

Jacob Gemma

From: James Vernon
Sent: 03 April 2019 10:17
To: Ahmed Misba
Cc: Ahmed Misba
Subject: FW: Mott MacDonald disclaimer

Anvar,
Please refer to email chain below, the resolution of MML's disclaimer.

Regards
Vernon

From: Khednah, Nimisha N [mailto: [REDACTED]@mottmac.com]
Sent: 15 March 2019 14:40
To: Osborne Carl (Commercial)
Cc: James Vernon: H&F; Morris Sarah (Commercial, Surface); 'Misba Ahmed'; Basic Duro (ST); Henderson, Neil A; Patro, Sivaji S; Schmidt, John A; Alizadeh Anvar: H&F
Subject: RE: Mott MacDonald disclaimer

Good Afternoon Carl,

We can confirm that we are in agreement with the amendment proposed.
We will discuss with the Project Manager how we proceed with respect to the reports that have been issued.

Kind Regards,

Nimisha

From: Osborne Carl (Commercial)
Sent: 15 March 2019 11:45
To: Khednah, Nimisha N
Cc: James Vernon: H&F ; Morris Sarah (Commercial, Surface) ; 'Misba Ahmed' ; Basic Duro (ST) ; Henderson, Neil A ; Patro, Sivaji S ; Schmidt, John A
Subject: RE: Mott MacDonald disclaimer

Dear Nimisha,

Replying to your email dated 5 March 2019 below, we are concerned that your draft cuts across the rights TfL has in respect of IPR in that it owns the IPR in all documents produced and can use them as it wishes. However, mindful of your comments, we have endeavoured to address your concerns and ask that you confirm acceptance of the following wording and further confirm that the disclaimer does not cut across our contractual rights.

"This document is issued for the parties which commissioned it, namely Transport for London and the London Borough of Hammersmith & Fulham and for the specific purposes connected with the above captioned project only. It should not be relied upon by any other party or used for any other purpose other than as permitted pursuant to the contract between permitted pursuant to the call off contract dated 1 November 2017 agreed between us and Transport for London.

We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, (other than as permitted pursuant to the contract mentioned above) or for any error or omission which is due to an error or omission in data supplied to us by other parties with the exception of our sub-consultants and sub-contractors to this above captioned project."

Kind Regards

Carl Osborne

Transport for London, Commercial Manager
Floor 8G3, Palestra, 197 Blackfriars Road, London, SE1 8NJ
Tel: [REDACTED] | Auto: [REDACTED] | Email: [REDACTED]@tfl.gov.uk

From: Khednah, Nimisha N [mailto:[REDACTED]@mottmac.com]
Sent: 05 March 2019 12:41
To: Osborne Carl (Commercial)
Cc: James Vernon: H&F; Morris Sarah (Commercial, Surface); 'Misba Ahmed'; Basic Duro (ST); Henderson, Neil A; Patro, Sivaji S; Schmidt, John A
Subject: RE: Mott MacDonald disclaimer

Dear Carl,

I apologise for the delay in responding to you.

We have discussed this with our Legal team and propose the following redraft:

"This document is issued for the parties which commissioned it, namely Transport for London and the London Borough of Hammersmith & Fulham and for the specific purposes connected with the above captioned project only. It should not be relied upon by any other party or used for any other purpose, other than as ~~permitted pursuant to the call off contract dated 1 November 2017~~ agreed between us and Transport for London.

We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, (other than ~~as permitted pursuant to the call off contract referred to the~~ above) or for any error or omission which is due to an error or omission in data supplied to us by other parties with the exception of our sub-consultants and sub-contractors to this above captioned project."

The reason for the amendments being the wider world will not have sight of the 1/11/17 call off contract, so a simpler more generic statement would be more appropriate here in our opinion.

Kind Regards,

Nimisha

From: Osborne Carl (Commercial) <[REDACTED]@tfl.gov.uk>
Sent: 18 February 2019 13:39
To: Khednah, Nimisha N <[REDACTED]@mottmac.com>
Cc: James Vernon: H&F <[REDACTED]@lbhf.gov.uk>; Morris Sarah (Commercial, Surface) <[REDACTED]@tfl.gov.uk>; 'Misba Ahmed' <[REDACTED]@gmail.com>; Basic Duro (ST) <[REDACTED]@tfl.gov.uk>
Subject: FW: Mott MacDonald disclaimer

Dear Nimisha,

Can you please update me on the progress of this.

Regards

Carl Osborne

Transport for London, Commercial Manager
Floor 8G3, Palestra, 197 Blackfriars Road, London, SE1 8NJ
Tel: [REDACTED] | Auto: [REDACTED] | Email: [REDACTED]@tfl.gov.uk

From: Osborne Carl (Commercial)
Sent: 01 February 2019 15:21
To: [REDACTED]@mottmac.com'
Cc: [REDACTED]@lbhf.gov.uk'; Morris Sarah (Commercial, Surface); Ahmed Misba; Basic Duro (ST)
Subject: Mott MacDonald disclaimer

Dear Nimisha,

Re: Hammersmith Bridge, Mott MacDonald disclaimer

Further to our meeting on 19 December 2018 regarding the above, find attached the amended wording of the disclaimer which would be acceptable to TfL.

This document is issued for the parties which commissioned it, namely Transport for London and the London Borough of Hammersmith & Fulham and for the specific purposes connected with the above captioned project only. It should not be relied upon by any other party or used for any other purpose, other than as permitted pursuant to the call-off contract dated 1 November 2017 between us and Transport for London.

We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, (other than permitted pursuant to the call-off contract referred to above) or for any error or omission which is due to an error or omission in data supplied to us by other parties with the exception of our sub-consultants and sub-contractors to this above captioned project.'

Please confirm Mott MacDonald's acceptance.

Regards

Carl Osborne

Transport for London, Commercial Manager
Floor 8G3, Palestra, 197 Blackfriars Road, London, SE1 8NJ
Tel: [REDACTED] | Auto: [REDACTED] | Email: [REDACTED]@tfl.gov.uk

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