£146,012	£363,338	£701,342	£1,349,566	£1,965,060	£2,178,264	£2,355,466	£2,696,062	£2,863,649
21	Plant disruption:		800,000	<i>For present purposes applied total Lab. Disruption</i>					£19,823	£40,791	£101,503	£195,930	£377,020	£548,967	£608,528	£658,032	£753,182	£800,000
22	Reinstatement:		217,231	<i>i.e. Proportionately applied (although this is likely</i>					£5,383	£11,076	£27,562	£53,203	£102,376	£149,066	£165,239	£178,681	£204,518	£217,231
23	Prelims and TM:		330,583	<i>to be incorrect it assists as an indication of possible</i>					£8,191	£16,856	£41,944	£80,964	£155,795	£226,849	£251,461	£271,918	£311,237	£330,583
24	Fluctuations		7.00%	<i>ranges)</i>					£6,731	£13,852	£34,468	£66,533	£128,027	£186,417	£206,642	£223,453	£255,763	£271,662
25	MUDFA Uplift		8.80%						£9,775	£20,116	£50,056	£96,622	£185,925	£270,720	£300,092	£324,504	£371,427	£394,515
26	Total (incl. MUDFA uplift)							£120,860	£248,702	£618,872	£1,194,593	£2,298,709	£3,347,078	£3,710,228	£4,012,054	£4,592,190	£4,877,639	
28	Labour Rate:		3,065,319	£17.57	<i>Before fluctuations</i>				£75,954	£156,295	£388,926	£750,734	£1,444,608	£2,103,448	£2,331,667	£2,521,348	£2,885,930	£3,065,319
29	Plant disruption:		800,000	<i>See note above</i>					£19,823	£40,791	£101,503	£195,930	£377,020	£548,967	£608,528	£658,032	£753,182	£800,000
30	Reinstatement:		217,231						£5,383	£11,076	£27,562	£53,203	£102,376	£149,066	£165,239	£178,681	£204,518	£217,231
31	Prelims and TM:		330,583						£8,191	£16,856	£41,944	£80,964	£155,795	£226,849	£251,461	£271,918	£311,237	£330,583
32	Fluctuations		7.00%						£7,081	£14,571	£36,259	£69,991	£134,680	£196,104	£217,380	£235,064	£269,054	£285,779
33	MUDFA Uplift		8.80%						£10,246	£21,084	£52,465	£101,272	£194,874	£283,750	£314,536	£340,124	£389,305	£413,504
34	Total (incl. MUDFA uplift)							£126,678	£260,673	£648,660	£1,252,093	£2,409,353	£3,508,184	£3,888,813	£4,205,167	£4,813,227	£5,112,416	

	A	C	D	E	F	G
1						
3		Claim Head		Amount claimed		
4						
5		1	Work Section Entitlement	7,218,256		
6		2	Work Section Preliminaries Entitlement	105,272		
7		3	Traffic Management	225,311		
8		4	Claim Preparation Costs	1,300,000		
9		Total		8,848,839		
10		[Source: individual CUS Work Section Quantum Calculations, Page 3]				

