

Our ref:
 Your ref:

Amey Highways Ltd
 The Sherard Building
 Edmund Halley Road
 Oxford OX 4DQ

Mrs Sharon Cuff
 Procurement Director
 Lateral Building
 8 City Walk
 Leeds
 West Yorkshire LS11 9AT

Direct Line:03004702385
 14 March 2016

For the Attention of Andy Holder (Bid Director)

OFFICIAL – SENSITIVE

**Area 7 Maintenance and Response Contract
 OJEU Ref 2015/S 147-269707**

Dear Sir

I am directed by Highways England Company Limited to inform you that your Offer dated 16 October 2015 for carrying out the above named contract, is accepted in respect of your proposals for completion in accordance with the Terms and Conditions of the Contract.

Your Tender as amended and amplified by the following documents:-

| Amendment No | Description | Date |
|--------------|--|------------------|
| TA1 | Service Information & Annexes/ Network Information & Annexes | 7 August 2015 |
| TA2 | Contract Data/ Service Information & Annexes/ Network Information & Annexes | 7 August 2015 |
| TA3 | IfT/ Service Information & Annexes | 14 August 2015 |
| TA4 | Resource Schedule\Contract Data/IfT & Annexes/Price list/ Service Information & Annexes | 21 August 2015 |
| TA5 | IfT & Annexes/ Network Information & Annexes/Price List/ Service Information & Annexes/TUPE | 28 August 2015 |
| TA6 | IfT & Annexes/Price List/ Service Information & Annexes/Tender Assessment guidance | 4 September 2015 |

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|------|---|-------------------|
| TA7 | Contract Data (z clauses)/CRMDP/ IFT & Annexes/Price List/ Service Information & Annexes | 15 September 2015 |
| TA8 | Contract Data/Form of Agreement/PCG/ Network Information & Annexes/ Service Information & Annexes | 21 September 2015 |
| TA9 | Network Information & Annexes/ Service Information & Annexes/Price List/TUPE | 25 September 2015 |
| TA10 | Risk Management/Selection Questionnaire/IFT/ Service Information & Annexes | 2 October 2015 |
| TA11 | Price List | 15 October 2015 |

together with this letter forms a binding contract between yourselves 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.

As agreed in your Tender, I am enclosing two copies of an Agreement by Deed for carrying out this contract. Please seal or sign under hand both copies of the Deed and return both copies to me by 14 April 2016 We will then apply the Highways England's common seal and return one copy for your retention. (Please note: a Deed executed under hand must be signed by two directors or by one director and the company secretary; if executed by seal, please arrange authentication by a Director and the Company Secretary or by two Directors).

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 Project Leader and arrange to supply your Unique Tax Reference (UTR). This will enable the Agency 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.

Please note, a BPA (Blanket Purchase Agreement) number, under the Agency's financial system (SFM) has been created for your company relating to this Contract and will be forwarded to you in due course. You must quote this number on each and every application for payment.

You acknowledge that any documents and information submitted by you as part of your Tender or for validation 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) Validation, 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. I should also remind you at this time, of the requirements of paras 1.1.4 and 1.1.7 of the Instructions for Tenderers, as they relate to Confidentiality, the relevant extracts are reproduced below. 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.

1.1.4 Tenders must be submitted in accordance with these Instructions. Tenders not complying with these Instructions may be rejected by Highways England whose decision in the matter will be final. These Instructions will not form part of the proposed contract.

1.1.7 The contents of these Instructions and of any other documentation sent to Tenderers in respect of this tender process are provided on the basis that they remain the property of Highways England. Tenderers must not release information concerning the tender documents for publication in the press or on radio, television, screen or any other medium. Tenderers must not disclose the fact that they are tendering or release details of the tender documents, other than on an "in confidence" basis to those who have a legitimate need to know or whom they need to consult for the purpose of preparing their tender response. If you are unable or unwilling to comply with this requirement you are required to destroy these Instructions and all associated documents immediately and not to retain any electronic or paper copies. Tenderers are required to conduct themselves in good faith in all dealings in relation to this tender process

Finally, please acknowledge safe receipt of this letter and its contents via Bravo message.

Yours faithfully



Sharon Cuff
Procurement Director

