

WJ060111d1/td

13th January 2006

**Butler & Young
Lift Consultants Limited
Timber Hall
21 Timber Lane
Caterham
Surrey CR3 6LZ**

For the attention of Mr S Ellis

Dear Sirs

Re: Grenfell Tower – Lancaster West Estate – Your Ref: L2508/SBC/CW

We were disappointed to receive your letter dated 23rd December 2005, but understand your frustration and reply as follows.

This installation has been particularly difficult due to the nature and function of the building.

It was specified that the lift be designed to carry 12 passengers replacing the existing 8 person lift which met the requirements of EN81-70.

The access to the building is very restricted which in turn prevented the normal method of repositioning the guide rails utilising traditional scaffolding methods.

It was decided that we would have to devise a revolutionary method of moving the guides to accommodate the new 12 person lift installation.

The method finally agreed in hindsight was time consuming and labour intense, although as with all new systems the works became easier on the second lift.

We refer to your e mail following our meeting of 16th August 2004 when Butler & Young confirmed the finishing date would be "at risk" if an order (letter of intent) is not placed until the 15th October 2004. Apex confirmed that they would carry out our surveys prior to this date to expedite the contract saving two days, although the e mail clearly states that the completion by the end of the calendar year 2005 may be in jeopardy and the project would extend over the Christmas period. We did not receive an order until the 25th October 2005 some seven weeks after the agreed date of the contract award of 3rd September 2005.

It resulted in the site-possession of the first lift being on the 7th February, five weeks later than contracted and reducing the installation period to 43 weeks from 48 weeks, if the lift was to be completed on the 19th December 2005, all as the tendered document.

The first lift was completed on the 3rd August 2005, taking twenty five weeks to install. One week longer than as the contract programmed.

The second lift was started on the 10th August 2005 and of today we have taken twenty weeks, excluding Christmas and any agreed delays.

We were unable to use a scaffold gantry as described and agreed within our method statement to move the new machine and remove the existing equipment from the walkway entrance to the ground floor loading area as the visiting refuse lorry could not remove the waste. Under these circumstances we were forced to man handle all equipment up and down the walkway.

Refer to minutes of 23rd March 2005

Result: 4 days delay.

We originally described within our method statement, to cut out all the existing concrete entrances, we would use the diamond cutting system. However, when we got further into the project we were advised and was agreed by Butler & Young that this prescribed method was unsuitable for this project due to the mess and our restricted timescale.

It was agreed prior to starting the installation the need to hammer drill out the entrances to adhere to the already restricted programme.

During this process the tenants complained with regard to the noise and we had to revert to diamond cutting, which all were aware is a much slower process creating water ingress and dust. The operation extended these works by 2 weeks per lift.

Refer to minutes of 22nd June 2005

Result: 3 weeks delay.

On the first phase the machine support arrangement had to be re-fabricated to meet the requirement of Butler & Young Associates design criteria, following their inspection.

Refer to minutes of 27th April 2005

Result: 2 weeks delay.

On the second phase it was discovered that the division screens had been previously welded to the existing guide brackets. These were required to be cut and refixed to the lift shaft.

Refer to minutes of 23rd November 2005

Result: 4 days delay.

We attended a night call out, our engineer was robbed of the only keys available on site. The replacement keys had to be purchased which took 2 days.

Result: 2 days delay.

Due to terrorist activity within London on 7th/21st July 2005

Result: 2 days delay.

To increase the entrance size a specified structural opening had to be increased from 885mm to 955mm due to the shaft being out of plumb it was not possible to cut equal amounts of concrete on opposing entrance walls resulting in the entrance being required to be moved to all one side on the ground floor, all the floors above then had to be adjusted to suit.

We had to redesign the specified entrances and re-fabricate the ground floor to be accepted into the aperture. This was impossible to envisage until the existing equipment is removed.

Result: 2 days delay.

As described previously the shaft is out of plumb and the new lift being 50% larger we had to chase out the concrete in the pit area to allow installation of governor return tension weight.

Result: 2 days delay.

We are sorry you perceive the organisation of the entire project has left much to be desired. We only had fifteen weeks procurement design and mobilisation period (inclusive of the Christmas time), instead of the seventeen weeks which Apex tendered within our fixed price document.

As previously described we had to design and install a lift 50% larger than the shaft was originally designed for, exacerbated by not being able to move the guides in the accepted method. We had to come up with a concept that had not been tried before so programming previous experience was not possible.

The previous paragraphs spell out many delays experienced and which the majority have been minuted over the contract period.

The two floor hydraulic lift has had its problems which have been previously minuted, we accept the 16 week period for this lift is too long, and putting extra resources to complete it.

We feel that this letter clearly explains that Apex have overcome difficult circumstances in which these lifts have been installed.

The delays are reasonable periods which have been previously minuted and we now request for extension of time. We also hope that the Royal Borough of Kensington and Chelsea can understand that from the outset we were in an untenable position – e mail of 16th August 2005 describing any delays in issuing the letter of intent would result in completion being extended over the Christmas period and further we will be considered for the further works.

We sincerely apologise that no representative of Apex attended the latest progress meeting on 19th December, we have no excuses this was purely an oversight.

We enclose the additional costs as requested.

Joe Cooper was envisaged to replace Peter Hambrook but due to circumstances out of our control Joe was not able to leave his current obligation for the period required.

As you are aware we have increased our labour and supervision in an attempt to complete this project. Revised programme enclosed.

Apex has reviewed their working procedures and in future will communicate clearly, so that if there are relevant delays it is not left to the end of the contract and come as a shock.

We trust the above aforementioned information is to your understanding and acceptable to you. If you have any queries or require further information please do not hesitate to contact us.

Yours faithfully
Apex Lifts Limited

Warren Jenchner – Managing Director
Managing Director

CC Sarah Everson – Brodie Plant Goddard
Robin Cahalan – RBKC - TMO