

APPENDIX 4 TO STATEMENT OF ANDREW FITCHIE – TABLE SHOWING ADDITIONAL DOCUMENT REFERENCES AND CORRECTIONS OF MINOR ERRORS

Note: Where 'Additional Documents' are referred to these have been provided to the Inquiry but do not yet appear on Haymarket.

PARAGRAPH	CHANGE
2.21	3 rd sentence: Insert: '(CEC01711054)' after 'to her' Final sentence: Replace: 'October' with 'December' Insert: (CEC01506475) at end.
2.133	Replace: 'the basis for' with 'at the heart of the'
2.142	Insert: (CEC02084855) at end
2.143	Insert: ', I believe, ' before 'at £2.7 million'
2.164	Replace 'unless' with 'until'
2.168	Insert: (CEC00145837) after '13 March 2009'
2.211	Insert: (CEC01312360) after '12 March 2008'
2.214	Insert: (CEC01347796) after '18 March 2008'
2.223	Insert: (CEC01033532) after 'letter to CEC'
3.23	Replace: 'came into' with 'became'
4.4	Replace "Beattie" with 'Beatty'
4.31	Insert (CEC01351476) after '29 versions'
4.39	Replace: 'October' with 'December' Insert: (CEC01711054) after 'So I did'
4.54	Insert: (BFB00097935; final version) after 'under the Infraco Contract'
4.67	Insert: (Additional Document 1) after 'commercial bank financing'
4.92	Insert: 'and MUDFA' after 'design for the Infraco' Replace: 'procurement' with 'procurements'
4.103	Insert '(Additional Document 2)' after 'retaining us'
4.105.3	Insert: (CEC01015023 pp.111-112) after 'Public Realm works'
4.117	Insert 'and' before 'were familiar with'
4.159	Footnote 15 – Insert '-CEC01880646' after '4.107'
4.163	2 nd sentence - Replace: 'Issue' with 'The SDS bidders were issued at ITN with'

5.5	5 th sentence - Replace: 'contract' with 'contractor'
5.37	Replace: 'CEC01712262' with 'CEC01712262'
5.73	Insert: footnote 23 after '2007 on the SDS Contract' to read: 'See paragraphs Error! Reference source not found. and Error! Reference source not found. '. Re-number all subsequent footnotes accordingly. Insert: '(CEC00810434)' after 'report on the SDS contract'
5.76	Replace: 'it's' with 'its' after 'CEC would direct'
5.99	Insert: 'and' after 'design production delay'
5.128	Replace: 'with' with 'through' before 'me at this stage'
5.132	Delete: 'had' before 'evaluated BAFOs'
5.157	Insert: 'Engineering Director and then' before 'Project Director'
5.158	Insert: (CEC01338853) after 'TIE's Close Report'
5.164	Replace: CEC0164232 with CEC01642352
5.166	Replace: £2.856,724 with £2,856,724
5.172	Insert: (CEC01629809) after 'Gilbert'
5.178	Insert: (CEC02085580 & PBH00026254) after '£2.86m' Insert space after '5.193'
5.184	Insert: (CEC01629809) after 'August 2007'
5.198	Insert: (CEC01488889) after "TIE on the SDS claims"
6.19	Replace last sentence with: 'I do not now recall the exact date of the TSS appointment but they had not been a party to TIE's consideration of its procurement strategy in 2004/5.'
6.35	Insert: '(Additional Document 3)' after 'important agreements'
6.56	Insert: (CEC01621726) after ' <i>Contract Improvements</i> '
7.30	Insert: (CEC01560936) at end.
7.58	Replace: 'October' with 'December' Insert: (CEC01506475) after 'December 2007'
7.78	Replace: 'I was present at the straight financial discussions' with 'DLA Piper was not present at the straight financial discussions between TIE and its two bidders during the pre BAFO negotiations'
7.103	Delete: '(discussed at paras. 0)'
7.129	Replace: 'Jeffrey' with 'Walker'
7.132	Replace: '8.51' with ' Error! Reference source not found. (penultimate bullet point)'

