



Highways England Company Limited

Archaeology Framework

Schedule of Defined Terms

(JULY 2020)

CONTENTS AMENDMENT SHEET

Issue	Revision	Amendment	Initials	Date
1	0	Tender release.	RE	07/07/2020

Introduction

This “Schedule of Defined Terms” document contains the full list of defined terms used in Volumes 0 to 4 of the Archaeology Framework, which are additional to any defined terms stated within the relevant NEC4 contracts used. This list was compiled when the framework was procured, and additional defined terms may be introduced in the Package Contracts when issued to *Suppliers*.

This document is provided for information purposes only, with the sole purpose to facilitate referencing across Volumes.

In the event of discrepancies between this document and any of

- Volume 0 – Instructions for Tenderers,
- Volume 1 – Conditions of Contract,
- Volume 2 – Framework Information,
- Volume 3 – Scope and
- Volume 4 – Quotation Information

the definition stated within the Volumes prevails. *Suppliers* are encouraged to inform the *Client* of any discrepancies found in these documents if applicable.

The definitions below are written to align with the terminology used in the NEC4 Framework Contract. Where applicable, terminology is tailored to the relevant NEC4 contract forms used for the Package Contracts as issued by the *Contracting Body*.

Defined term	Definition
Accepted Plan	is the plan identified in the Contract Data or is the latest plan accepted by the <i>Service Manager</i> . The latest plan accepted by the <i>Service Manager</i> supersedes previous Accepted Plans.
Affected Property	is property of the <i>Client</i> or Others which is affected by the work of the <i>Supplier</i> or used by the <i>Supplier</i> in performing its obligations under the framework contract or any Package Contract and which is identified in the Contract Data.
Appendix	is an additional document, provided separately to the main document where it is cited.
Assessment	means Stage 2 of the procurement process as outlined in Section 5.3 of the Instructions for Tenderers.
Associated Company	is any of <ul style="list-style-type: none"> • a Consortium Member or • any company, corporation, partnership, joint venture or other entity which directly or indirectly Controls, is under the Control of or is under common Control with the <i>Supplier</i> or a Consortium Member.
Association of Local Government Archaeological Officers	is a body to represent Archaeologists working for local authorities and national parks in the United Kingdom.
Black Friday	is an annual retail event usually held at the end of November which results in a large increase in traffic.
Bravo/ eSourcing Portal	Bravo is Highways England's online tender management system.
Business Information Gateway	is as defined in Annex 06 Section 1.4 of the Scope.
Cabinet Office	is a department of the Government of the United Kingdom responsible for supporting the Prime Minister and the Cabinet of the United Kingdom.
Category Purchase Agreement	is as described in Annex 17 of the Scope.
Category Supplier	is a supplier who is appointed via a Category Purchase Agreement.
Change of Control	is an event where any single person, or group of persons acting in concert, acquires Control of the <i>Supplier</i> or a Consortium Member or acquires a direct or indirect interest in the relevant share capital of the <i>Supplier</i> or a Consortium Member, as a result of which that person or group of persons holds or controls the largest direct or indirect interest in (and in any event more than 25% of) the relevant share capital of the <i>Supplier</i> or a Consortium Member.
Chartered Institute for Archaeologists (CIfA)	is a professional body representing archaeologists working in the United Kingdom and overseas.
Clarification	means Stage 4 of the procurement process, as outlined in Section 5.5 of the Instructions for Tenderers.
Client's Premises	is any premise provided by the <i>Client</i> and used by the <i>Consultant</i> to Provide the Service.
Collaborative Performance Framework (CPF)	is the tool employed by Highways England to measure supplier effectiveness and enables the business to take informed decisions concerning a supplier or contract.

