

DATED 31 August 2023

**THE DISTRICT COUNCIL OF FOLKESTONE AND HYTHE**

and

**VINCI CONSTRUCTION UK LIMITED**

**AGREEMENT TO EXTEND AND VARY  
THE AGREEMENT FOR THE**

**Fusion 21 JCT 2016 Measure Term contract: Project Id 15592 dated 4<sup>th</sup> October  
2022**

#Legal Services  
Folkestone & Hythe District Council  
Civic Centre  
Castle Hill Avenue  
Folkestone, Kent CT20 2QY

THIS DEED OF EXTENSION is made the 31<sup>st</sup> August day of 2023

Between

**THE DISTRICT COUNCIL OF FOLKESTONE AND HYTHE** of Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY ("the **Council**") and

**VINCI CONSTRUCTION UK LIMITED** (company registered number 02295904), whose registered office is at Astral House, Imperial Way, Watford, Hertfordshire WD24 4WW ("the **Provider**")

(hereinafter collectively "the **Parties**")

#### **WHEREAS**

1. The Council entered into an agreement with the Provider for the provision of retrofit energy efficiency and renewable generation measures at 50 individual homes under the social housing decarbonisation fund wave 1 compliant with PAS2035 and PAS2030(2019) on 4<sup>th</sup> October 2022 ("the **Agreement**") with a Term (as defined in the Agreement) expiring on 31<sup>st</sup> March 2023 with the option for the Council to extend the Term.
2. The Council wishes to extend the Term until 3<sup>rd</sup> September 2023 and vary the terms of the Agreement.

#### **IN CONSIDERATION OF THE VARIOUS UNDERTAKINGS, WARRANTIES AND PAYMENTS MADE BY THE PARTIES, it is agreed between the Parties as follows:**

1. The Parties agree that the Term shall be extended from 1<sup>st</sup> April 2023 and expiring on 3<sup>rd</sup> September 2023 ("the **Extended Term**").
2. The variation to the Agreement shall be as follows:-
  - Contract Particular paragraph 3 (Contract Period) shall be deleted and replaced with the following:  
"Subject to clause 7.1, the Contract Period will be eleven months commencing on 4<sup>th</sup> October 2022"
  - Clause 2.13.3 of Fusion21 Standard Schedule of Amendments shall be amended as follows:
    - The words "Where any Order Completion Date or Section Completion Date falls after 31<sup>st</sup> March 2023...." shall be deleted and replaced with "Where any Order Completion Date or Section Completion Date falls after 3<sup>rd</sup> September 2023..."
3. All other terms and conditions of the Contract shall continue in full force and effect.

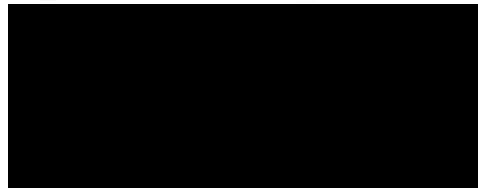
4. The Parties accept that other than as provided for in this Agreement to extend and vary the Agreement, the terms and conditions of the Agreement shall remain in force in identical terms throughout the Extended Term.
5. This Deed to extend and vary the Agreement shall be without prejudice to any additional rights of the Council to vary the term further in accordance with the Agreement.

**IN WITNESS WHEREOF** the Parties hereto have duly executed this Deed of Extension the day and year first above written

**THE COMMON SEAL of THE DISTRICT**            )  
**COUNCIL OF FOLKESTONE AND HYTHE**        )  
was hereunto affixed in the presence of: -    )



Authorised Signatory

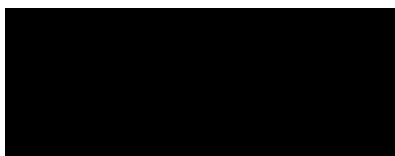


**EXECUTED as a DEED** by  
acting by a Director for and on behalf of  
**VINCI CONSTRUCTION UK LIMITED**  
in the presence of: Garry McInerney

.....

Signature of Director

Witness signature:



Name:



Address:

VINCI, Stuart House, Manor Way, Rainham,  
Essex, RM138RH