
From: LAING Ian [Ian.Laing@pinsentmasons.com]
Sent: 04 April 2008 16:21
To: LAING Ian; Philip.Hecht@dlapiper.com; Steven Bell; Dennis Murray; Bob Dawson; OWENS Christopher; Scott.McFadzen@bilfinger.co.uk; Stewart McGarrity; BARR Stuart; MOIR Suzanne
Cc: Jim McEwan; Andrew.Fitchie@dlapiper.com; flynn.michael@siemens.com; Richard.Walker@bilfinger.co.uk; herbert.fettig@siemens.com; MOIR Suzanne; mgallaher@biggartbaillie.co.uk; daniel.haeussermann@bilfinger.de; Christian.Korf@bilfinger.de; Neil Amner
Subject: RE: Schedule 4
Attachments: ETN - Schedule 4 (4 April 2008).DOC

ALL

A slight update on the previous version. This now includes the agreed Network Rail immunisation wording.

Regards

Ian Laing
Partner
Pinsent Masons LLP

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-----Original Message-----

From: LAING Ian
Sent: 04 April 2008 12:23
To: LAING Ian; 'Philip.Hecht@dlapiper.com'; 'Steven.Bell@tie.ltd.uk'; 'Dennis.Murray@tie.ltd.uk'; 'Bob.Dawson@tie.ltd.uk'; OWENS Christopher; 'Scott.McFadzen@bilfinger.co.uk'; 'Stewart.McGarrity@tie.ltd.uk'; BARR Stuart; MOIR Suzanne
Cc: 'Jim.McEwan@tie.ltd.uk'; 'Andrew.Fitchie@dlapiper.com'; 'flynn.michael@siemens.com'; 'Richard.Walker@bilfinger.co.uk'; 'herbert.fettig@siemens.com'; MOIR Suzanne; 'mgallaher@biggartbaillie.co.uk'; 'daniel.haeussermann@bilfinger.de'; Christian.Korf@bilfinger.de; Neil Amner
Subject: RE: Schedule 4

ALL

Please find attached the latest version of Schedule 4.

Please note that in my absence on annual leave Stuart Barr will be leading the PM side on this.

Happily, there is not much remaining to be done to close out this schedule.

The "front end" of the Schedule is agreed between BBS and tie although it is subject to the following points:

(i) Dennis and Scott/Tom to agree definition of Accommodation Works to replace the current definition;

(ii) tie and BBS to agree the figures in the definition of "Contract Price". There is a commercial issue here on the mark-up to the SDS Price;

(iii) there are a couple of cross references to be completed (cross references generally require checking) when the Infraco Contract is completed and the Schedule Part 15 (Programme) completed.

(iv) generally the "checks" set out in the footnotes need to be confirmed.

In relation to the Appendices:

(a) Dennis Murray is to prepare Appendix 1

(b) Steve Sharp and Tom Hickman are to agree the provisional durations for Appendix B, Table 1;

(c) tie and BBS (Siemens) to agree the position on VE items 3, 8, 14 and 25. The total VE amount to be checked against the sum of the items.

(d) Appendix F (Schedule of Rates) to be agreed between Dennis and Tom Murray.

(e) Appendix G - there is an outstanding point in relation to site related overhead. Dennis and Tom/Scott to agree. Note the current drafting is probably correct provided Dennis is happy with his review of the prelims breakdown.

(f) The Network Rail Immunisation drafting (Appendix H) simply needs to be slotted in at Appendix I. (Stuart Barr - please note that Neil Amner should be able to provide this to us. It is understood that the drafting is agreed).

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-----Original Message-----

From: LAING Ian
Sent: 02 April 2008 17:13
To: LAING Ian; 'Philip.Hecht@dlapiper.com'; 'Steven.Bell@tie.ltd.uk'; 'Dennis.Murray@tie.ltd.uk'; 'Bob.Dawson@tie.ltd.uk'; OWENS Christopher; 'Scott.McFadzen@bilfinger.co.uk'; 'Stewart.McGarrity@tie.ltd.uk'
Cc: 'Jim.McEwan@tie.ltd.uk'; 'Andrew.Fitchie@dlapiper.com'; 'flynn.michael@siemens.com'; 'Richard.Walker@bilfinger.co.uk'; 'herbert.fettig@siemens.com'; MOIR Suzanne; 'mgallagher@biggartbaillie.co.uk'; Atkins, Chris
Subject: RE: Schedule 4

Please find attached the latest draft of Schedule 4 for discussion (and hopefully final resolution) tomorrow.

Regards

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-----Original Message-----

From: LAING Ian

Sent: 01 April 2008 07:59

To: LAING Ian; 'Philip.Hecht@dlapiper.com'; 'Steven.Bell@tie.ltd.uk';
'Dennis.Murray@tie.ltd.uk'; 'Bob.Dawson@tie.ltd.uk'; OWENS Christopher;
'Scott.McFadzen@bilfinger.co.uk'; 'Stewart.McGarrity@tie.ltd.uk'

Cc: 'Jim.McEwan@tie.ltd.uk'; 'Andrew.Fitchie@dlapiper.com'; 'flynn.michael@siemens.com';
'Richard.Walker@bilfinger.co.uk'; 'herbert.fettig@siemens.com'; MOIR Suzanne;
'mgallagher@biggartbaillie.co.uk'

Subject: Re: Schedule 4

Phil

I would be grateful if you could arrange for a projector to be available for today's meeting. I am keen that we don't leave until this is agreed and I think this is the most effective way.

I appreciate that you don't yet have the Network Rail immunisation drafting. Hopefully we will get that this morning, agree it today and slot it in.