Collaborative Planning	is a technique that involves all Parties working together to improve productivity, and reduce time and cost.
Combined Overall Score (in the Instructions for Tenderers)	is a tenderer's final quality score combined with its final commercial score.
Combined Overall Score (in the Framework Information)	is a <i>Supplier's</i> final quality score combined with its final commercial score for the framework contract.
Commercial Assessment Panel	is the independent group of assessors that assess a tenderer's Commercial Submission.
Commercial Envelope	is the area in Bravo / eSourcing Portal to which tenderers must upload their Commercial Submission.
Commercial Score	is the score for each tenderer's Commercial Submission as determined by the Commercial Assessment Panel.
Commercial Submission	is the submission that is received from the tenderer in the Commercial Envelope via the e-Sourcing Portal providing all of the tenderers' commercial information as described in section 4 of the Instructions for Tenderers.
Commercial Submission Workbook	is an excel spreadsheet that the tenderer completes and submits as part of its <i>commercial submission</i> . It is comprised of individual schedules for the various types of archaeological services that the successful tenderer may be instructed to provide. The Commercial Submission Workbook is included as Quotation Information QI Appendix D.
Commitments	are statements which define how the tenderer will support and deliver Highways England's ambitions and the tenderer's own development and capability during delivery of the framework scope. Commitments should be aspirational, involving new strategies, policies or working practices, or initiatives to improve efficiency, productivity, safety or environmental practice.
Compliance	means Stage 1 of the procurement process, as outlined in Section 5.2 of the Instructions for Tenderers.
Comptroller and Auditor General	in the United Kingdom is the government official responsible for supervising the quality of public accounting and financial reporting.
Confidential Information	is 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).
Consensus	means Stage 3 of the procurement process, as outlined in Section 5.4 of the Instructions for Tenderers.
Consortium Member	is an organisation which is a member of the group of economic operators comprising the <i>Supplier</i> , whether as a participant in a non-integrated joint venture or a shareholder in a joint venture company.
Construction Compliance Certificate	is as defined in BD2/12 Technical Approval of Highways Structure (Volume 1, Section 1 of the Design Manual for Roads and Bridges).
Construction Environmental Management Plan (CEMP)	is the plan that outlines how a construction project will avoid, minimise or mitigate effects on the environment and surrounding area.

Construction Industry Training Board	is an organisation working with the construction industry to encourage training, with the aim to help build a safe, professional and fully qualified workforce.
Consultant Overhead	is the amount calculated by applying the <i>Consultant's office overhead percentage</i> to the sum of time expended on work which has been completed multiplied by the appropriate People Rates.
Consultant's Premises (for use with subcontracts as stated in clauses Z1I and Z1K of the conditions of contract)	is any premise provided by the <i>Consultant</i> or the <i>Client</i> and used by the <i>Subconsultant</i> to Provide the Subcontract Service.
Consultant's Premises (for use with PSSC contracts as stated in clauses Z1H and Z1J of the conditions of contract)	is any premise (that is not a domestic property) leased, rented or owned by the <i>Consultant</i> or a <i>Subcontractor</i> and used to Provide the Service.
Contingency Procedure	is the procedure to award a Package Contract if the <i>selection procedure</i> is not successful or all quotations are rejected.
Continual Improvement Lean Innovation Leaders	has the meaning given to it in Annex 11 of the Scope.
Contract Dispute	is a dispute between the Parties under or in connection with the framework contract or any Package Contract.
Consultant Background IPR (See amendments in clauses Z1I and Z1K for use in PSSC modified for subcontract forms)	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 <ul style="list-style-type: none"> • before the defects date to Provide the Service and • for the maintenance, operation and modification of the service.
Contractor Background IPR (See amendments in clause Z1M for use in TSS)	is IPR owned by the <i>Contractor</i> or a third party before the Contract Date or created by the <i>Contractor</i> or a third party independently of the contract, which in each case is or will be used <ul style="list-style-type: none"> • before the end of the <i>service period</i> to Provide the Service and • for the maintenance, operation and modification of the service.
Contracts Finder	is the online UK government portal which allows suppliers to search for information about contracts worth over £10,000 (excl. VAT) with the government and its agencies.
Control	has the meaning set out in section 1124 of the Corporation Tax Act 2010.
Controller	is the single person (or group of persons acting in concert) that <ul style="list-style-type: none"> • has Control of the <i>Supplier</i> or a Consortium Member or • holds or controls the largest direct or indirect interest in the relevant share capital of the <i>Supplier</i> or a Consortium Member.

