
From: Kevin Russell - BB Civil UK [Kevin.Russell@civil.bilfinger.co.uk]
Sent: 02 October 2012 16:02
To: Colin Smith
Cc: Martin Foerder - BB Civil UK; Alfred.brandenburger@siemens.com; Stephen Sharp; Alan Coyle
Subject: FW: ETN "22 week draw down" to 15 September 2012

Colin,

Please see below, email from Steve Sharp outlining some issues with T&T in connection with agreement of 22 Week Drawdown.

Happy to discuss should you need any clarification.

Regards,

Kevin Russell
Deputy Project Director / Contract Manager
Edinburgh Tram Network

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From: Stephen Sharp [<mailto:ssharp@programmingsolutions.co.uk>]
Sent: 02 October 2012 13:57
To: Kevin Russell - BB Civil UK
Cc: Martin Foerder - BB Civil UK; Brandenburger, Alfred
Subject: ETN "22 week draw down" to 15 September 2012

Kevin

As discussed, I was concerned about some of the statements made by Gordon Smith of T&T at this morning planners meeting convened to discuss the latest analysis of the "22 weeks" draw down.

Gordon said that he had been told by Julian that what was being agreed on a 4 weekly basis was the actually time lost in the period regardless as to whether it was caused by utilities or general progress of the civil engineering

works and that at the end of the contract the responsibility for these delays would be considered and the time apportioned between Infraco and CEC with the corresponding money paid to Infraco.

I strongly advised him that this was not the case. I reminded him of the history of the contract and the requirement under schedule part 45 that the delays caused by Departures to the Pricing assumptions are agreed at the time they occur in accordance with the timescales stated in the Contract.

Further, although T&T (Jim Blair) agreed with the analysis of the 22 week drawdown and that the foam concrete had had an effect on our works in Shandwick Place, Gordon Smith wanted proof that this was the case. He stated that the he needed to see the direct link between the utility delays and the programme critical path.

I responded that to avoid these problems “contractually” we had a right to exclusive access to Designated Working Areas. We therefore have the right to stop work whist the utility works were being carried out, which would clearly identify what would be the (extensive) delay. However this was not in the spirit in which the work was being undertaken and Infraco were trying to progress the works the best they could in the circumstances.

Gordon said that 31 days of critical activities had been deleted in the period in my analysis(due to the reduced scope of work to the carriageway works) and wanted to know where this time had gone. I responded that the critical path had changed with these deletions and did save a few days over all, however what that meant was that the delay due to the utility works was greater than I was claiming.

To break the dead lock I offered to provide further substantiation – which I know you are not happy with. I have therefore spoken to Graham Robertson (who was not at the meeting). He has agreed that I should not provide the further substantiation at this stage and he will try and resolve the matter with T&T.

Best Regards,

Steve Sharp
BSc CEng MICE

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