7.133.2	Revise 3 rd sentence to: 'I advised TIE that if BB was unable to provide its intended subcontractors with SDS scheme designs matching TIE's ERs, for use in building up basic Bills of Quantity, then BB UK would only provide TIE with indicative prices.'
7.134	Insert: (CEC02085660) after 'December 2007'
7.137	Insert: 'DLA00002790, DLA00002791, DLA00002792, DLA00002793, DLA00002795, CEC00547731, CEC00547740, CEC00547740' before 'see below at paragraph 7.191'
7.174	Insert: (CEC01546423 attaching CEC01546424) after 'I believe'
7.178	Replace: 'reports, though' with 'reports. Though'
7.182	Insert: (see for example DLA00002789) after 'clarity'
7.184	Revise final sentence to: 'And so; on the 18 th December, it was Alastair Richards, not Mathew Crosse or Geoff Gilbert or Willie Gallagher, who provided me with an unsigned and incomplete version of what seemed to have been discussed (See CEC00605720 for my response).'
7.187	Insert: '(CEC00605720).' after 'that afternoon'
7.188	Insert (DLA00002789) after 'review of Wiesbaden' Replace: 'under 6 th February 2010' with 'until 6 th February 2008'
7.191	Insert: (CEC00547740) after 'wrote to Geoff Gilbert'
7.199	Delete additional ':' at end
7.199.2	Insert: '(before "BDDI")'
7.203	Insert: (CEC00547780) after 'confirms this'
7.206	Insert: (CEC01363703, at p.5) after '19 th December 2007'
7.208	Insert: 'Project' after 'The TIE'
7.212	Insert: (CEC01400299) after 'contract acceptance'
7.214.6	Insert: (CEC02084855) after 'Square Agreement'
7.227	Insert: (CEC01422803) after 'February 2008'
7.239	Replace: DLA00006341 with DLA00006343
7.242	Insert: 'in SP4' after 'involvement'
7.243	Revise 1 st sentence to: 'I recall going to two initial meetings on SP4 (5 th and 6 th February) when I anticipated risk allocation principles were going to be discussed and another on 11 th March 2008'
7.258	Replace: '6 th and 7 th February' with '5 th and 6 th February 2008'
7.262.1	Insert: (CEC00592619) after 'closed'
7.262.4	Replace: CEC014478862 with CEC01448862

7.262.5	Insert: (CEC01450182) after 'that day'
7.263	Replace: 'CEC01448355 /356' with 'CEC01514107; CEC01448355; CEC01448356'
7.297	Insert: (CEC01466394) after '31 st March 2008'
7.298	Insert: (CEC01465878) after '31 st March 2008'
7.300	Insert: (CEC01466394) after 'some detail'
7.313	Insert: (CEC01015023) after '23 rd January 2008' Insert: (CEC01015023 at pp.23-34) after 'Dec. 2007' Insert '.' at end
7.329	Replace: CEC01213521 with CEC01213251
7.337	Replace: CEC00149876 with CEC01449876
7.342	Insert: (CEC01449710) after '25 th February'
7.343.2	Replace: (CEC0060555 and/60) with (CEC00605557 and /CEC00605560)
7.344	Replace: 'CEC01450182/183 and CEC01450309/10' with 'CEC01450182/CEC01450183 and CEC01450309/CEC01450310'
7.345	Replace: CEC0059268 with CEC00592628
7.347	Insert '- CEC02084776' after 'Geoff Gilbert's notes'
7.353	Change reference to: CEC01543499
7.358	Insert: (CEC00327764) after 'up to that point'
7.368	Insert: 'meeting and what I have described as my and DLA Piper's involvement' at end.
7.374	Insert: '(Additional Document 4)' after 'May 2008'
7.376	Insert: 'CEC0137' before '4220'
7.384	Insert: ', post Wiesbaden' after 'PA1'
7.395	Insert: '?' at end.
7.414	Insert: 'I believe' at start
7.435	Insert: (CEC02084855) after 'Agreement'
7.442	1 st sentence Insert: 'the draft pricing schedule,' after 'this was why'
7.467	Insert '.' after 'negotiation rules'
7.470	Insert: '(see TIE00678587)' after 'negotiations at Citypoint' Insert (See Additional Document 5) after 'Citypoint offices'
7.478	Insert: '- ' after 'bonding'

7.480	Insert: '(Additional Document 6) after ' January 2008'
7.493	Insert: (WED00000023) at end.
7.496	Insert: (CEC01338846 attaching CEC01338847) at end
7.500	Insert: '(see para Error! Reference source not found. <i>et seq</i>) after 'already showed'
7.506	Insert: (WED00000023) after 'at the meeting'
7.508	Insert: (TIE00679381) at end
7.512	Insert: (Additional Document 4) at end
7.514	Insert: (CEC01338847) after 'May 2008'
7.519	Replace: 'legal function' with 'contractual provision'
7.527	Insert 'is' before 'supportive'
7.541	Replace: 'They had' with 'I recall they had'
7.543.2	Replace: 'part of this' with 'part of the reason'
7.544	Insert: (CEC01374219) after 'SP4'
7.548	Insert: 'million' after '£13.8'
7.552	Insert: (Additional Document 7) after 'approvals risk'
7.559	Replace 'Clause 2.6' with 'Appendix Clause 2.6 (CEC02084855)'
7.560	Replace: 're-application or the application' with 'disapplication'
7.563	Insert: 'under the Infraco contract' after 'made to BBS'
7.576	Insert: (CEC01500975) after '17 th December 2007'
8.13	Insert: '.' After 'years later'
8.36	Replace references at start with: CEC00901460 and CEC00901462
8.45	Replace: 'early 2010' with 'mid 2010'
8.52	Insert: 'to' after 'In order'
8.53	Delete: '/002'
8.54	Insert ((part of CEC01010525 chain) after '19 February 2009'
8.78	Replace: 'remedial' with 'remediable'
8.80	Replace: 'challenge' with 'Carlisle'
8.90	Insert: ', Notice' after 'Carlisle'
8.131	Insert: (CEC00145837) after 'Agreement confirms'
8.136	Insert: (CEC00145837) after 'Supplemental Agreement'