Credit Rating	is the <i>credit rating</i> or any revised long term credit rating issued by a rating agency accepted by the <i>Client</i> in respect of the <i>Supplier</i> , a Consortium Member or any Guarantor. A rating agency accepted by the <i>Client</i> are Moody's Investor Service Inc., Standard & Poor's Financial Services LLC. or Fitch Ratings Inc.) unless agreed otherwise by the <i>Client</i> .
Cyber Monday	is an annual online retail event usually held at the end of November or early December which results in an increase in traffic due to large volumes of goods being delivered.
Data	is all Personal Data collected, generated or otherwise processed by the <i>Supplier</i> in the course of Providing the Service.
Data Controller	is a legal person that determines the purposes and means of the processing of Personal Data.
Data Protection Impact Assessment	is an assessment by the Data Controller of the impact of the envisaged processing of Personal Data on the rights of a Data Subject.
Data Protection Legislation	is <ul style="list-style-type: none"> the General Data Protection Regulation (EU 2016/679), the LED (Law Enforcement Directive (Directive (EU) 2016/680), the Data Protection Act 2018, the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any other data protection laws and regulations applicable in England and Wales.
Data Subject	is an individual who is the subject of Personal Data.
Data Subject Access Request	is a request made by, or on behalf of, a Data Subject concerning its <ul style="list-style-type: none"> rights of access to, and information relating to, Data, rectification of inaccurate Data, permanent erasure of Data, objection to or restriction of processing of Data pursuant to the Data Protection Legislation and transfer of Data to a third party.
Death	is a human casualty who dies due to injuries received in a RIDDOR Incident.
Delivery Integration Partner (DIP)	is a supplier appointed by the <i>Client</i> under the Delivery Integration Partnership Framework (OJEU number 2018/S 010-017461) who will integrate the development and delivery of Schemes. DIP suppliers have contractual responsibility with Scheme development, design, construction and handover to the <i>Client</i> .
Department for Transport	is the government department responsible for the English transport network and a limited number of transport matters in Scotland, Wales and Northern Ireland that have not been devolved.
Detailed Archaeological Mitigation Strategy (DAMS)	is a statement of proposals for reducing the overall effect of a development on archaeological remains within the site.
Detailed Local Operating Agreement (DLOA)	details the generic template to be used by major schemes for handover into operational maintenance.

Development Consent Order (DCO)	is a statutory instrument granted by the Secretary of State to authorise the construction and development of a Nationally Significant Infrastructure Project.
Disclosure Request	is a request for information relating to the contract as 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 (provisions of any) predecessor statutes that are expressly preserved in force by that Act.
DOTAS	are the Disclosure of Tax Avoidance Schemes rules contained in Part 7 of the Finance Act 2004 and in secondary legislation made pursuant to it, as extended to National Insurance contributions by the National Insurance Contributions (Application of Part 7 of the Finance Act 2004) Regulations 2012 (SI 2012/1868).
EEA	is the European Economic Area.
Eligibility Procedure	outlines the exclusion criteria that make a framework supplier ineligible from taking part in the <i>selection procedure</i> or Contingency Procedure.
Employment and Skills Plan (ESP)	is the plan described in sections S253 / S261 and Annex 06 of the Scope.
Employment Costs	are all costs and emoluments arising under the terms and conditions of employment of the Staff, including basic pay, shift allowances, bonus payments, on call payments, overtime, car costs, telephone rental, travel and subsistence payments, maternity pay, sick pay, pension contributions and income tax and national insurance contributions.
Enforcement Action	is enforcement action brought by a regulatory authority against the <i>Supplier</i> or an Associated Company under any health and safety or environmental legislation, including a successful prosecution or the issue of a prohibition or improvement notice under any contract.
English Heritage	is an organisation partly funded by government aid that looks after ancient monuments and historic buildings in England.
Equality, Diversity and Inclusion (EDI)	is the collective term used to refer to and promote values of <ul style="list-style-type: none"> • equality – meaning where we ensure everybody has equal access and opportunity and are not treated differently or discriminated against because of their characteristics, • diversity – meaning where we take account of the differences between individuals and groups of people and place a positive value on those differences and • inclusion – meaning where all people regardless of who they are, feel valued and welcomed.
EU Commission	is the executive branch of the European Union.
EU Reference	is any European Union <ul style="list-style-type: none"> • regulation, • decision, • tertiary legislation or

