



Highways England Company Limited

Concrete Roads Framework - Design

SCOPE

Defined Terms

Annex 01

CONTENTS AMENDMENT SHEET

| Amend No. | Revision No. | Amendments | Initials | Date |
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| 0 | 0 | Tender Issue | SOS | 19/06/20 |
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| Defined Term | Definition |
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| 3D (Develop, Design, Deliver) Scheme Delivery Process | is the <i>Client's</i> project delivery methodology for Schemes as described in the User Guide for Scheme Management. |
| Business Information Gateway (the Gateway) | as defined in Annex 06 Section 1.4. |
| Client System | is the <i>Client's</i> computing environment (consisting of hardware, software and telecommunications networks or equipment) used by the <i>Client</i> or the <i>Consultant</i> in connection with the contract which is owned by the <i>Client</i> or licensed to it by some third party and which interfaces with the <i>Consultant</i> System or which is necessary for the <i>Client</i> to receive the <i>service</i> . |
| Confidential Information | any data or information which has been classified by Highways England as being confidential. However, Highways England uses the HMG Government Security Classification Scheme (GSC). |
| Contracts Finder | is the government website for information about contracts worth over £10,000 with the government and its agencies. |
| Control | is the possession by person, directly or indirectly, of the power to direct or cause the direction of the management and policies of the other person (whether through the ownership of voting shares, by contract or otherwise) and Controls and Controlled are to be interpreted accordingly. |
| Consultant Background IPR | IPR owned by the <i>Consultant</i> or a third party before the Contract Date or created by the <i>Consultant</i> or a third party independently of the contract, which in each case is or will be used to <ul style="list-style-type: none"> • before the <i>defects date</i> to Provide the Service and • for the maintenance, operation and modification of the <i>service</i>. |
| Data | is all Personal Data collected, generated or otherwise processed by the <i>Consultant</i> in the course of Providing the Service. |

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| Data Loss Event | is any event that results, or may result, in unauthorised access to Personal Data held by the Processor for the purposes of this contract, and/or actual or potential and/or destruction of Personal Data in breach of this Agreement, including any Personal Data breach. |
| Data Protection Impact Assessment | is an assessment by the Controller of the impact of the envisaged processing on the protection of Personal Data. |
| Data Subject | is an individual who is the subject of Personal Data. |
| Data Subject Request | is a request made by, or on behalf of, a Data Subject in accordance with rights granted pursuant to the Data Protection Legislation to access their Personal Data. |
| Data Protection Legislation | is <ul style="list-style-type: none"> the General Data Protection Regulation (EU 2016/679), the Law Enforcement Directive (LED) (Directive EU 2016/680), the Data Protection Act 2018, and any other data protection laws and regulations applicable in England. |
| Design Phase | Stages 2, 3 and 4 of the 3D Scheme Delivery Process. |
| Deliver Phase | Stages 5 and 6 of the 3D Scheme Delivery Process. |
| Develop Phase | Stages 0 and 1 of the 3D Scheme Delivery Process. |
| Disclosure Request | is a request for information relating to the contract a received by the <i>Client</i> pursuant to the Freedom of Information Act 2000 and Environmental Information Regulations 2004 or otherwise. |
| Discrimination Acts | are the Equality Act 2010 and any predecessor statutes. |
| Employment and Skills Plan | is the document described in Section S 506 and Annex 06 of the Scope, Appendix A. |
| Health and Safety File | as per the meaning given to it in the Construction (Design and Management) Regulations 2015. |