Regards

Ian Laing

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----- Original Message -----

From: LAING Ian

To: LAING Ian; 'Philip.Hecht@dlapiper.com' <Philip.Hecht@dlapiper.com>;
'Steven.Bell@tie.ltd.uk' <Steven.Bell@tie.ltd.uk>; 'Dennis.Murray@tie.ltd.uk'
<Dennis.Murray@tie.ltd.uk>; 'Bob.Dawson@tie.ltd.uk' <Bob.Dawson@tie.ltd.uk>; OWENS
Christopher; 'Scott.McFadzen@bilfinger.co.uk' <Scott.McFadzen@bilfinger.co.uk>;
'Stewart.McGarrity@tie.ltd.uk' <Stewart.McGarrity@tie.ltd.uk>

Cc: 'Jim.McEwan@tie.ltd.uk' <Jim.McEwan@tie.ltd.uk>; 'Andrew.Fitchie@dlapiper.com'
<Andrew.Fitchie@dlapiper.com>; 'flynn.michael@siemens.com' <flynn.michael@siemens.com>;
'Richard.Walker@bilfinger.co.uk' <Richard.Walker@bilfinger.co.uk>;
'herbert.fettig@siemens.com' <herbert.fettig@siemens.com>; MOIR Suzanne;
'mgallagher@biggartbaillie.co.uk' <mgallagher@biggartbaillie.co.uk>

Sent: Mon Mar 31 10:20:44 2008

Subject: RE: Schedule 4

Steven/Jim

Please can you let me have confirmation that the position on the Notified Departure in relation to the Design Delivery Programme is understood and agreed by tie.

Regards

Ian Laing

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-----Original Message-----

From: LAING Ian
Sent: 26 March 2008 16:23
To: 'Philip.Hecht@dlapiper.com'; 'Steven.Bell@tie.ltd.uk'; 'Dennis.Murray@tie.ltd.uk';
'Bob.Dawson@tie.ltd.uk'; OWENS Christopher; 'Scott.McFadzen@bilfinger.co.uk';
'Stewart.McGarrity@tie.ltd.uk'
Cc: 'Jim.McEwan@tie.ltd.uk'; 'Andrew.Fitchie@dlapiper.com'; 'flynn.michael@siemens.com';
'Richard.Walker@bilfinger.co.uk'; 'herbert.fettig@siemens.com'; MOIR Suzanne;
'mgallagher@biggartbaillie.co.uk'
Subject: Re: Schedule 4

Stephen/Jim

As we discussed earlier today, the Design Delivery Programme that will be v28. The Pricing Assumption in Schedule 4 of the Infraco Contract assumes that the Design Delivery Programme will not change from v26. It follows that there is the possibility that there will be an immediate Notified Departure on contract execution. Given the unusual position that we are in, please can you confirm that this is understood and agreed by tie.

Many thanks

Ian.

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----- Original Message -----

From: Hecht, Philip <Philip.Hecht@dlapiper.com>
To: LAING Ian; Steven Bell <Steven.Bell@tie.ltd.uk>; Dennis Murray
<Dennis.Murray@tie.ltd.uk>; Bob Dawson <Bob.Dawson@tie.ltd.uk>; OWENS Christopher; Scott
McFadzen <Scott.McFadzen@bilfinger.co.uk>; Stewart McGarrity
<Stewart.McGarrity@tie.ltd.uk>
Cc: Jim McEwan <Jim.McEwan@tie.ltd.uk>; Fitchie, Andrew <Andrew.Fitchie@dlapiper.com>;
flynn.michael@siemens.com <flynn.michael@siemens.com>; Richard Walker
<Richard.Walker@bilfinger.co.uk>; herbert.fettig@siemens.com <herbert.fettig@siemens.com>;
MOIR Suzanne; mgallagher@biggartbaillie.co.uk <mgallagher@biggartbaillie.co.uk>
Sent: Wed Mar 26 11:34:22 2008
Subject: RE: Schedule 4

Thank you Ian - I will action this.

Kind regards.

Phil

Philip Hecht
Solicitor
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From: LAING Ian [mailto:Ian.Laing@pinsentmasons.com]
Sent: 26 March 2008 11:26
To: Hecht, Philip; Steven Bell; Dennis Murray; Bob Dawson; OWENS Christopher; Scott McFadzen; Stewart McGarrity
Cc: Jim McEwan; Fitchie, Andrew; flynn.michael@siemens.com; Richard Walker; herbert.fettig@siemens.com; MOIR Suzanne; mgallaher@biggartbaillie.co.uk
Subject: RE: Schedule 4

ALL

Please find an updated version of Schedule 4 following the meeting yesterday. Happily this is nearing completion.

I have updated the version last issued by Phil. I do now have a copy of the hard copy version placed on the table yesterday but don't have time before going to the SDS meeting to update the amendments onto that version.

Phil, would it be possible for you to arrange this?

Appendix J (NR Immunisation to follow).

Regards
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From: Hecht, Philip [mailto:Philip.Hecht@dlapiper.com]
Sent: 20 March 2008 17:42
To: Steven Bell; Dennis Murray; Bob Dawson; LAING Ian; OWENS Christopher; Scott McFadzen; Stewart McGarrity
Cc: Jim McEwan; Fitchie, Andrew; flynn.michael@siemens.com; Richard Walker; herbert.fettig@siemens.com
Subject: Schedule 4

All

Please find attached Schedule 4 as agreed today on screen. Please note the various actions on both sides, as footnoted, to bring this document to a close.

Thank you all for a productive session.

Kind regards.

Phil

<< 18356745_1_UKMATTERS(Schedule 4 - 20.3.08).DOC>>

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