	<ul style="list-style-type: none"> provision of the European Economic Area agreement.
Exit Day	is the exit day as defined in section 20 of the European Union (Withdrawal) Act 2018, as amended.
Federation of Archaeological Managers and Employers	is a professional archaeological body in the United Kingdom.
Financial Standing Test	is the financial test for the <i>Supplier</i> , a Consortium Member or a proposed guarantor used in the tender stage of the competition for the framework contract.
Financial Year is (as the case may be)	<ul style="list-style-type: none"> the period commencing on the date the framework came into existence and ending on 31 March in the following year, a period of twelve months commencing on the expiry of the previous financial year or in the case of the financial year in which the <i>end date</i> occurs, the period commencing on the expiry of the previous financial year and ending on the <i>end date</i>.
Framework Performance Score	is the performance score calculated by aggregating the <i>Supplier's</i> performance scores for every Package Contract to arrive at a single score representing the <i>Supplier's</i> overall performance across the framework contract using the methodology set out in the Collaborative Performance Framework in Annexes FI 9 and FI 10 of the Framework Information.
Framework Quality Plan	is a proposal from the <i>Supplier</i> detailing how they intend to deliver the outcomes of the framework contract.
General Anti-Abuse Rule	<p>is</p> <ul style="list-style-type: none"> the legislation in Part 5 of the Finance Act 2013 and any future legislation introduced to counteract tax advantages arising from abusive arrangements to avoid National Insurance contributions.
Guarantor	is a person who has given a Parent Company Guarantee to the <i>Client</i> .
Halifax Abuse Principle	is the principle explained in the CJEU case C-255/02 Halifax plc and others.
Health and Safety File	is as per the meaning given to it in the Construction (Design and Management) Regulations 2015.
Her Majesty's (HM) Government	is the duly elected Government for the time being during the reign of Her Majesty (and her successors).
Heritage Management Plan (HMP)	is the plan that indicates how the historic environment is intended to be protected in a consistent and integrated manner, co-ordinating with all other environmental topics.
Highways England Lean Maturity Assessment (HELMA)	<p>is an assessment undertaken to assess the <i>Supplier's</i> application of Lean undertaken on an [annual]* basis.</p> <p><i>[*Note to tenderers: Frequency is determined in the Package Contract.]</i></p>
Historic England	is the UK government's statutory advisor on the historic environment.
Inclusion Action Plan (IAP)	is the document described in Section 5.5 and Annex FI 7 of the Framework Information.

