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8 March 2010

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For the attention of Steven Bell - Tram Project Director

Dear Sirs,

Edinburgh Tram Network Infraco Infraco Contract: Programme (Revision 3)

In accordance with the requirements of Clause 60.3 of the Infraco Contract we hereby submit and enclose our proposed Programme (Revision 3) – 31 October 2009 – Sub Revision 0 along with supporting narrative and request your acceptance, in accordance with Clause 60.4 of the Infraco Contract.

This submission follows the agreement reached by Messrs Jeffrey and Darcy in November 2009 to produce a Programme to Revenue Service which takes account of all known facts up to 31 October 2009. The programme has been adjusted for those mitigation measures which can be applied to reduce the overall programme duration and that have a neutral or positive (cost reducing) impact on the overall project cost.

The detailed process being undertaken by both Infraco and tie to attempt to agree a revised Programme has been ongoing since the beginning of 2009.

Under these circumstances as mentioned above it is now necessary to provide some "Programme" history in order to put the Programme and difficulties into perspective.

Prior to Contract award it was agreed between the Parties that Infraco would incorporate the SDS Design Delivery Programme V31 (V31) into the Schedule Part 15 - Programme and the result would be the first tie Change. The proposed Programme was submitted to tie on 02 June 2008, but remained without agreement until 17 December 2008.

In this time, the project experienced vast and unforeseen volumes of change arising from *inter alia* delayed provision of IFC design, increases in the scope of the works from BDDI to IFC stage and incomplete Utility Works.

In October 2008, it was agreed between the Parties that because of the concurrencies of, and complicated interrelationship between these delays, tie's Tom Hickman and Infraco's Stephen Sharp should carry out a time slice analysis to ascertain the effect and culpability of all these changes. A number of time slices would be considered between May and December 2008.

However, in January 2009, despite the time slice analysis progressing well, it was noted that the project was absent of an effective monitoring tool for the progression of the works, and thus it was agreed by the Parties that a revised Programme (Revision 2) was needed and should also be prepared jointly. The time slice analysis was thereby suspended.

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However, before the work was stopped (15 January 2009) Hickman / Sharp were asked to undertake a brief analysis of the data compiled at that time. The agreed analysis arrived at an Open for Revenue Service date of 11 October 2012.

Through January, February and March 2009 civil works programmes were prepared for each Intermediate section of the works which incorporated all changes known at that time and it was agreed that a cut off / data date of 31 March 2009 would be used. Each Intermediate section programme was submitted to tie but received little if any response. These programmes were then combined, the Siemens (Systems and Trackwork) activities added, and the proposed Programme (Revision 2) was submitted to tie on 20 May 2009. In parallel, a separate extension of time programme was produced to demonstrate that Infraco had an entitlement to an extension of time (identifying individual changes) that would cover the difference between the Revision 1 and Revision 2 Programmes. Both programmes were baseline at 31 March 2009.

Tie rejected the proposed Programme (Revision 2) on 21 August 2009, stating that, "continued discussions about your entitlement based on the proposed Rev. 02 Programme are preventing agreement in accordance with the contract."

Following the informal mediations in June and July 2009 where tie again stepped back from what Infraco considered to be agreed programmes, Infraco considered there to be no alternative other than to utilise the DRP process within the contract and on 4 September 2009, triggered a dispute based on the Rev 8 MUDFA programme details which demonstrated an entitlement to both time and money of 9 months from the cut-off date of 31 March 2009. However following meetings between Messers Jeffrey and Darcy in November 2009 an agreement (without prejudice to Infraco's entitlements) was reached to temporarily suspend the DRP process in an attempt to reach agreement on the entire programme issue by taking an incremental approach.

