



# **Highways England Company Limited**

## **NEC4 Professional Service Contract**

**(June 2017 with amendments January 2019)**

### **Form of Agreement**

**THIS AGREEMENT BY DEED is made the 30<sup>th</sup> day of September 2020**

**PARTIES:**

1. **HIGHWAYS ENGLAND COMPANY LIMITED** (company number 09346363) whos registered address is Bridge House, 1 Walnut Close, Guildford, Surrey GU1 4LZ ("the *Client*"); and
2. **Jacobs U.K. Limited** a company incorporated in and in accordance with the laws of England and Wales having as its registered number 02594504 and its registered office at 20 George Hudson Street, York YO1 6WR ("the *Consultant*").

**RECITALS**

- (A) In response to the *Client's* invitation to tender, the *Consultant* has submitted a tender to carry out and complete the following *service* : Historical Railway Estate (HRE) Professional Services Contract in accordance with the Scope.
- (B) The *Client* has accepted the *Consultant's* tender by letter dated 29<sup>th</sup> September 2020 and now wishes to appoint the *Consultant* on the terms of this Agreement.

**OPERATIVE PROVISIONS**

**1. Definitions and Interpretation**

- 1.1 In this Agreement (including the Recitals) words and expressions have the same meaning given to them in the Conditions referred to below.
- 1.2 The Conditions are the core clauses and the clauses for main Option E, dispute resolution Option W2 and secondary Options X2, X9, X11, Y(UK)1, Y(UK)2, Y(UK)3 and Z1 to Z102 of the NEC4 Professional Service Contract (June 2017 with amendments January 2019).

**2. Agreement by Deed**

- 2.1. In consideration of the *Client* making payment in accordance with the Conditions, the *Consultant* hereby agrees to Provide the Service in accordance with this Agreement by Deed.

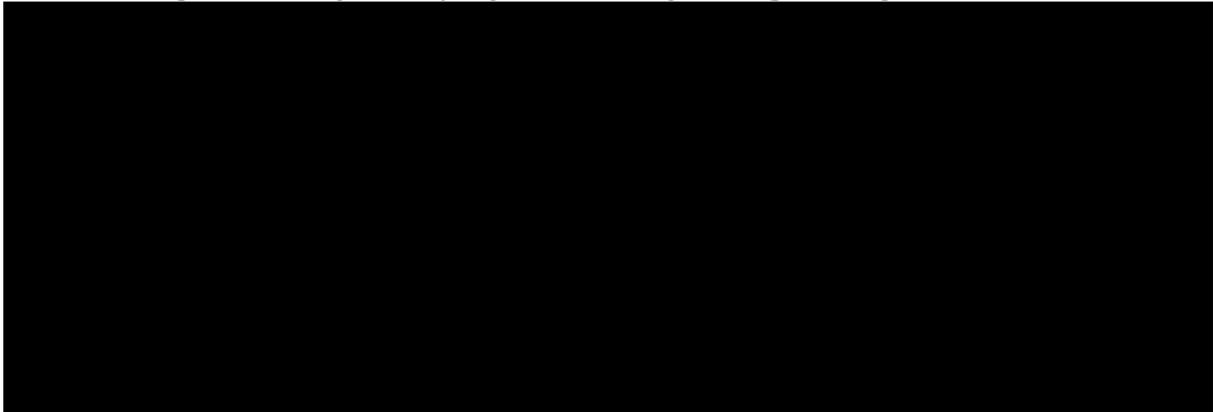
**3. Documents**

- 3.1 The documents forming part of this Agreement are:
  1. the Conditions
  2. Form of Agreement
  3. the Contract Data
  4. the Scope
  5. Tender Amendments
  6. the *Consultant's* Quality Statement

7. the *Consultant's* Commercial Workbook
  8. the Quality Commitments Register
  9. the *Consultant's* signed charters (i.e. Anti-Bribery, Fraud and Fair Payment Codes of Conduct) as provided at tender stage
  10. the Form of Tender
- 3.2. The several documents forming part of this Agreement are to be taken as mutually explanatory of one another.

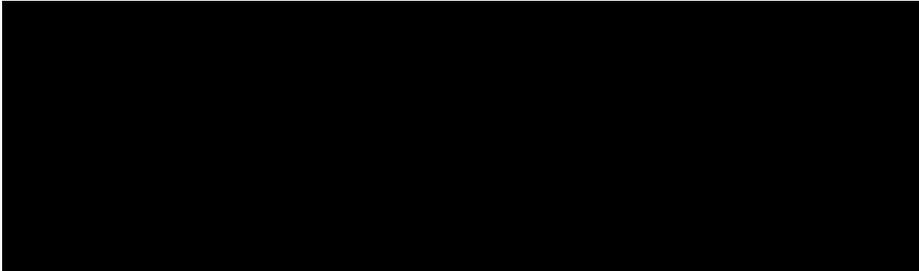
**Delivered** as a deed on the date of this document.

OPTION 2 [*execution by a company as a deed by two signatures*]



OPTION 1b [*execution by Highways  
England under seal*]

Executed as a deed by **HIGHWAYS  
ENGLAND COMPANY LIMITED** by  
affixing his common seal in the presence  
of:



**ANNEX A**

Quality Commitments



