



Department
for Environment
Food & Rural Affairs

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[REDACTED]
Hitzinger UK Ltd
50 Churchill Square, Kings Hall,
West Malling.
Kent
ME19 4YU

Our ref:32304
Date:18 11 2021

Dear [REDACTED]

**Award of Contract for 32304 All Maintenance of Thames
Barrier Diesel Rotary Uninterruptible Power Supply Devices
One & Two Supply Services on behalf of the Environment
Agency**

Following the end of the standstill period on midnight 15th November 2021 for the supply of Thames Barrier DRUPS Maintenance Services to the Environment Agency, we are pleased to award you 32304 All Maintenance of Thames Barrier Diesel Rotary Uninterruptible Power Supply Devices One & Two Supply Services contract on behalf of the Environment Agency.

This letter (Award Letter) and its Annexes set out the terms of the contract between the Environment Agency as the Authority and Hitzinger UK Ltd as the Supplier for the provision of the Services. Unless the context otherwise requires, capitalised expressions used in this Award Letter have the same meanings as in the terms and conditions of contract set out in Annex 1 to this Award Letter (the “**Conditions**”). In the event of any conflict between this Award Letter and the Conditions, this Award Letter shall prevail. Please do not attach any Supplier terms and conditions to this Award Letter as they will not be accepted by the Authority and may delay the conclusion of the Agreement.

For the purposes of the Agreement, the Authority and the Supplier agree as follows:

1. The Services shall be performed at the Environment Agency, Thames Barrier Eastmoor Street, Charlton, SE7 8LX and Hitzinger UK Ltd, 50 Churchill Square, Kings Hall, West Malling. Kent, ME19 4YU.
2. The charges for the Services are set out in Annex 2, the Supplier's signed pricing schedule dated 15/07/21. The charges are fixed and future price increases will be no

higher than the prevailing rate of CPI (Consumer Price Index) with the exception of the two 10 year overhauls for DRUPS one and two which are quoted at a today's reference price of [REDACTED] per DRUPS and will be subject to a further price review in any contract extension.

3. The specification of the Services to be supplied is as set out in Annex 3.
4. The first five year Term shall commence on 19th November 2021 and the Expiry Date shall be 18th November 2026. A further optional five year extension to the contract from 19th November 2026 to 18th November 2031 will be subject to satisfactory supplier performance, a continuing business requirement and any agreed price increases no higher than the prevailing rate of CPI (Consumer Price Index) at the time of renewal, with the exception of the 10 year overhauls to each DRUPS device 1 and 2 because the timescales are too far out and too many variables to be able to accurately predict. A further 5 one year extension options will also be available at the end of the second five year contract and will be subject to a continuing business requirement and any agreed price increases no higher than the prevailing rate of CPI (Consumer Price Index) at the time of renewal.
5. The address for notices of the Parties are:

Authority	Supplier
Environment Agency, Thames Barrier Eastmoor Street, Charlton, SE7 8LX Attention: [REDACTED] Email: [REDACTED] [REDACTED]k	Hitzinger UK Ltd 50 Churchill Square, Kings Hall, West Malling. Kent ME19 4YU Attention: [REDACTED] Email: [REDACTED]

6. The following persons are Key Personnel for the purposes of the Agreement:

Name	Title
[REDACTED]	Senior Advisor Thames Barrier
[REDACTED]	Hitzinger UK Ltd Operative

7. The Authority at no cost to itself may require the Supplier to ensure that any person employed in the provision of the Services has undertaken a Disclosure and Barring Service check. The Supplier shall ensure that no person who discloses that he/she has a conviction that is relevant to the nature of the Services, relevant to the work of the Authority, or is of a type otherwise advised by the Authority (each such conviction a “**Relevant Conviction**”), or is found by the Supplier to have a Relevant Conviction (whether as a result of a police check, a Disclosure and Barring Service check or otherwise) is employed or engaged in the provision of any part of the Services.

Payment

Our preference is for all invoices to be sent electronically, quoting a valid purchase order number (PO Number), to [REDACTED]

Alternatively you may post to [REDACTED]
[REDACTED]

Within 10 working days of receipt of your countersigned copy of this letter, we will send you a unique PO Number. You must be in receipt of a valid PO Number before submitting an invoice.

To avoid delay in payment it is important that the invoice is compliant and that it includes a valid PO Number, and the details (name and telephone number) of your Authority contact (i.e. Contract Manager). Non-compliant invoices will be sent back to you, which may lead to a delay in payment.

Liaison

For general liaison your contact will continue to be [REDACTED] [REDACTED], (telephone [REDACTED] and Email: [REDACTED]

[REDACTED] or, in their absence, [REDACTED]

[REDACTED] e-mail [REDACTED]

We thank you for your co-operation to date, and look forward to forging a successful working relationship resulting in a smooth and successful delivery of the Services. The Authority would be grateful if you could arrange the contract to be executed, by way of electronic

signature via the BRAVO portal, on behalf of Hitzinger UK Ltd and within 7 days by 26th November 2021.





Please remember to quote the reference number above in any future communications relating to this contract.

Yours sincerely,



Execution of this award notification letter is carried out in accordance with EU Directive 99/93 (Community framework for electronic signatures) and the Electronic Communications Act 2000. The Contract will be formed on the date on which both Parties communicate acceptance of its terms on the Authority's eSourcing System.

Signed for and on behalf of Environment Agency

Name:  Advisor Thames Barrier	Name:  (Procurement)
Signature: 	Signature: 
Date: 18/11/2021	Date: 18/11/2021