The incremental approach consisted of 5 steps. Step 1 refers to Schedule Part 15 – Programme known as Programme (Revision 0). Step 2 is the Programme (Revision 1) which adds 38 working days to the Programme (Revision 0) as a result of incorporating the V31 Design Programme. Step 3 takes account of all known facts up to 31 October 2009 and directly incorporates these into the Programme (Revision 1) without mitigation. A first draft of the step 3 programme was sent to tie on 10 February 2010. The latest draft of the step 3 programme which incorporates the "access dates" (received 13 February 2010) and the issue of tie Change Order milestone dates of 15 March / 17 May / 12 July 2010 produces the following Section Completion dates:

A 22 September 2011
B 31 August 2012
C 23 February 2014
D 11 August 2014

However, due to the increased scope of work has resulted in changes to the traffic management. Therefore it has not been practical to incorporate this into the Step 3 programme and the requirement for full depth reconstruction of roadways. This could add up to a further 6 months to the Section C & D completion dates.

Step 4 is the mitigation of the delays and prolongations occurring in the step 3 programme mentioned above. It is a final draft of this step 4 programme which is submitted under cover of this document.

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The mitigation measures, which are applied to reduce the overall programme duration and that have a neutral or positive (cost reducing) impact on the overall project cost are as follows:

#### MUDFA

To enable the Infraco Works to be constructed all service utilities that conflict with either the works to be built or with the operation of the tram need to be diverted. These diversion works are undertaken by the utilities contractor, MUDFA and the Utility Companies in advance of the Infraco Works.

The Base Case Assumptions and Schedule Part 15 - Programme reflect the agreement that the Infraco works can be undertaken in a manner which is not disrupted by the MUDFA and Utility Companies Works.

This agreed logic ensured that not only would the physical Infraco and MUDFA works not conflict, but also for the avoidance of no clashes between traffic management schemes, difficulties of working around live services, access conflicts, congestion of contractors vehicles, space for storage of materials, responsibility and ownership of the sites in respect of HSE and other factors that could either reduce productivity or suspend the works. As a result of this agreement efficiencies assumed in the Programme (Revision 1) and associated cost savings were made possible

The Programme (Revision 1) is the version currently accepted by tie pursuant to clause 60.4.

The Programme (Revision 1) has 10 milestones, each representing the date for which MUDFA were assumed to be completed in each Intermediate Section. Without modification to the agreed logic in the Programme, these dates constitute the start milestones for the Infraco works in the corresponding Intermediate Section.

It is further noted that these dates are also listed in the Programming Assumptions document bound into Schedule Part 15 of the Infraco Contract and were not changed from the Schedule Part 15 Programme to the current Programme (Revision 1).

To mitigate the delays caused to the works the submitted proposed Programme (Revision 3) considers "access dates" supplied by tie under cover of their e mail T Hickman to S Sharp dated 13 February 2010. These "access dates" are the planned dates for completion of utility works for each traffic management phase identified in the Programme to construct the Infraco works. It is these "access dates" which in the proposed Programme (Revision 3) constitute the start milestones for the Infraco works.

These mitigation measures not only improve the planned completions in the Intermediate Sections but also the Section Completion dates are brought forward. However the aforementioned risks of working in close proximity to the utilities contractors are increased and the efficiencies and cost savings made may not be realised.

### **Preferred Construction Sequence**

The Programme (Revision 1) contained, in addition to normal construction logic, preferred construction sequences that represented an economic methodology for Infraco to construct the works. To obtain the most economic use of materials, continuity of employments for skilled labour resource and the optimum supervision levels the start and finish of some activities were linked together. These links are to be found between bridgework, earth works, track works and OHLE activities. In addition to providing a logical and economic sequence to construct the works they

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also provided a levelling and limiting of the total amount of resources required to construct the works.

To mitigate the delays caused to the works the submitted proposed Programme (Revision 3) changes the intended construction sequences by completely removing this preferential logic.

Construction activities are therefore programmed to start based on the following criteria:

- Completion of MUDFA & Utilities Works.
- · Date of IFC drawings.
- Standard construction sequence (e.g. foundations before walls etc.)
- Agreed traffic management sequences and constraints.
- Issue of tie Change Orders.
- Actual start dates.

