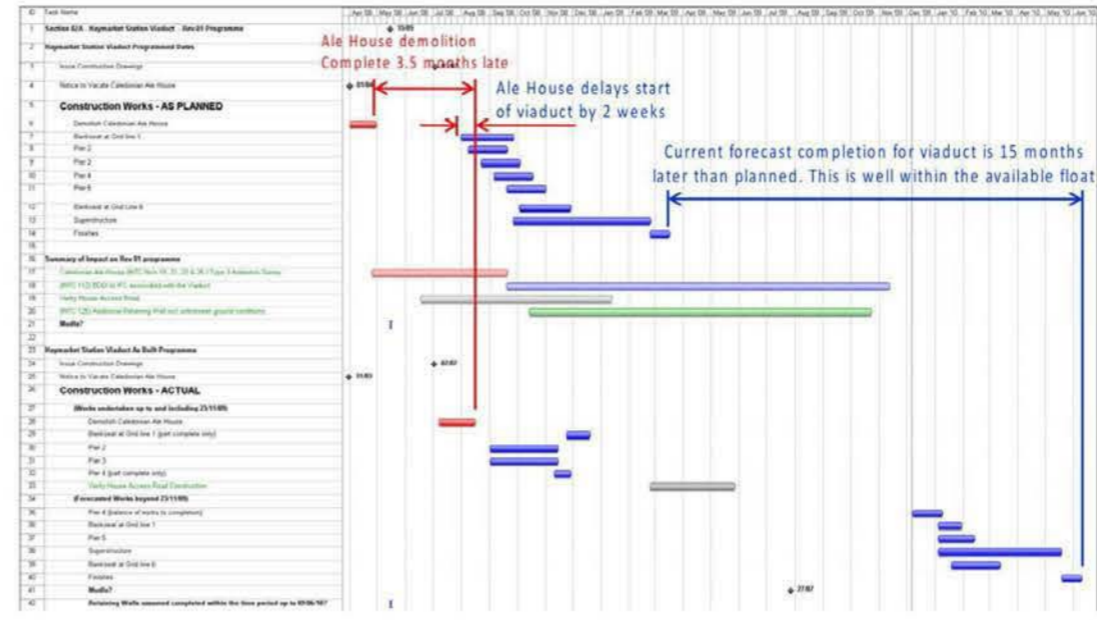


Section 2a – Haymarket Viaduct



1. Summary of Contractor's current Programme ("Rev. 01")
 1. The programme consists of two distinct operations, namely demolition of the Caledonian Ale House and construction of the new viaduct structure.
 2. Demolition of the Ale House is programmed to take place in April 2008. There is a three months gap before the construction of the structure is scheduled to begin.
 3. The structure is programmed to be constructed from East to West over a period of around seven months.
 4. Completion of the structure is linked to the commencement of the pile caps for Russell Road Retaining Walls W3 & 4, and the Haymarket Substation. The link to the Russell Road retaining walls appears to be purely a "preferential link" as these two structures have no physical interdependency.
 5. The programme shows that the available float in the Haymarket Viaduct is 84 working days. This is determined by the link to the Russell Road retaining walls which also have 84 days of float. Removing this link increases the available float to 532 working days. This would appear to be a more realistic assessment of the float available for this structure.
2. Summary assessment of impacting delays
 1. The Ale House was impacted upon by four claims of tie Change plus the late delivery of the asbestos survey. The project record indicates these matters to have spanned the period from 25th April to 19th September 2008, however, the actual delay to the Ale House was much less. It was completed only two weeks after the due commencement date for the Viaduct structure. It would appear that culpability for these delays lies with He(?).
 2. Commencement of the viaduct structure commenced one month later than planned. The IFC date was met therefore there was no delay arising from this. Late completion of the Ale House demolition accounts for two weeks delay and it may be reasonable to suggest that a further two weeks mobilisation would be required (?).
 3. After three months of progress the Contractor withdrew from the site, apparently because of contractual difficulties he was having with his sub-contractor. The works were abandoned partially complete. There was clearly further work that could have been undertaken. It is understood that the Contractor is seeking to hold He liable for this delay on the basis of contractual issues associated with "BDDI to IFC". The period of time associated with the processing of this issue is from 2nd July 2008 to 11th September 2009. Of this period, over 9(?) months is solely attributable to the time the Contractor took to prepare and present his estimate for the claimed tie Change. This time would appear unjustified and give credence to He's assertion that there was no need to delay these Works, particularly in light of He's specific direction for the Contractor to progress with them. These facts bring into question whether the Contractor has any entitlement to assessment of delay as a result of the "BDDI to IFC" issue.
 4. The requirement to construct the Verity House Access Road is an addition to (?) the Infracore Contract. Until it was constructed the most westerly parts of the new viaduct could not be completed. The access road was complete in May 2009. Any effect it might have had on the completion of the viaduct has been subsumed by the delays associated with the preceding three issues.
 5. Unforeseen ground conditions and additional retaining walls are being pursued by the Contractor as further tie Change. The period of time associated with the processing of these issues runs from 14th October 2008 to 20th October 2009. The delay associated with these issues appears to be purely contractual and predominantly as a result of delayed notification by the Contractor and excessively long periods of time to prepare and present justification and estimates. For these reasons there would appear to be little delay, attributable to He, that created delay to the viaduct construction over and above that resulting from the issues above.
3. Impact on current Sectional Completion Dates
 1. The Haymarket viaduct forms part of the Works required to achieve the Sectional Completion Date C. It is currently projected for completion 15 months (approximately 320 working days) later than planned.
 2. It is apparent that He carries culpability for the delays to the Ale House and a small proportion of those associated with the claimed tie Changes, the remainder, apparently, being to the Contractor's account.
 3. Noting that the actual forecast delay is well within the available float of 532 working days, there is no impact on the Sectional Completion C Date and therefore no consideration need to be given to requirements for extension of time.