From: Steven Bell <Steven.Bell@tie.ltd.uk>

Sent: 21 February 2011 17:49

To: Robert Burt

Cc: Susan Clark; Brandon Nolan **Subject:** Items for Mediation Exhibits

Legally Privileged and FOI(S)A Exempt

Robert

As discussed by telephone earlier, please find attached a list of key areas where any specific vignettes visible to Acutus through your work on RTNs or INTC 429/536 regarding the core issues raised in our mediation statement would be very helpful.

Key topic areas

- 1. Extension of Time and associated loss and expense relating to MUDFA works (INTC 429 & INTC 536)
- 2. Cessation works associated with the 99 INTCs mentioned in Infraco letter KDR6860 of 29 September
- 3. Obligations in relation to Programme Clause 60 etc. (all constituent parts; updating Rev1; incorporating progress etc.
- 4. Infraco Default:
 - a. On Street Trackform Design and integration
 - b. Princes Street works
 - c. Failure to progress
 - d. Structures in Section 5A, including necessary construction phase plan and monitoring with NR and approvals from NR
 - e. Failure to produce Estimates and incomplete nature of Estimates
 - f. Gogarburn Retaining Wall design and approvals including those from EAL, particularly in relation to flood modelling
- 5. Any other "good example" you feel you have uncovered as you have worked through the RTN study.

Look forward to a call tomorrow morning.

Regards

Steven

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