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| Inclusion Action Plan | is the document described in Section S 506 and Annex 06 of the Scope, Appendix B. |
| Information Systems | can be a combination of hardware, software, infrastructure and trained personnel organised to facilitate planning, control, coordination and decision making in an organisation. |
| Joint Controllers | means where two or more Controllers jointly determine the purposes and means of processing. |
| Lifecycle Extension Works (LEW) Contractor | is a contractor instructed to carry out lifecycle extension works under the Client's Concrete Roads Framework – LEW agreement |
| Lifecycle Extension Works Framework Contract | A multi-lot specialist contractor framework that delivers focussed repairs to maximise the life of the existing concrete pavement. |
| Lean | is a method of producing what a customer or client wants, when he/she wants it, with a minimum of waste and to a high level of quality. |
| Lean Continual Improvement | technique that generates ideas for efficient ways of working whilst maintaining a focus on the requirements of the customer. |
| List X | are companies operating in the UK who are working on UK government contracts which require them to hold classified information. This information is at 'Secret' level or above or international partners information classified 'Confidential' or above, and is held in their own premises at a specific site. Classified information levels can be reviewed in the Gov website here (https://www.gov.uk/government/publications/security-requirements-for-list-x-contractors). |
| Major Incident | <p>is defined as an incident that has, or is likely to have, a major impact on the ability of the business to maintain services during agreed operational hours. An outage or complete loss of functionality of a critical or key application or service.</p> <p>The incident could result in</p> <ul style="list-style-type: none"> • an emergency situation, • security risks or threat, |

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| | <ul style="list-style-type: none"> • Highways England reputation (HSSE) could be adversely affected, • multiple locations/businesses or significant user impacted. |
| Nonconformity | has the meaning give in BE EN ISO 9000:2015. |
| Official Secrets Act | is the Official Secrets Act 1989 and any predecessor statutes. |
| Package | is a collection of Schemes. The prefix LEW or Recon (such as LEW Package) relates to the Schemes being for lifecycle extension works or reconstruction works. The prefix Design/ Join Repair (JR)/ Bay Replacement and Slab Levelling (BR&SL)/ Surface Treatment (ST)/ Design and Build (D&B) (such as LEW Design Package) relates to the services required in the Package. The number after a Package (such as LEW Package 1) relates to all Schemes to be included in X12/ Z150 incentive mechanism (LEW Package 1 would include all LEW (Design/ JR/ BR&SL/ ST) Package 1(A/B)). The letter after a Package (such as Package 1A) relates to the Schemes being undertaken by one of the suppliers under a framework. |
| Performance Level | is the performance level of the Collaborative Performance Framework stated in the Scope. |
| Personal Data | is any data relating to an identified or identifiable individual that is within the scope of protection as “personal data” under the Data Protection Legislation. |
| Processor | is a legal person which processes Personal Data on behalf of a Controller. |
| Protective Measures | are appropriate, technical and organisational measures which may include: pseudonymising and encrypting Personal Data, ensuring confidentiality, integrity, availability and resilience of systems and services, ensuring that availability of and access to Personal Data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of such measures adopted by it including those outlined in PPN 02/18. |
| Quality Management Points | are point accrued by the <i>Contractor</i> in accordance with the Scope. |

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| Quality Plan | has the meaning given in ISO 9001:2015. |
| Quality Statement | is the document submitted by the <i>Contractor</i> at time of tender. |
| Reconstruction Works (Recon) Contractor | is a contractor instructed to carry out reconstruction works under the Client's Concrete Roads Framework – Recon agreement. |
| Reconstruction Works Framework Contract | A specialist contractor framework that delivers a design and build arrangement with works to include demolishing existing pavement and replacement with new (flexible or composite) and overlaying of concrete pavements. |
| Risk | Is an uncertain event or set of circumstances that should it occur will affect (positively or negatively) the service, works or project objectives. |
| Security Incident | is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Data. |
| Scheme | is a piece of work as set out in the programme information |
| SME | means an enterprise within the category of Small, Medium or Micro Enterprises defined by the European Commission Recommendation of 6 May 2003 concerning the definition of Small, Medium or Micro Enterprises. A SME is a Subcontractor or a subcontractor to a Subcontractor and is autonomous and is a European Union enterprise not owned or controlled by a non-European Union parent company. |
| Staff | are persons employed or engaged by the <i>Consultant</i> or an Associated Company or any subcontractor at any stage of remoteness from the <i>Client</i> to Provide the Service at any time. |
| Structured Innovation | technique that generates ideas for efficient ways of working, contributing to cost savings. |
| Sub-Processor | is a third party (including Associated Company) engaged by the <i>Consultant</i> to process Data. |

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| Supervisory Authority | is any regulatory, supervisory, governmental or other competent authority with jurisdiction or oversight over the Data Protection Legislation. |
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