



Highways England Company Limited

Area 12

Maintenance and Response

Form of Agreement

relating to the provision of maintenance and response
services in relation to the motorway and trunk
road network in Highways England Area 12

THIS AGREEMENT BY DEED is made the

PARTIES:

1. **HIGHWAYS ENGLAND COMPANY LIMITED** (company number 09346363) who's registered address is at Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ ("the *Client*"); and
2. Amey OW Limited a company incorporated in and in accordance with the laws of England and Wales having as its registered number 1922327 and its registered office at Chancery Exchange, 10 Furnival Street, London EC4A 1AB ("the *Contractor*").

RECITALS

- (A) The *Client* wishes to appoint a contractor to undertake the provision of maintenance and response services in relation to the Affected Property during the *service period* and for that purpose has issued invitations to tender (including the Scope and the Network Information) to, amongst others, the *Contractor*.
- (B) In response to the *Client's* invitation to tender, the *Contractor* has submitted a tender for the provision of maintenance and response services in relation to the Affected Property in accordance with the Scope and the Network Information.
- (C) The *Client* has accepted the *Contractor's* tender by letter dated 30 November 2020 and now wishes to appoint the *Contractor* 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 are the core clauses and the clauses for main Options A (for Lump Sum Duties and the duties in Sections B and C of the Price List) and E (for Cost Reimbursable Duties), dispute resolution Option W2 and secondary Options X1, X2, X11, X18, X24, Y(UK)1, Y(UK)2, Y(UK)3 and Z1-Z18, Z30, Z39-Z40, Z42-Z43, Z50-Z53, Z56-Z59, Z60, Z61, Z105 of the NEC4 Term Service Contract (June 2017 with amendments January 2019).

2. Agreement by Deed

- 2.1. In consideration of the *Client* making payment in accordance with the Conditions, the *Contractor* hereby agrees to Providing the Service in accordance with this Agreement by Deed.

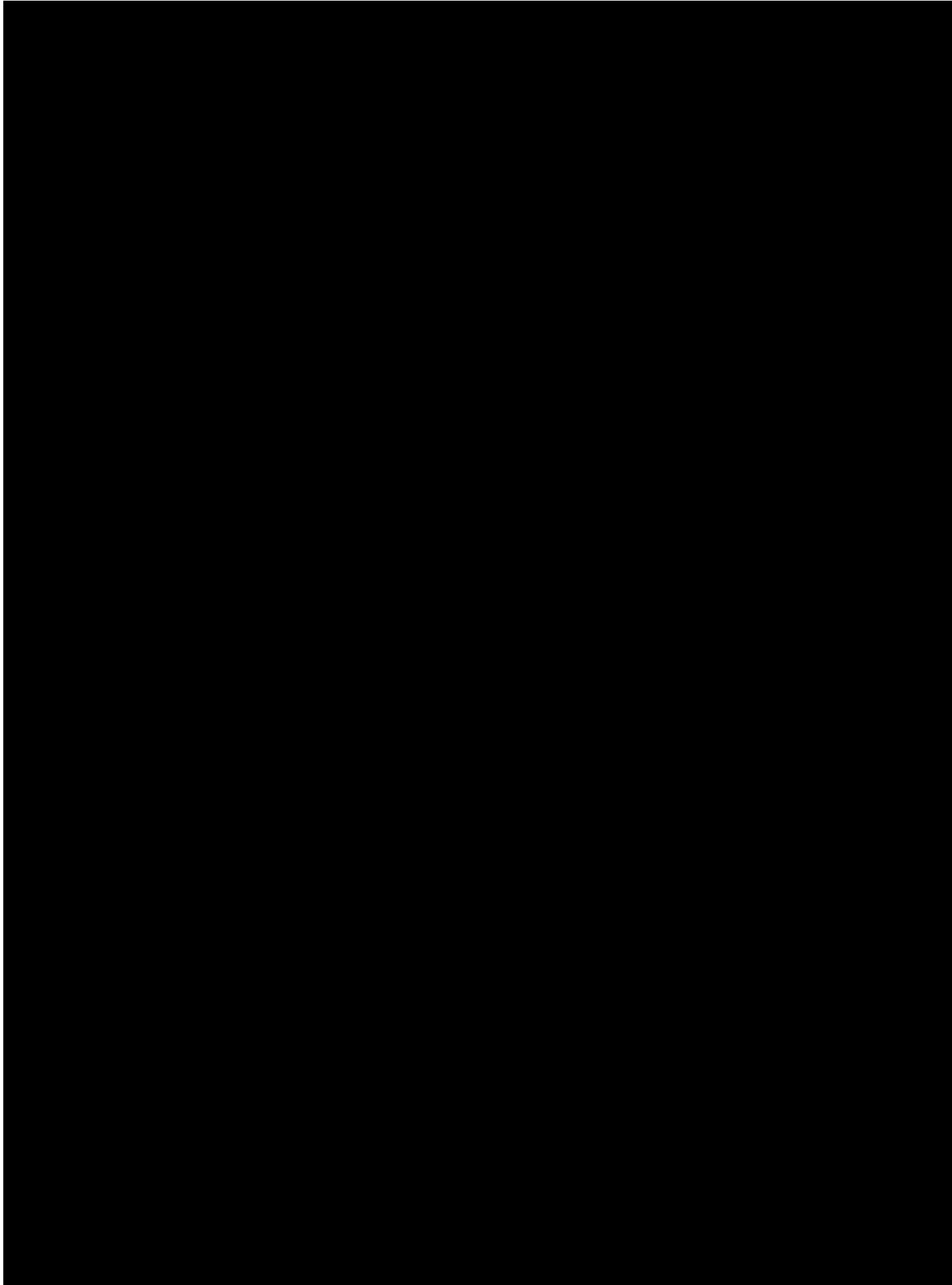
3. Documents

- 3.1 The documents forming part of this Agreement are:
 1. the Conditions
 2. the Contract Data Part One and Part Two
 3. the Scope

4. the Network Information
 5. the Price List
 6. the Service Plan
 7. the Quality Statement
 8. Tender Amendments 1-4
 9. the *Contractor's* tender
 10. Quality Commitments (Annex A)
 11. Final Tender Queries and Responses
- 3.2. The several documents forming part of this Agreement are to be taken as mutually explanatory of one another.

Delivered as a deed on the date of this document.

Executed as a deed by HIGHWAYS
ENGLAND COMPANY LIMITED by
affixing his common seal in the presence
of:





ANNEX A

Quality Commitments

