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Award

7.62mm L94A1 Hughes Chain Gun

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-005906

Procurement identifier (OCID): ocds-h6vhtk-03ad02

Published 28 February 2023, 4:13pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Bristol

BS34 8JH

Email

Emily.Evans748@mod.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://des.mod.uk/>

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Defence

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

7.62mm L94A1 Hughes Chain Gun

II.1.2) Main CPV code

- 50620000 - Repair and maintenance services of firearms and ammunition

II.1.3) Type of contract

Services

II.1.4) Short description

Post Design Services Technical Support for the 7.62mm L94A1 Hughes Chain Gun

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £4,900,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Post Design Services Technical Support for the 7.62mm L94A1 Hughes Chain Gun

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated procedure without publication of a contract notice

- The products involved are manufactured purely for the purpose of research, experiment, study or development
- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

The Turret Weapons Systems (TWS) team within the DE&S Ajax Portfolio Project Team, part of the UK Ministry of Defence (MoD), intends to award a Contract for 5 years to Heckler & Koch NSAF Ltd to cover Post Design Services Technical Support for the 7.62mm L94A1 Hughes Chain Gun currently fitted to various Armoured Vehicle platforms. This Contract will replace the existing Chain Gun PDS Contract No. SSP/00210 with Heckler & Koch NSAF Ltd which is due to expire on 06-May-23.

In accordance with regulation 4 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019 (SI 2019/697) this procurement falls to be regulated under the provisions of the Defence and Security Public Contracts Regulations 2011 as amended (in particular by SI 2019/697 and SI 2020/1450). Prior publication of a contract notice in the Official Journal of the European Union is no longer appropriate. It is considered that the award of the contract without prior publication of a contract notice in the UK e-notification service (as required by the relevant legislation) is lawful in

accordance with Regulation 16(1)(a)(ii) of the UK Defence and Security Public Contracts Regulations 2011), due to absence of competition for technical reasons.

This is because only Heckler & Koch NSAF Ltd as the current longstanding support contractor has the extensive in-depth knowledge and specific know-how, proprietary information (such as up to date drawings), gun specific tooling and safety approvals to carry out the required services. NSAF have stated they will not provide any drawing or technical detail to anyone else and therefore another contractor would be required to demonstrate access to safety critical technical information not presently available to MoD, and also be able to provide technical support based on data that cannot be corroborated by any authority and present an intolerable risk that would undermine the Safety ALARP claim for the weapon. Because of this, it is considered that no other contractor can provide these services.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract/concession

Contract No

705067450

Title

7.62mm L94A1 Hughes Chain Gun

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

14 December 2022

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

NSAF Ltd

Nottingham

Country

United Kingdom

NUTS code

- UKF1 - Derbyshire and Nottinghamshire

The contractor/concessionaire is an SME

No

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Lowest offer: £4,900,000 / Highest offer: £4,900,000 taken into consideration

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Ministry of Defence

Stoke Gifford

Bristol

BS34 8JH

Email

emily.evans748@mod.gov.uk

Country

United Kingdom

Internet address

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