
From: Marshall Poulton
Sent: 14 November 2010 16:10
To: Bob McCafferty
Subject: FW: DRP Summary
Attachments: DRP Commentary 081110.doc

Importance: High

Bob

*****VERY IMPORTANT*****

I would welcome any comments you may have on this before I go back to Nick.

Thanks

Marshall

From: Nick Smith
Sent: 09 November 2010 15:31
To: Marshall Poulton
Subject: FW: DRP Summary

Marshall

I am getting Shepherd & Wedderburn to confirm that tie's summary is accurate from a legal perspective. I'm not sure what you want to do from an engineering/value perspective, but Tom was clear this morning that he will want sign-off from both of us re the adjudications issue. For what it's worth the summary is very pro-tie/DLA.

Kind regards

Nick

Nick Smith
Principal Solicitor - Commercial, Procurement & Finance
Legal Services Division
City of Edinburgh Council
Level 3, Waverley Court
East Market Street
Edinburgh EH8 8BG

(t) 

Please note that I am not in the office on a Monday

From: Nick Smith
Sent: 09 November 2010 13:25
To: Anderson, David
Subject: FW: DRP Summary

David

As discussed. I understand that the relevant adjudications are on the extranet. Please let me know if you need further info. As discussed, at present I simply want to confirm that tie's commentary is accurate in terms of the decisions.

Kind regards

Nick

Nick Smith
Principal Solicitor - Commercial, Procurement & Finance
Legal Services Division
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Level 3, Waverley Court
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(t) [REDACTED]

Please note that I am not in the office on a Monday

From: Susan Clark [mailto:Susan.Clark@tie.ltd.uk]
Sent: 09 November 2010 10:59
To: Nick Smith; Carol Campbell
Subject: FW: DRP Summary

Nick, Carol

DRP summary.

Will put this on your site.

Susan

Susan Clark
Deputy Project Director

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From: Steven Bell
Sent: 08 November 2010 23:23
To: Susan Clark
Cc: Joanne Glover; Mieztis, John
Subject: RE: DRP Summary

Legally Privileged and FOI(S)A Exempt

Susan

Updated. Will speak tomorrow.

S

Steven Bell
Project Director

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From: Susan Clark
Sent: 07 November 2010 15:00
To: Steven Bell
Subject: FW: DRP Summary

Steven
This is the updated DRP summary Sent by DLA on friday.
Can you add the 80.13 piece please or Send it to me and I'll update. This means we can get it to CEC by 11am tomorrow as requested by Richard?

Thanks

Susan

From: Miezitis, John <John.Miezitis@dlapiper.com>
Sent: 05 November 2010 12:22
To: Susan Clark <Susan.Clark@tie.ltd.uk>
Cc: Bentley, Bruce <Bruce.Bentley@dlapiper.com>; Kilburn, Keith <Keith.Kilburn@dlapiper.com>
Subject: RE: DRP Summary

Susan,

I attached a revised DRP summary. I would respond to each of your comments as follows:

(1) With regard to the figures:

- Hilton Hotel car park now makes mention of the sum of £90,067 sought by Infracore.
- The value of the Estimate for Carrick Knowe Bridge has been changed to £391,971 (on the basis that we assume the figure given in the table shows the correct value of the original Estimate).

- Russell Road Retaining Wall - I understand that tie negotiated the value of those parts of the Estimate that dealt with contaminated land and LODs and that the adjudicator's decision related to Foundations only. If you are able to tell me the portion of the Estimate's value of £4,597,847.07 that relates to Foundations, then I would be able to include that in the summary.
- Section 7A drainage - the value of the Estimate has been changed to £1,350,000 (on the basis that we assume the figure given in the table shows the correct value of the original Estimate).
- Tower Place Bridge - the value of the Estimate has been changed to £595,358 (on the basis that we assume the figure given in the table shows the correct value of the original Estimate).

Otherwise, the figures in the summary seem to be consistent with the figures in your table.

(2) The Adjudication in relation to clause 80.13 was conducted by McGrigors and so the summary would require to be prepared by them.

(3) This change has been made.

Please let me know if you have any queries.

Kind regards

John

John Miezitis
Associate

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From: Susan Clark [mailto:Susan.Clark@tie.ltd.uk]
Sent: 04 November 2010 08:28
To: Miezitis, John
Subject: RE: DRP Summary

John

Thanks for sending this through yesterday – we have the following comments:

- 1) We think that the number don't correlate to the final agreed numbers – see attached sheet which contains the correct numbers
- 2) The Dervaird Clause 80.13 decision is missing
- 3) Can you refer to EOT2 as INTC 429 or MUDFA 8 please?

Can you update and return by tomorrow please?

Susan

Susan Clark
Deputy Project Director

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From: Mieзитis, John [mailto:John.Mieзитis@dlapiper.com]
Sent: 03 November 2010 16:38
To: Susan Clark
Cc: Bentley, Bruce; Kilburn, Keith
Subject: DRP Summary

*Legally privileged
FOISA exempt*

Susan,

Further to your conversation with Bruce earlier, I attach DLA's summary of the DRPs that have been referred to adjudication.

Please feel free to call should you require anything further.

Kind regards,

John

<< 28730767_1_UKMATTERS(Commentary on DRPs - version 1).pdf>>

John Mieзитis
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