

“1 EoT and L&E relating to MUDFA Works (ii) INTC 536 includes many INTCs that pre-date INTC 429 and post-date INTC 536”

1.1 Scope of INTC 536 Estimate

1.1.1 The INTC 536 Estimate states that it includes and superseded 14 other INTCs. These are shown on Slide No. 2 with their physical scope encircled in red. The scope of INTC 536 is encircled in green.

1.1.2 It is clear that, taken together, these do not encompass the entire tram route, yet the delay analyses contained in the Estimate applies utilities delays in areas outwith the combined scope of these notices. (It should, however, be noted that INTC 536 includes the wording “and we are aware of delays in other parts of the site (check for exact quote)” which could be considered to widen its scope in an undefined manner?)

1.1.3 Despite stating to the contrary, the INTC 536 Estimate does not take into account, or give effect to, the Adjudicator’s decision on INTC 429 (MUDFA Rev. 8).

1.2 INTC that pre-dates INTC 429

1.2.1 Reference is made to Slide No. 4.

1.2.2 Slide No. 4 shows the scope of INTC 536 and the only other INTC listed within the INTC 536 Estimate that post-dates INTC 429 and pre-dates INTC 536, that is INTC 524.

1.2.3 If it is correct to exclude from the INTC 536 Estimate all INTCs that pre-date INTC 429 and all those that post-date INTC 536, then only the scope of the two INTCs shown on Slide No. 4 should be the subject of the INTC 536 Estimate?

1.3 INTCs that post-date INTC 536

1.3.1 Reference is made to Slide No. 5.

1.3.2 The INTCs shown red on Slide No.5 post-date INTC 536. That being the case, is their inclusion in the INTC 536 Estimate legitimate?