Incoming Contractor	is any contractor appointed by the <i>Client</i> to provide works or services under any Package Contract or part of them (or similar services or part of them) in relation to the Affected Property (or part of it) in place of the <i>Supplier</i> .
Indemnified Claim	is a matter for which the <i>Supplier</i> is liable under a Package Contract.
Information Systems	are the systems specified in the Scope for the collection and storage of information regarding the <i>service</i> or any revised systems introduced by the <i>Client</i> from time to time.
Intellectual Property Rights or IPRs	are copyright and related rights, database rights, design rights, patents, inventions, trade marks (and goodwill attaching to those trade marks), domain names, applications for and the right to apply for any of the foregoing, moral rights, confidential information and any other intellectual or industrial property rights, whether or not registered or capable of registration, whether subsisting now or in future in any part of the world.
Joint Data Controllers	means where two or more Data Controllers jointly determine the purposes and means of processing.
Kano Analysis	is an approach used to prioritise features on a product road map based on their impact to customer satisfaction.
Lean	is a method of producing what a customer or client wants, when they want it, with minimum waste and to a high level of quality.
Lean Continual Improvement	is a technique that generates ideas for efficient ways of working whilst maintaining a focus on the requirements of the customer.
Lean Maturity Assessment	helps organisations in the <i>Client's</i> supply chain determine the extent to which they have adopted lean principles.
Licence	is the document entitled "Highways England: Licence" listed in Annex 02 of the Scope.
List X	refers to companies operating in the United Kingdom (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.
Lot Preference Form	is the form on which suppliers indicate their preferred lots, should they be successful, via Appendix B of the Instructions for Tenderers.
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 • Highways England reputation (Health Safety Security Environment (HSSE)) could be adversely affected • multiple locations/businesses or significant user impacted.

Moderation	means Stage 6 of the procurement process as outlined in section 5.7 of the Instructions for Tenderers.
National Insurance Number (NINO)	is a number used in the United Kingdom in the administration of the National Insurance or social security system.
National Security Vetting (NSV)	is the government policy that requires staff to undergo security vetting in order to gain access to government information.
National Trust	is a trust for the preservation of places of historic interest or natural beauty in England, Wales and Northern Ireland.
Nationally Significant Infrastructure Project	has the meaning given to it in the Planning Act 2008.
Nonconformity	has the meaning given to it in BS EN ISO 9000:2015.
Office of Rail and Road (ORR)	is a non-ministerial government department responsible for the economic and safety regulation of Britain's railways and the economic monitoring of Highways England.
Official Journal of the European Union (OJEU)	is the publication in which all tenders from the public sector which are valued above a certain financial threshold according to EU legislation, must be published.
Open for Traffic	is the date when the Scheme is substantially complete and meets the Office of Rail and Road's guidance for having no further 'permanent traffic management' in place. 'Permanent traffic management' is any traffic management other than that described in the next sentence. It is recognised that there may be works / services left to complete which may require partial or overnight closures to finalise and use the works / services as part of the public highway.
Others	are people or organisations who are not the <i>Client</i> , the <i>Supplier</i> or any employee or Subcontractor of the <i>Supplier</i> .
Outgoing Contractor	is any agent or contractor appointed by the <i>Client</i> or Others to carry out works or provide services similar to the works or services under any Package Contract in relation to the Affected Property during the period immediately prior to the date of award of the framework contract.
Outline Environment Management Plan (OEMP)	is the plan outlining design, construction and operational mitigation arising from the technical assessments presented in the environmental statement requiring a response from all involved in the Project.
Package Contract	is a contract for works or services to be carried out pursuant to a Time Charge Order or a Works Contract.
Package Information	is the scope (as applicable) for any Package Contract.
Parent Company Guarantee	is a parent company guarantee of the <i>Supplier's</i> performance in the form set out in the Framework Information.
Performance Level	is the performance level stated in the Collaborative Performance Framework stated in the Scope.
Performance Requirement	is the required standard for performance of each element of the <i>Supplier's</i> obligations under any Package Contract as specified in the Package Information.
Personal Data	is any data relating to an identified or identifiable natural individual that is within the scope of protection as "personal data" under the Data Protection Legislation.
Procedure	has the meaning given to it in ISO 9000.