The number of working areas has therefore been maximised in the proposed Programme (Revision 3). This has had a dramatic effect e.g. consider Section 1B Leith Walk which forms one of the critical traffic management sequences on the project. The works in Leith Walk were originally programmed to start on 5 August 2008 and to be completed by 5 November 2010 an overall duration of 27 months. However despite an abortive attempt to start the works in September 2008 the works are programmed to commence on 14 July 2010 (almost 2 years later). In addition the scope of the works has increased for the following reasons;

- Ground improvements beneath track excavation support (provide concrete surround to ducts) (10 weeks), additional excavation (3 weeks), sub base (2 weeks), track improvement slab (11 weeks).
- Full depth road construction additional excavation (5 weeks), capping (4 weeks), sub base (5 weeks).
- Additional traffic management constraints, parking bays within working area (12 weeks), keeping McDonald Road junction open (5 weeks).

The above additional durations would have added 57 weeks (13 months) to the programme. However, the proposed Programme (Revision 3) shows these works to be completed by 24 April 2013, an overall duration of 33 months. This mitigation of 7 months has been achieved by removing the preferential logic and working on the maximum number of works sites allowed by the traffic management constraints.

The Programme (Revision 1) is constrained by the track laying and OHLE resources. To maintain this restraint the activities for each gang are linked by finish start relationships. The reason for this preferred logic (as it has been termed) is that the production levels are based upon the resources having continuity of work. If this continuity is broken, by an obstruction to progress and the resource has to be moved elsewhere on the project, a demobilisation / remobilisation time is incurred and production lost. Activities have been inserted into the programme to allow for this disruption to production. In the proposed Programme (Revision 3) these links have been deleted, resource levelling will be achieved through the use of the Primavera software. Therefore the additional disruption caused to these activities by more movements around the site has been absorbed.

The Programme (Revision 1) showed the E & M works to commence only when the civil engineering works was completed in each intermediate section. The proposed Programme (Revision 3) identifies individual cable lengths as programme activities and allows these works to commence once the civil works directly associated with them have been completed. This brings forward the start of E & M works in each intermediate section.

Further mitigation has been achieved by incorporating the EAL programme for the works between Ingliston and Edinburgh Airport, agreed ideas from the tie/BSC mitigation workshop held on

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3 February 2010, improvement to excavation outputs and commencing earlier with track work preparation in the area of bridgeworks.

The result of the above mitigation measures has improved the Section Completion dates as follows;

A 09 August 2011 B 06 April 2012 C 16 July 2013 D 12 January 2014

In addition to the 7 months of mitigation demonstrated by the difference of the step 4 (12 January 2014) and step 3 (11 August 2014) programmes a further period (approximately 6 months) should be added for the effect of the full road reconstruction not accounted for in the step 3 programme.

The process to compile the proposed Programme (Revision 3) in conjunction with tie has included, in addition to the exchange and agreement of data, a number of workshops and meetings. Copies of all emails, attachments, minutes of meetings etc associated with the production of this proposed Programme (Revision 3) is enclosed.



#### M Foerder

Project Director Bilfinger Berger Siemens CAF Consortium

Encl: ETN Revision 3 Step 4 Programme (sub revision 0) 100305

List of Documents for Revision 3 Programme on CD

1 x Compact Disk

Programme Revision 3 Narrative Final

cc: M. Berrozpe

A. Urriza M. Hecht

S. Sharp

#### **EDINBURGH TRAM NETWORK**

### Programme (Revision 3) Narrative (100305)

The assumptions and factual statements that have been made to compile the Programme (Revision 3) are set out as follows:

- Our Programme for the works recognises the allowed working hours stated in the Code of Construction Practice of 0700 to 1900 Monday to Friday and 0800 to 1300 on a Saturday. However, a 40 hour effective working week has been used to calculate the duration of activities to take account of rest breaks, un-exceptional weather delays and travel between work sites. However, construction work will be required outside the hours stated in the Code of Construction Practice for Rail Possessions, work on busy road junctions, works associated with piling at the A8 underpass, stringing catenary cables etc. Prior approval will be sought for such works in accordance with the contract documents and the Programme assumes that such approval will be granted as necessary to maintain the programme.
- Allowance has been made for the August and Christmas embargoes as defined in the Contract, through a "moth balling" of the works during these periods. There is no allowance for demobilisation and re mobilisation of the effected works.
- The phasing of the works is in accordance with the traffic management schemes approved at 31 October 2009
- The agreed baseline date for this programme is 31 October 2009. All information that
  became available after this date has not been considered. The scope of the works
  comprises that which was envisaged by the IFC drawings issued up to and including
  31 October 2009. Provisional construction periods have been allowed for Roseburn
  Street Viaduct, Murrayfield Tram Stop, Haymarket Crew Relief facility and works in
  Intermediate Section 1C between York Place and London Road.
- Access to the various worksites is dependant upon the completion of the MUDFA and Utilities works. The programme assumes that the dates stated in the matrix of access dates received by e mail on 13 February 2010 will be achieved.
- We understand that a "Utilities Conflict Schedule" is currently being prepared by tie; however no allowance for these activities is currently included. Any delays resulting from these works may have a considerable effect on construction periods.
- The scope of work includes for;
  - Excavation and full depth reconstruction of the roads including a 600mm capping layer.
  - Traffic Management and access issues related to the loss of working street width as a result of increased excavation depth.
  - Support to excavation due to adjacent live traffic.
  - o Ground improvements beneath the track slab.
  - o Addition of an R.C. Track Improvement Slab.
  - Additional traffic management constraints which include parking bays, bus stops and taxi bays within working areas.
- There is no allowance for unforeseen issues e.g. below ground obstructions, voids, soft or contaminated material.
- There is no allowance for noise and vibration measures for the track work.
- A decision regarding the extent of the Infraco construction works at South Gyle Access Bridge will need to be made prior to 17 May 2010 to allow works to commence on that date.

- V51 of the SDS design programme has been incorporated as the source document of the IFC dates.
- The programme reflects the progress of works under construction at 31 October 2009.
- The programme is resourced levelled for the ability to lay track in three areas and erect OHLE posts and string cables in two areas.
- In section 7 the design of the Airport Canopy and other objections raised by BAA will be resolved to allow the works to progress as programmed.
- This is no programme allowance for the proposed Gogar Interchange works as advised by tie. (GRIP)
- Gogarburn Tram Stop does not include for the proposed Royal Bank of Scotland improvements.
- Traffic Management constraints in the Morrison's third Party agreement have been ignored.
- Other off street Utility works yet to be completed and which have not been transferred to Infraco will be undertaken to allow the works to progress as planned.
- There is no allowance for the public realm works at St Andrews Square and Bernard Street.
- Tie has challenged the drainage design in section 5B which detrimentally affects the start of track work construction between Edinburgh Station Tram Stop and Bankhead Drive Tram Stop. It is assumed the design will be verified to allow the construction of these works to commence by 15 March 2010.
- Where the scope of the works has changed from the Base Date Design to the Issue for Construction Drawings and a tie Change Order is necessary for the works to precede the following dates have been assumed as to when that Order will be issued.
  - o 15 March 2010 for the off street works between Edinburgh Airport Tram Stop and, but not including, Bankhead Drive Tram Stop and the on street works between Haymarket Station and Lothian Road junction. This includes all works in Intermediate Sections 7A, 6A, 5C and 5B as far as but not including Bankhead Drive Tram Stop and the completion of Intermediate Section 1D.
  - o 17 May 2010 for the remainder of the off street works between Bankhead Tram stop and Haymarket Viaduct and the extension of the on street works to the track cross over in York Place. This includes all remaining works in Intermediate Sections 5B, 5A and 2A and 1C works as far as but not including the Picardy Place junction.
  - 12 July 2010 for the on street works between Picardy Place and Newhaven Tram Stops. This includes all remaining works in Intermediate Sections 1C, 1B and 1A.

