

## **Form of Contract**

### **PHE - Corporate - Early Years Obesity Upskilling - LOT 1**

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This Contract is made between:

**Public Health England** (which expression shall include its successors in title) of Wellington House, 133-135 Waterloo Road, London SE1 8UG (the "Authority")

and

**Behavioural Insights Team**, of 4 Matthew Parker Street, London, SW1H 9NP (the "Contractor")

The following is agreed:

1. The Contract is made up of the following documents:
    - a) This Form of Contract for **PHE - Corporate - Early Years Obesity Upskilling - LOT 1**
    - b) PHE Conditions of Contract (as included in the tender documents) but with the amendments listed in Appendix 1
    - c) The Contractor's tender response (including prices detailed in the Commercial Envelope of the tender response). The project timetable included in the tender response is no longer applicable – a new timetable will be agreed separately between both parties.
    - d) Specification for PHE - Corporate - Early Years Obesity Upskilling - LOT 1 as included in the tender documents.

(all of the above documents taken together (as amended in accordance with this Contract) being referred to as the "Contract")
  2. If there is an inconsistency between any of the documents listed above, a higher listed document shall prevail over a lower listed document, i.e. document (a) shall prevail over all other documents; document (b) shall prevail over documents (c) and (d).
  3. The Contract will commence on the date that signatures are added by both the Authority and the Contractor.
  4. The duration of the Contract will be until completion of the project, but in any case, no later than the 31<sup>st</sup> March 2022.
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Signature:

[REDACTED]

Signature:

[REDACTED]

For and on behalf of the Authority

For and on behalf of the Contractor

Name:

[REDACTED]

Name:

[REDACTED]

Job Title: Lead Category Manager

Job Title: General Counsel (interim)

Date: 5th July 2021

Date: 6 July 2021

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Appendix 1

The following changes are agreed to the Terms and Conditions published in the Tender process:

- Clause 3.3: This clause is deleted.
- Clause 10.5: This clause is deleted.
- Clause 10.9, 10.10 and 10.13: These clauses are deleted.
- Clause 19.2: This clause is deleted and replaced with the following:

19.2 Except in the case of death or personal injury caused by negligence, and fraudulent misrepresentation or in other circumstances where liability may not be so limited under any applicable law, the liability of either Party under or in connection with the Contract, whether arising in contract, tort, negligence, breach of statutory duty, under the indemnity in clause 36.2, or otherwise shall not exceed the sum of two times the amount of the charges paid to the Contractor.