Process	has the meaning given to it in ISO 9000.
Processor	is a legal person which processes Personal Data on behalf of a Data Controller.
Procurement Officer	is the person responsible for the management and governance of this procurement process as identified in paragraph 1.6.2 of the Instructions for Tenderers.
Procurement Policy Note (PPN)	are guidance notes produced by the Cabinet Office on the implementation of the procurement regulations in England and Wales.
Project	is a road improvement project or a roads renewal project.
Project Control Framework	has the meaning given to it in the Project Control Framework Handbook (see Annex 02 of the Scope).
Prospective Tenderer	is any person or corporate body who applies to be included on a tender list to become an Incoming Contractor.
Protective Measures	<p>are appropriate, technical and organisational measures implemented, consistent with good industry practice, to ensure a level of security appropriate to the risk posed by Personal Data, taking into account the state of the art, the costs of implementing, the harm that might result from a Security Incident, and which may include</p> <ul style="list-style-type: none"> • 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 <p>regularly assessing and evaluating the effectiveness of such measures adopted by it including those outlined in PPN 02/18 (see link in Annex 02 of the Scope).</p>
Public Archaeology and Community Engagement (PACE)	is the practice of presenting archaeological data and interpretations of that data to the public.
Public Interest Test	requires a public authority, or oversight body, to weigh the harm that disclosure would cause to the protected interest against the public interest saved by disclosure of the information.
Qualification Envelope	is the area in Bravo/ e-Sourcing Portal to which tenderers must submit their Selection Questionnaire and any other information required under these Instructions for Tenderers.
Quality Assessment Panels	are the groups of assessors that assess the Quality Statement.
Quality Management Plan	is the quality plan required for each Package Contract.
Quality Management Points	are points accrued by the <i>Supplier</i> in relation to a Package Contract in accordance with the table in Annex 10 of the Scope.
Quality Moderation Panel	is the panel that challenges and provides assurance of consistent assessment approaches being used between the Quality Assessment Panels.
Quality Plan	has the meaning given to it in ISO 9001:2015.
Quality Statement (in the Instructions for Tenderers)	is the submission from tenderers responding to the requirements of Section 3 of the Instructions for Tenderers.

Quality Statement (in the <i>conditions of contract</i> , Framework Information and Scope)	is the statement of that name referred to in the Contract Data detailing the <i>Supplier's</i> management and resourcing proposals for how it is to meet the <i>Client's</i> objectives for the framework contract.
Receiver of Wreck	is an UK government official who deals with cases of voluntary salvage wreck material across the UK, and makes sure that the interests of both salvor and owner are taken into consideration.
Related Dispute	is a dispute under or in connection with a contract between a Party and others relating to the Affected Property.
Related Dispute Adjudicator	is an adjudicator appointed to determine a Related Dispute.
Relevant Subcontract	<p>is a subcontract used to appoint a Subcontractor or subcontractors (at any stage of remoteness from the <i>Client</i>) for the supply (whether or not including fabrication, delivery or installation) of any significant steel materials, steel related products or steel related elements (excluding Equipment and fixings) that are</p> <ul style="list-style-type: none"> • used to Provide the Service or • incorporated or left in the <i>service</i> <p>which has not already been awarded before the Contract Date.</p>
Relevant Subcontractor	is a Subcontractor or subcontractors (at any stage of remoteness from the <i>Client</i>) appointed under a Relevant Subcontract.
Relevant Tax Authority	is Her Majesty's Revenue & Customs or, if the <i>Supplier</i> is established in another jurisdiction, the tax authority in that jurisdiction.
Resource Schedule (in the <i>Instructions for Tenderers</i>)	is an excel spreadsheet that is used by the tenderer to build up and substantiate its rate for each item in the Commercial Submission Workbook. Resources are itemised for People, Equipment, Plant and Materials, work that is subcontracted and any credit value (where applicable) relating to the item. The Resource Schedule is included as QI Appendix E to the <i>quotation information</i> .
Resource Schedule (in the <i>conditions of contract</i> , Framework Information and Scope)	is an excel spreadsheet that is used by the <i>Supplier</i> to build up and substantiate its rate for each item in the <i>quotation information</i> . Resources are itemised for people, Equipment, Plant and Materials, Subcontracted work and any credit relating to the item. The Resource Schedule is included as QI Appendix E to the <i>quotation information</i> .
RIDDOR Incident	<p>is an incident occurring under any contract between</p> <ul style="list-style-type: none"> • the <i>Supplier</i> or an Associated Company and • the <i>Client</i> or any other person <p>which results in death or serious injury to any worker or non-worker and for which the <i>Supplier</i> is responsible under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (or any replacement of it).</p>
Road Investment Strategy (RIS)	is the Department of Transport's (DfT) strategy document which sets out where it will prioritize its investment in the strategic road network.

