|  |  |
| --- | --- |
| Our ref:  Your ref:  WJ North Ltd  7 Brock Way  Newcastle  Staffordshire  ST5 6AZ  For the Attention of ***Redacted* - (Commercial Manager)** | *Redacted*  Head of Procurement Policy and Planning  The Cube  199 Wharfside Street  Birmingham B1 1RN  23 January 2019 |

**OFFICIAL – SENSITIVE**

**Area 10 Construction Works Framework (CWF)**

**Lot 8 Road Markings**

**OJEU Reference:** 2018-040578 (2018/S 064-141625)

Dear *Redacted*,

I am directed by Highways England Company Limited to inform you that your Offer dated 27 July 2018 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 | 1.5 Service Plan ‘Not Used’ | 13 June 2018 |
| TA2 | Annex 2 Supporting Information; Information Assurance | 13 June 2018 |
| TA3 | IfT Issue 4 Rev 1 | 13 June 2018 |
| TA4 | Annex 5 Commercial Submission | 15 June 2018 |
| TA5 | Framework Information | 15 June 2018 |
| TA6 | Insurance Requirement; Annex 5 Commercial Submission; Framework Information | 28 June 2018 |
| TA7 | Annex 3 Quality Submission; Quality Statement Template. | 29 June 2018 |
| TA8 | Tender Programme | 3 July 2018 |
| TA9 | Contract Data Part 2;Annex 24 Parent Company Guarantee; Annex 4 Insurance; Annex 3 Quality Submission; Specification; TSC Z Clauses; Task Brief; Task Order; Work Order; Framework Information; | 16July 2018 |

Together with this letter forms a binding contract between you and Highways England.

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 6 February 2019. 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).

I would be grateful if you could complete your Bank Details on headed note paper in line with the attached Bank Details request document and return for my attention via Bravo.

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 (Document 1), 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.*

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 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 retain any electronic or paper copies. Tenderers are required to conduct themselves in good faith in all dealings in relation to this tender.*

Finally, please acknowledge your understanding of the contents of this letter via Bravo messaging.

Yours sincerely

*Redacted*

*Redacted*

Head of Procurement Policy and Planning