



National Highways Limited

National Highways Consumables Contract

2023_24

Form of Agreement

THIS AGREEMENT is made the 31 day of March 2023

PARTIES:

1. **NATIONAL HIGHWAYS LIMITED** (company number 09346363) whose registered address is Bridge House, 1 Walnut Close, Guildford, Surrey GU1 4LZ ("the *Purchaser*"); and
2. **Weston SM LLP – Trading as - Pro-TECT Safety Signs** a company incorporated in and in accordance with the laws of the United Kingdom having as its registered number (company number OC321525) and its registered office at Chestnut Barn, Puxton Lane, Puxton, Weston-Super-Mare, North Somerset. BS24 6TA ("the *Supplier*").

RECITALS

- (A) In response to the *Purchaser's* invitation to tender, the *Supplier* has submitted a tender to Provide the Goods under the *Purchaser's* 'National Highways Consumables Contract 2023_24' in conformity with the Conditions of Contract, the Contract Data, and the Scope (including Annexes).
- (B) The *Purchaser* has accepted the *Supplier's* quotation by letter dated 2 May 2023 and now wishes to appoint the *Supplier* 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.
- 1.2. The Conditions of Contract are
 - the clauses of the NEC4 Supply Short Contract (June 2017 with amendments January 2019 and October 2020) (including the Z clauses detailed in the Contract Data)

2. Agreement

- 2.1. In consideration of the *Purchaser* making payment in accordance with the Conditions, the *Contractor* hereby agrees to Provide the Goods in accordance with this Agreement.

3. Documents

- 3.1 The documents forming part of this Agreement are:
 1. the *conditions of contract*
 2. Contract Data
 3. Scope Document (including Annexes)
 4. the *quotation information*
 5. The documents listed in Annex A.
 6. Any other documents referred to in the documents as listed above.
- 3.2. The several documents forming part of this Agreement are to be taken as mutually explanatory of one another.

4. Publication of Information

- 5.1. The *Supplier* acknowledges that the *Purchaser* 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 *Purchaser* shall consult with the *Supplier* before deciding whether information is exempt, but the *Supplier* shall acknowledge that the *Purchaser* has the final decision. The *Supplier* shall co-operate with and shall assist the *Purchaser* to publish this Agreement in accordance with the *Purchaser*'s obligation.

Delivered on the date of this document.

Executed by the *Supplier*

by Redacted

(print name of Director)

Redacted

signature of Director

and []

(print name of Director/Company Secretary)

signature of Director/Company Secretary

Executed on behalf of **NATIONAL HIGHWAYS LIMITED** by:

Redacted

Authorised Signatory

Print Name

Senior Procurement Manager

Title

ANNEX A - Contract Documents

<i>Purchaser's contract documents</i>	Rev	<i>Tenderer's tender submission documents</i>	Rev
National Highways Consumables Contract 2023_24 - Form of Agreement	Rev 0	National Highways Consumables Contract 2023_24 - Form of Agreement	Rev 0
National Highways Consumables Contract 2023_24- Contract Data Part 1	Rev 0		
National Highways Consumables Contract 2023_24- Contract Data Part 2	Rev 0	National Highways Consumables Contract 2023_24- Contract Data Part 2	Rev 0
National Highways Consumables Contract 2023_24 - Scope	Rev 0		
National Highways Consumables Contract 2023_24 - Scope - Annex 01 Defined Terms	Rev 0		
National Highways Consumables Contract 2023_24- Scope - Annex 02 Reference Documents	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 03 Insurance	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 04 BPSS Form and Guidance	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 06 Data Protection	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 07 Form of Novation (Old Purchaser to New Purchaser)	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 08 Form of Novation (Old Supplier to New Supplier)	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 09 Form of Parent Company Guarantee	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 10 Full List of Goods and Specification	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 11 Goods Technical Specification	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 12 Purchaser's Delivery Locations	Rev 0		

National Highways Consumables Contract 2023_24 - Scope- Annex 13 Vehicle Kit	Rev 0		
National Highways Consumables Contract 2023_24 - Scope- Annex 14 Cyber Essentials Scheme	Rev 0		
Supply of Consumables & Equipment 2023_24 v2.1 - Quotation Information	Rev 0	Supply of Consumables & Equipment 2023_24 v2.1 - Quotation Information	Rev 01
National Highways Consumables Contract 2023_24 – RfQ (Quality Submission & signed National Highways charters)	Rev 0	National Highways Consumables Contract 2023_24 – RfQ (Quality Submission & signed National Highways charters)	Rev 0

ANNEX B - Tender Commitments

NOT USED