



National Highways Company Limited

NEC4 Term Service Short Contract (June 2017 with amendments January 2019 and October 2020)

FORM OF AGREEMENT BY DEED



NATIONAL HIGHWAYS COMPANY LIMITED

**NEC4 Term Service Short Contract
(June 2017 with amendments January 2019
and October 2020)**

HIGH COURT ENFORCEMENT GROUP LTD

FORM OF AGREEMENT BY DEED

relating to *services* of the

**A303 Stonehenge (Amesbury to Berwick Down) Specialist
Security Services Contract**

THIS AGREEMENT BY DEED is made the 18th day of **July 2023** [National Highways procurement to enter date the National Highways seal is affixed]

PARTIES

- 1 **NATIONAL HIGHWAYS COMPANY LIMITED**, a company incorporated in and in accordance with the laws of England, having as its registered number 09346363 of Bridge House, 1 Walnut Tree Close, Guildford, Surrey, England, GU1 4LZ ("the *Client*") and
- 2 **High Court Enforcement Group Ltd**, a company incorporated in and in accordance with the laws of England, having as its registered number 04527630 and its registered office at 2 Marine Road, Colwyn Bay, Clwyd, LL29 8PH (the "*Contractor*").

RECITALS

- A. The *Client* wishes to appoint a contractor to provide the service and for that purpose has issued invitations to tender to, amongst others, the *Contractor*.
- B. In response to the *Client's* invitation to tender, the *Contractor* has submitted a tender to Provide the Service in conformity with the Conditions of Contract, the Contract Data and the Scope.
- C. The *Client* has accepted the *Contractor's* tender and now wishes to appoint the *Contractor* 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.

2. Contract Documents

- 2.1. The following documents form part of this Agreement:

- the NEC4 Term Service Short Contract (June 2017 with amendments January 2019 and October 2020) incorporating Z1, Z2, Z3, Z4, Z6, Z7, Z8, Z9, Z10, Z11,

Z12, Z13, Z15, Z16, Z17, Z18, Z19, Z20, Z50, Z51, Z54, Z57, Z59, Z60, Z62 and Z63 ("the Conditions"),

- Volume 1 - Contract Data, Parts One and Two, and the documents referred to in them,
- Volume 2 – Scope,
- Tender Amendments,
- the *Contractor's* tender,
- the *price list*

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

3. Agreement

3.1. The *Contractor* agrees to Provide the Service for the *Client* in accordance with the provisions of this Agreement.

3.2. The *Client* will pay to the *Contractor* the amounts due under and in accordance with the provisions of this Agreement.

4. Publication of Information

4.1. The *Contractor* 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 in it is exempt from disclosure pursuant to the Freedom of Information Act 2000 (Amendment) (EU Exit) Regulations 2018. The *Client* consults with the *Contractor* before deciding whether information is exempt, but the *Contractor* acknowledges that the *Client* has the final decision. The *Contractor* co-operates with and assists the *Client* to publish this contract in accordance with the *Client's* obligation.

Delivered as a deed on the date of this document.

Executed as a deed by affixing the common seal 2023 No. 0588 of NATIONAL HIGHWAYS COMPANY LIMITED in the presence of:



Authorised Signatory

Head of Pre-Contract Commercial Services

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

Executed as a deed by the *Contractor*

by [REDACTED] (print name of Director)

.....signature of Director

and [REDACTED] (print name of Director/Company Secretary)

signature of Director/Company Secretary