Road Investment Strategy 2 (RIS2)	is the Department of Transport's (DfT) strategy document which sets out where it will prioritize its investment in the strategic road network during the 2020 to 2025 road period.
Road Period Efficiency	is in relation to a particular Road Investment Strategy, the period to which that strategy relates.
Scheme	is an element of archaeological works or services undertaken for a Project as a Works Contract, within the Work Order, or as a Work Order.
Secondary Competition	is the process described in section 8.2 of the Framework Information.
Secretary of State	is the Secretary of State for Transport.
Security Incident	is a breach of security that results, or may result in, leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Data.
Selection Questionnaire	is the document provided in Appendix F which is assessed at Stage 9 of the procurement process as set out in section 5.10 of the Instructions for Tenderers.
Service Provider System	is the <i>Supplier's</i> (service provider/ supplier) IT systems/ applications which they use to provide services to Highways England.
Site Specific Written Scheme of Investigation (SSWSI)	is a specific method statement or a project design to cover a suite of archaeological works for a site. It is normally prepared as a response to a project brief and details how the archaeologists fulfil the requirements set out in that brief.
Small and Medium Enterprises (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 / Subconsultant or a subcontractor / subconsultant to a Subcontractor / Subconsultant and is autonomous and is a European Union enterprise not owned or controlled by a non-European Union parent company.
SMART	refers to statements which are Specific, Measurable, Achievable, Relevant and Time-Bound.
Specification	has the meaning given to it in section S2205 of the Scope.
Staff	are persons employed or engaged by the <i>Supplier</i> or an Associated Company or any subcontractor at any stage of remoteness from the <i>Client</i> to provide works or services under any Package Contract at any time.
Stage	refers to the archaeological stage as defined in the Scope.
Standstill Period	is a period of at least ten (10) calendar days following the notification of the award decision, after which the contract is signed by Highways England and the successful tenderers.
Statutory Undertakers	are persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of hydraulic power and a relevant airport operator.
Sterling	is the basic monetary unit of the United Kingdom.
Structured Innovation	has the meaning given to it in Annex 11 of the Scope.
Subcontractor	is a person or organisation who has a contract with the <i>Supplier</i> to provide works or services or to supply plant,

