



Our ref: Area 4 Interim CWF

██████████
Costain Limited
Vanwall Business Park
Maidenhead
Berkshire
SL6 4UB

██████████
Procurement Business Partner
Bridge House
1 Walnut Tree Close
Guildford
GU1 4LZ

6 August 2020

Sent via Bravo

Dear ██████████

OFFICIAL – SENSITIVE
AREA 4 INTERIM CONSTRUCTION WORKS
FRAMEWORK AGREEMENT

On behalf of Highways England Company Limited I write to inform you that your offer outlined within Contract Data Part two dated 6 August 2020 (attached) for the Area 4 Interim Construction Works Framework Agreement is accepted.

Your Tender as amended by the following documents:

- Tender Amendment 1 issued 6 May 2020
- Tender Amendment 2 issued 6 May 2020
- Tender Amendment 3 issued 12 May 2020
- Tender Amendment 4 issued 15 May 2020
- Tender Amendment 5 issued 20 May 2020
- Tender Amendment 6 issued 28 May 2020
- Tender Amendment 7 issued 4 June 2020

- Post Tender Amendment 1 issued 12 June 2020
- Post Tender Amendment 2 issued 15 June 2020
- Post Tender Amendment 3 issued 27 July 2020

- Quality Submission received 25 June 2020
- Commercial Submission response received 20 July 2020 and 21 July 2020
- Commercial Submission response received by email on 6 August 2020

when incorporated into the enclosed Deed of Agreement will form a binding contract between yourselves and Highways England.

For the purposes of complying with the Construction (Design and Management) Regulations 2015, I hereby formally appoint your company as the Principal Contractor.

This letter does not commit Highways England for any liability under the framework agreement. Separate Works Orders/Task Orders will be issued for instructing all works and services (including mobilisation) required under this framework agreement.

I am enclosing two copies of a Deed of Agreement for carrying out this contract. Please execute both copies of the Deed. Please note that a Deed executed under hand must be signed either by two Directors, by one Director and the Company Secretary or by a Director in the presence of a witness; if executed under your seal please arrange authentication by a Director and the Company Secretary or by two Directors. The enclosed Deeds provide for these options - please choose just one and execute them in line with the current process shown below which has been implemented as a consequence of the Covid-19 restrictions:

- Step 1: send the Form of Agreement and Contract to your authorised signatory number one.
- Step 2: Your authorised signatory no. 1 prints, signs, scans back in and emails the form of agreement and Contract to the supplier's authorised signatory no.2
- Step 3: The authorised signatory no. 2 repeats the process and sends it back to the Procurement Officer (Laurence Potts) via Bravo

Please return the Deeds by 20 August 2020. We will then apply the Highways England's common seal and return one copy for your retention.

This Contract is for a construction operation and falls within the scope of the HM Revenue and Customs (HMRC) Construction Industry Scheme. Please contact the *Client's Representative* and arrange to supply your Unique Tax Reference (UTR). This will enable Highways England to check your CIS registration with HMRC and deduct the correct tax from payments as appropriate. You are reminded that in accordance with the Inland Revenue's Construction Industry Scheme's Regulations, Highways England is not permitted to make payment under the contract until this check has been completed.

You acknowledge that any documents and information submitted by you as part of your Tender or for sustainability purposes, represent your proposals for meeting Highways England's requirements, but do not in any way override or modify those requirements. You will remain liable to comply with all the obligations set out in the documents forming part of the Contract. You will not be relieved from compliance with these obligations by any:

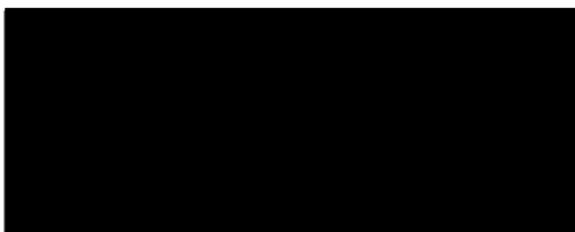
- a) Due diligence or sustainability check carried out by Highways England on any

- part of your Tender;
- b) Evidence, assumptions or other information provided by you with your Tender or for the purposes set out in paragraph (a) above; or
 - c) Clarification requested by Highways England and provided by you (whether orally or in writing) as part of the assessment process.

Please treat the contents of this letter as strictly confidential until Highways England makes a public announcement about the award of the contract. I should also remind you at this time of the requirements of paras 1.1.5 and 1.1.6 of the Instructions for Tenderers, as they relate to Confidentiality. In the light of recent cases where there has been press reporting in advance of contract award or announcement it is especially important that these conditions are adhered to and that full confidentiality is maintained.

We look forward to working with your company.

Yours sincerely,



Procurement Business Partner

