

DATED

2nd February 2022

NATIONAL HIGHWAYS LIMITED

[SUPPLIER] VOLKERLASER LTD

Scheme Delivery Framework

Form of Agreement

relating to the provision of the works in relation to the motorway and trunk road network in National Highways

Lot: 11 – Cathodic Protection
Sublot: Area 4 reference 11/4/a

SDF MODEL FORM OF AGREEMENT

CONTENTS AMENDMENT SHEET

| Issue No. | Document revision | Amendments | Initials | Date |
|------------------|--------------------------|---|-----------------|-------------|
| 1 | 0 | Tender issue | AJP | Dec 20 |
| 1 | 1 | Post Award | PO | Sep 21 |
| 1 | 1 | Amendments to reflect change of company name to National Highways Limited | PO | Sep 21 |
| | | | | |

DATE:

2nd February 2022

PARTIES:

1 **NATIONAL HIGHWAYS LIMITED** (company no 09346363) whose registered office is at Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ (“the *Client*”); and

VOLKERLASER LTD a company incorporated in and in accordance with the laws of England and Wales with registered number 03892871 whose registered office is at Hertford Road, Hoddesdon, Hertfordshire, EN11 9BX (“the *Supplier*”).

RECITALS:

A The *Client* wishes to appoint a number of suppliers to undertake the provision of the works under the *Client’s* Scheme Delivery Framework and for that purpose has issued invitations to tender to, amongst others, the *Supplier*.

B In response to the *Client’s* invitation to tender, the *Supplier* has submitted a tender to Provide the works in conformity with this Agreement.

C The *Client* has examined the *Supplier’s* tender and now wishes to appoint the *Supplier* on the terms of this Agreement in relation to Lot: 11 – Cathodic Protection and Sublot: Area 4 reference 11/4/a

1 Definitions and interpretation

1.1 In this Agreement (including the Recitals) words and expressions have the meanings assigned to them in the Conditions referred to below.

1.2. The Conditions are

- the clauses of the NEC4 Framework Contract (June 2017) and the *additional conditions of contract* set out in the document entitled “Framework Z clauses” referred to in the Contract Data, and
- the core clauses of the NEC4 Engineering and Construction Contract (June 2017 with amendments January 2019), the main and secondary Option clauses listed in the Contract Data together with dispute resolution Option W2 and the *additional conditions of contract* set out in the document entitled “ECC Z clauses” referred to in the Contract Data for Work Orders

2 Agreement

2.1 In consideration of the *Client* making payment in accordance with the Conditions, the *Supplier* agrees to provide the works in accordance with the provisions of this Agreement.

3 Contract Documents

3.1 The following documents form part of this

Agreement: the Conditions
the Contract Data
the Framework
Information the Scope
Tender Amendments
the *Supplier's* tender including the tender
commitments the *quotation information*

3.2 The several documents forming part of this Agreement are to be taken as mutually explanatory of one another.

4 Publication of Information

4.1 The *Supplier* acknowledges that the *Client* is obliged to publish the provisions of this contract in accordance with the Crown Commercial Service note entitled “*Publication of Central Government Tenders and Contracts*” dated November 2017 (or any later revision), except to the extent that any information