## ETN Programme Revision 3 List of Emails and Attachments on CD

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List of Emails and Attachments on CD

188111 SCS to TH Heeting 25 November.pdf
188111 III to SCS Programme Workshops.pdf
188111 III to SCS Section 10 Programme Workshop.pdf
188111 III to SCS Section 10 Programme Workshop.pdf
188111 III to SCS Section 110 Programme Workshop.pdf
188111 III to SCS Section 110 Programme Workshop.pdf
188111 III to SCS Section 110 Programme Workshop.pdf
188112 SCS to SC SCS Section 18.pdf
188112 SCS to SC SCS Section 18.pdf
188112 SCS to SC SCS Section 18.pdf
188113 III to SCS SECTION 18.pdf
188115 CN to SCS SCS TO III Indicative Programme Workshop.pdf
188115 SCS to III Holicative Programme Workshop.pdf
188115 SCS to III Outputs used in OSSA Programmes.pdf
188115 SCS to III Outputs used in OSSA Programmes.pdf
188115 SCS to III Scale Scal
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### ETN Programme Revision 3 List of Emails and Attachments on CD

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ETN Notes of Meeting 100217.pdf
ETN Production of Revision 3 progress to 100126.pdf
ETN Production of Revision 3.pdf
ETN Revision 3 Step 3 Programme (first draft) 100209.pdf
ETN Revision 3 Step 4 Programme (first draft) 100201.pdf
ETN Revision 3 Step 4 Programme (second draft) 100211.pdf
ETN Sub Section 1B rev005.pdf
Haymarket Viaduct Rebar Quantities.xer
HaymarketShandwickDraft08 pdf
        HaymarketShandwickDraft08.pdf
        London Rd-SthSt AndrewSt.pdf
Mitigations Ideas for Rev3_Combined.xls
Narrative to draft OSSA construction programmes 20091119.pdf
notes from 1C + 1D Rev 3 prog mtg 13-01-10.pdf
OUTPUTS_Global.xls
Narrative to deaft OSSA construction programmes 20091119.pdf
notes from 16 + 10 Rev 3 prog mtg 13-01-10.pdf
OUTPUTS Global.xls
Outstanding Actions to Inform Rev 3 Programme Rebuild to BSC 20JAN10.pdf
Preliminary Draft Construction Programme Section 1A - (19.11.2009).pdf
Programme meeting 1A + 1B - 12-01-10.pdf
Programme Revision 3 Step 3 data base (1).xls
Programme Revision 3 Step 3 data base (1).xls
Programme Revision 3 Step 3 data base (2).xls
Programme Revision 3 Step 3 data base (3).xls
Programme Revision 3 Step 3 data base (3).xls
Programme Revision 3 Step 3 data base (4).xls
Programme Revision 3 Step 3 data base (5).xls
Programme Revision 3 Step 3 data base (5).xls
Programme Revision 3 Step 3 data base (7).xls
Programme Revision 3 Step 3 data base Section 1A.pdf
Programme Revision 3 Step 3 data base Section 2 (091123).pdf
Programme Revision 3 Step 3 data base Section 6 (091124).pdf
Programme Revision 3 Step 3 data base Section 5A.pdf
Programme Revision 3 Step 3 data base Section 6 (091124).pdf
Programme Revision 3 Step 3 data base Section 5A.pdf
Programme Revision 3 Step 3 data base Section 5A.pdf
Programme Revision 3 Step 3 data base Section 6 (091124).pdf
Revision 3 Step 3 data base Section 6 (091124).pdf
Revision 4 Step 3 data base Section 6 (091124).pdf
Revision 5 Step 3 data base Section 6 (091124).pdf
Revision 6 Revision 7 Step 3 data base Section 6 (091124).pdf
Revision 7 Step 3 data base Section 6 (091124).pdf
Revision 8 Step 3 data base Section 6 (091124).pdf
Revision 8 Step 3 data base Section 6 (091124).pdf
Revision 9 Step 4 Death 10 Step 1 Step 
          Section 1D BDD1 to IFC.XIS
SthStAndrewSt.pdf
TH to SCS OSSA Programme Review and Comments.pdf
Utility and Telecoms Dates 12Feb10.pdf
185 File(s) 25,858,019 bytes
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Revision3 Step4 100305.xer ETN Revision 3 Step 4 Programme (sub revision 0) 100305.pdf