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA														
1	Plant Analysis																																							
2	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16																								
3		Meterage		Planned Plant (£)		"Actual" Plant (£)		Difference	CUS Plant Claim as presented								Acutus																							
4	Section	Planned	Actual	Total (£)	Rate/m	Total (£)	Rate/m	["Actual" less "Planned"]	Total (£)	Rate/m	Claim Factored	Total claimed	Total "Paid"	Net Claim	Potential Shortfall	Actual Value Total (£)																								
5																																								
6					4 div by 2		6 div by 3	6 less 4		9 div by 2		3 x 10 x 11	3 x 5	12 less 13	14 less 8					Factored		Factor	Revised			Rate														
7																				Allowance	Plant £/m	Factor claimed	Rate			Rate Claimed														
8	1A-01-01	2,082	752	154,135	£ 74.03	452,021	£601.09	297,886	127,930	£ 61.45	4.69	216,712	55,672	161,039	-136,846	171,835.74			127,930	61.45	4.69	288.18			835.44	628,250.49														
9	1B-01-01	982	881	74,994	£ 76.37	434,200	£492.85	359,206	85,919	£ 87.49	6.02	464,034	67,281	396,754	37,548	177,455.07			85,919	87.49	6.02	526.71			1,171.39	1,031,996.96														
10	1B-01-02	658	834	51,694	£ 78.56	403,675	£484.02	351,981	103,330	£157.04	4.35	569,713	65,521	504,192	152,211	146,724.17			103,330	157.04	4.35	683.11			1,174.82	979,803.16														
11	1C-04-01	1,879	2,018	152,584	£ 81.20	566,336	£280.64	413,752	50,691	£ 26.98	3.66	199,254	163,871	35,382	-378,370	356,964.91			50,691	26.98	3.66	98.74			541.66	1,093,063.07														
12	1C-05-01	2,646	1,251	206,782	£ 78.15	451,469	£360.89	244,687	226,538	£ 85.62	4.32	462,692	97,764	364,928	120,241	323,391.93			226,538	85.62	4.32	369.86			899.91	1,125,783.58														
13	1C-03-01	3,909	4,364	292,845	£ 74.92	713,821	£163.57	420,976	169,662	£ 43.40	2.59	490,573	326,932	163,641	-257,334	454,029.37			169,662	43.40	2.59	112.41			394.98	1,723,704.15														
14	1C-01-01	637	979	71,141	£ 111.68	314,220	£320.96	243,079	180,312	£ 283.06	3.09	856,301	109,336	746,965	503,886	218,714.44			180,312	283.06	3.09	874.67			1,396.47	1,367,145.51														
15	1D-01-01	2,308	2,953	165,837	£ 71.85	819,793	£277.61	653,956	136,260	£ 59.04	3.4	592,755	212,182	380,572	-273,384	579,883.68			136,260	59.04	3.40	200.73			569.25	1,680,998.32														
16	2A-01-01	776	1,114	47,201	£ 60.83	249,683	£224.13	202,482	55,485	£ 71.50	2.38	189,573	67,760	121,813	-80,669	168,349.09			55,485	71.50	2.38	170.17			379.85	423,155.46														
17	5B	10	169	695	£ 69.50	38,835	£229.79	38,140	790	£ 79.00	1.35	18,024	11,746	6,278	-31,862	10,872.43			790	79.00	1.35	106.65			243.00	41,067.00														
18	5C	10	611	657	£ 65.70	166,490	£272.49	165,833	566	£ 56.60	2.21	76,428	40,143	36,285	-129,548	90,943.19			566	56.60	2.21	125.09			339.90	207,677.68														
19		15,897	15,926	1,218,565		4,610,542		3,391,977				4,136,057	1,218,208	2,917,849	-474,128	2,699,164										10,302,645.38														
20																																								
21	Labour Analysis																																							
22	1	2	3	4	5	6	7	8																																
23		Meterage		Planned Labour (£)		Labour claimed (£)		Difference																																
24	Section	Planned	Actual	Total (£)	Rate/m	Total (£/m)	Rate/m	["Actual" less "Planned"]																																
25																																								
26					4 div by 2			6 less 4																																
27																				Allowance	Lab £/m	Factor claimed	Rate																	
28	1A-01-01	2,082	752	205,883	£ 98.89	411,539	£547.26	205,656											242,941	116.69	4.69	547.26																		
29	1B-01-01	982	881	89,121	£ 90.75	567,963	£644.68	478,842											105,162	107.09	6.02	644.68																		
30	1B-01-02	658	834	63,033	£ 95.79	410,091	£491.72	347,058											74,379	113.04	4.35	491.72																		
31	1C-04-01	1,879	2,018	192,704	£ 102.56	893,809	£442.92	701,105											227,389	121.02	3.66	442.92																		
32	1C-05-01	2,646	1,251	275,133	£ 103.98	663,091	£530.05	387,958											324,655	122.70	4.32	530.05																		
33	1C-03-01	3,909	4,364	361,419	£ 92.46	1,233,131	£282.57	871,712											426,472	109.10	2.59	282.57																		
34	1C-01-01	637	979	91,161	£ 143.11	510,845	£521.80	419,684											107,569	168.87	3.09	521.80																		
35	1D-01-01	2,308	2,953	212,002	£ 91.86	1,088,244	£368.52	876,242											250,161	108.39	3.40	368.52																		
36	2A-01-01	776	1,114	57,937	£ 74.66	233,583	£209.68	175,646											68,366	88.10	2.38	209.68																		
37	5B	10	169	856	£ 85.60	23,043	£136.35	22,187											1,010	101.00	1.35	136.35																		
38	5C	10	611	824	£ 82.40	131,250	£214.81	130,426											972	97.20	2.21	214.81																		
39		15,897	15,926	1,550,073		6,166,588		4,616,515																																
40																																								
41																																								
42									Labour	4,616,515																														
43									Plant	2,917,849																														
44									Reinstatement:	217,231																														
45									Prelims and TM:	330,583																														
46										8,082,179																														
47									Change Control	-1,570,095																														
48										6,512,084																														
49										434,029																														
50										583,831																														
51										7,529,944																														
52										1,300,000																														
53										8,829,944																														

	A	C	D	E
1				
3		Work Section		Prelims claimed
5		1	1A-01-01	11,012
6		2	1B-01-01	2,390
7		3	1B-01-02	4,986
8		4	1C-04-01	23,659
9		5	1C-05-01	17,996
10		6	1C-03-01	9,833
11		7	1C-01-01	7,321
12		8	1D-01-01	20,934
13		9	2A-01-01	6,933
14		10	5B	0
15		11	5C	208
17		Totals		105,272