	materials or equipment necessary for performance of the <i>Supplier's</i> obligations under any Package Contract.
Subconsultant Overhead	is the amount calculated by applying the <i>Subconsultant's office overhead percentage</i> to the sum of time expended on work which has been completed multiplied by the appropriate People Rates. <i>(As inserted in the conditions of contract for PSSC subcontracts in clauses Z1I and Z1K.)</i>
Subconsultant's Premises	is any premise (that is not a domestic property) leased, rented or owned by the <i>Subconsultant</i> or a <i>Subsubconsultant</i> and used to Provide the Subcontract Service. <i>(As inserted in the conditions of contract for PSSC subcontracts in clauses Z1I and Z1K.)</i>
Sub-Processor	is a third party (including an Associated Company) engaged by the <i>Supplier</i> to process Data.
Supervisory Authority	is any regulatory, supervisory, governmental or other competent authority with jurisdiction or oversight over the Data Protection Legislation.
Sustainability	means Stage 7 of the procurement process as outlined in section 5.8 of the Instructions for Tenderers.
Task Order Area	is the area of property and lands (and the volumes above and below it) affected by the works and services (in a Task Order), and as stated in the Task Order.
Task Section	is an area of land or property (and the volumes above and below it) of the Task Order Area stated in the Task Order.
Tax Non-Compliance	is where a tax return submitted by the <i>Supplier</i> or a Consortium Member to a Relevant Tax Authority on or after 1 October 2012 <ul style="list-style-type: none"> • is found on or after 1 April 2013 to be incorrect as a result of a Relevant Tax Authority successfully challenging the <i>Supplier</i> or Consortium Member under the General Anti-Abuse Rule or the Halifax Abuse Principle or under any tax rule or legislation with similar effect or • the failure of an avoidance scheme in which the <i>Supplier</i> or Consortium Member was involved which was (or should have been) notified to a Relevant Tax Authority under the DOTAS or a similar regime or • gives rise on or after 1 April 2013 to a criminal conviction in any jurisdiction for tax-related offences which is not spent at the date of award of the framework contract or to a civil penalty for fraud or evasion.
Technical Envelope	is the area in Bravo/ e-Sourcing Portal to which tenderers must upload their Quality Statement.
Tender Evaluation Panel	refers to the combined Quality Assessment Panels and the Commercial Assessment Panel.
Tender Return Date	is the date by which tenders must be submitted via Bravo.
The United Kingdom National Accreditation	are the third-party certification bodies that will be accepted by the <i>Client</i> .

Body, European Union National Accreditation Body, International Accreditation Forum (IAF) Multi-Lateral Agreement (MLA)	
Threshold Level	is the threshold level of Quality Management Points stated in the Scope.
Time Charge Order (in the Instructions for Tenderers only)	is an order issued to the <i>Supplier</i> under the framework. The work under a Time Charge Order is carried out using the NEC4 Professional Service Short Contract form or subcontract form together with the additional conditions of contract listed in the Contract Data.
Transferring Employees	are employees of an Outgoing Contractor (or of a Subcontractor of an Outgoing Contractor) employed for the carrying out of work or the provision of services similar to the service in relation to the Affected Property during the period immediately prior to the access date, other than employees who object to being transferred to the <i>Supplier</i> .
TUPE	means the Transfer of Undertakings (Protection of Employment) Regulations 2006.
TUPE Information	is information regarding the Staff including identity, number, age, sex, length of service, job title, grade and terms and conditions of employment, details of any disciplinary procedure taken against a member of Staff, detail of any grievance procedure taken by a member of Staff, together with any other matters affecting each of those Staff including but not limited to the information which a transferor is obliged to notify to a transferee pursuant to regulation 11(2) of TUPE.
Voluntary, Community and Social Enterprise (VCSE)	is a non-governmental organisation that is value-driven which principally reinvests its surpluses to further social, environmental or cultural objectives. VCSEs include small local community and voluntary groups, registered charities, foundations, trusts and the growing number of social enterprises and co-operatives.
Work Order (in the Instructions for Tenderers only)	is an order issued to the <i>Supplier</i> under the framework for a package of work. The work under a Work Order is carried out using the NEC4 Term Service Contract June 2017 (with amendments dated January 2019) or subcontract together with the additional conditions of contract listed in the Contract Data.
Work Order	is work which is to be carried out under either <ul style="list-style-type: none"> • a standalone Works Contract or • a bundle of Works Contracts procured together. (As amended in clause Z1 of the conditions of contract.)
Works Contract	is a contract for works instructed by, or procured under, a Work Order.
Written Scheme of Investigation (WSI)	is a method statement or a project design to cover a suite of archaeological works for a site.