
From: Steven Bell
Sent: 22 November 2008 10:08
To: Richard.Walker@bilfinger.co.uk
Cc: Colin.Brady@bilfinger.co.uk; Dennis Murray; Frank McFadden; Michael Flynn (Siemens TS)
Subject: RE: 21467968_3_UKMATTERS(tie Change - Clause 80)rev2

Richard,

Thank you for this information. I shall call you on Monday morning to arrange a meeting early in the week.

We cannot allow this to import delay into the works. The sooner you can explain your further concerns explicitly, the quicker we can reach a conclusion.

In the meantime please ensure Your team is fully supporting the weekly kpi reviews to highlight clearly the issues and necessary actions.

Speak on Monday.

Thank you.

Steven

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Sent from my mobile handset

From: Richard.Walker@bilfinger.co.uk <Richard.Walker@bilfinger.co.uk>
Sent: 21 November 2008 16:39
To: Steven Bell <Steven.Bell@tie.ltd.uk>
Cc: Colin.Brady@bilfinger.co.uk <Colin.Brady@bilfinger.co.uk>; Dennis Murray <Dennis.Murray@tie.ltd.uk>
Subject: Re: FW: 21467968_3_UKMATTERS(tie Change - Clause 80)rev2

Steven,

I accept Dennis and I made good progress earlier in the week, particularly in respect of the Flow Charts presented however, we still perceive significant difficulties with the wording of the new Clause 80.20.1-11, particularly some cross references to other clauses. We are working hard to articulate our concerns and possible alternative wording to quickly expedite resolution. At the moment the wording is not acceptable.

There is obviously intent on both sides to find a way to progress the works whilst protecting both our positions, until such time as we reach agreement we will be concentrating our efforts on the evaluation of works already undertaken without formal acknowledgement or instruction, to recover monies spent 'in good faith.' We will continue to undertake variations of a minor nature however significant changes must be dealt with under the contract until agreement on the new clause is reached. In respect of notifications already submitted we would like to meet with you to discuss an on account payment to assist us with our current loss position. I shall be in Edinburgh most of next week.

Regards,

Richard Walker
Managing Director

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Steven Bell <Steven.Bell@tie.ltd.uk>

20/11/2008 09:35

To "Richard.Walker@bilfinger.co.uk" <Richard.Walker@bilfinger.co.uk>
cc "Michael Flynn (Siemens TS)" <Flynn.Michael@siemens.com>,
"Colin.Brady@bilfinger.co.uk" <Colin.Brady@bilfinger.co.uk>, Dennis Murray
<Dennis.Murray@tie.ltd.uk>, Frank McFadden <Frank.McFadden@tie.ltd.uk>
Subject FW: 21467968_3_UKMATTERS(tie Change - Clause 80)rev2

Richard

I am pleased with the progress you have made with Dennis on this key area and I believe you and Dennis have now reached agreement in principle, subject to our respective internal review processes.

I have raised this with my Board and we will be pursuing a rapid formal internal approval.

Pending that, and your own processes, I want us to operate in line with the principles agreed and ask that you ensure that happens from BSC's perspective. I will address that with my team.

In addition, it is critical that the weekly meetings and escalation of any key issues happens with the full involvement and support of your management team and my own.

Can you please ensure the right framework of support and resource is provided to Colin and his team to enable that to happen and to enable Colin to follow through with Frank at the Weekly KPI review.

Thank you.

Steven

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From: Dennis Murray
Sent: 19 November 2008 15:23
To: Steven Bell
Subject: FW: 21467968_3_UKMATTERS(tie Change - Clause 80)rev2

Steven,
Attached is a copy email sent to Richard and Grahame this morning.
Regards
Dennis

From: Dennis Murray
Sent: 19 November 2008 10:10
To: 'Grahame.Duff@bilfinger.co.uk'; 'Richard.Walker@bilfinger.co.uk'
Subject: 21467968_3_UKMATTERS(tie Change - Clause 80)rev2

Richard/Grahame,
Following our discussion last night I append a draft for further discussion/agreement. I think that we can make this work however it is a work in progress as I have yet to get Steven and the tie board approval and of course you will need to get consortium approval. I look forward to further comments.

Regards
Dennis

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