8.143.1	Replace 'where' with 'that' after 'arguable case' Delete: 'and continuing'
8.182.1	Insert: (CEC00129799) after '24 th September 2010'
8.183.1	Insert: (CEC00220060) after 'located this'
8.187.5	Insert: (CEC00337893) after 'Reynolds'
8.191.5	Insert: (CEC00605553) after '2010 email'
8.191.5; 8.191.6; 8.191.7; 8.191.8; 8.191.9.10;	Insert additional '5' as 9 th digit of references
8.191.9.11	Insert '0' as 7 th digit of references
8.214	Insert: (CEC00145837) after 'agreement'
8.218	Insert: '.' after '7.316'
8.223	Insert: '.' at end
10.9.6	Insert: '.' After 'engineering role'
10.9.7	Insert: 'had ceased' at end
10.16	Replace: 'possibly early February 2008' with 'probably autumn 2007'
10.17	Replace: 'transport' with 'Transport' Replace: 'managing' with 'supporting TIE's management of'
10.42	Replace: 'sometime' with 'sometimes'
10.44	Replace: 'perception at' with 'perception about'
10.60	Insert: '(eventually, I believe, settled at £2.7 million)' after '£3.2million'
10.75	Insert: 'at Tie' after 'Hamill' Replace: 'DLA piper' with 'DLA Piper' Delete additional '.' at end of 5 th sentence
11.17	Replace: ', or whoever was in charge of making this decision to sign the operating agreement' with 'to a close on this'
11.22	Insert (CEC00337189) after 'Dean of Faculty'
11.24	Insert: (CEC00145837) after 'Supplemental Agreement'

11.26	Replace: CEC00097639.0001 with CEC00098050 Delete: (CEC00097693.0002)
11.31	Insert: (on which see CEC01651033 and CEC01651034) after '30 th August 2007'
11.39	Replace: '11.141' with '11.135' Replace: 'sign' with 'signed'
11.40	Insert: (both at Additional Document 8)
11.46.5	Replace: '17 th ' with '7 th ' Insert: (CEC01526422 at 3.8) after '2007'
11.49	Insert: '2007 (CEC01709800)' after '9 th October'
11.53	Replace: 'CEC01351479' with 'CEC01312360' Insert: (CEC01033532) at end
11.56	Insert: (CEC01351479) after '2008 was issued'
11.56.1	Insert (CEC01489942) after 'Graeme Bissett'
11.56.4	Insert: (CEC01516428) after 'Clark that day'
11.65	Insert: (Additional Document 9) after '12 th May 2008'
11.77	Insert: (see CEC01544148) after 'the final wording'
11.95	Insert: 'project' after 'assessment, planning and' Insert: 'tasks' before 'that were the 'bread and butter' Insert: 'that' after 'I therefore believed' Insert: 'these activities' after 'TIE was undertaking'
11.96	Insert: (see para Error! Reference source not found. et seq) after 'seat as regards Notified Deopartures'
11.102	Insert: (CEC01033532) after ' 12 May 2008'
11.123	Insert: (see CEC01650759, CEC01651033 and CEC01651034) after 'August 2007 workshop'
11.127	Insert: (CEC01560935) after '29 August 2007'
11.131	Correct reference to: CEC01443991
11.132	Insert: (CEC01347795) after 'allocation of risks" Delete: ',' at end
11.135	Insert: ' – Additional Document 10' after 'dated Dec 06/January 07'
11.136	Insert: (Additional Document 11) after '2 nd October 2007'

11.141	Replace: '3 days' with 'the day'
11.153	Replace: DLA00006378 with CEC01463884
11.158	Insert: (see Additional Document 12 with attachments) after 'FOISA concerns' Insert: (CEC01338851) after 'Council Guarantee'"
11.161	Insert: (CEC01516428) after '8 March 2008'