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Award

## **Nato Submarine Rescue System Third In-Service Support Period Contract Amendment for the relocation of the NSRS assets.**

MINISTRY OF DEFENCE

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-006198

Procurement identifier (OCID): ocds-h6vhtk-043d05

Published 27 February 2024, 9:29am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

MINISTRY OF DEFENCE

SUBMARINE DELIVERY AGENCY, ABBEY WOOD

BRISTOL

BS35 8JH

#### **Contact**

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#### **Telephone**

+44 3001657467

**Country**

United Kingdom

**Region code**

UKK1 - Gloucestershire, Wiltshire and Bristol/Bath area

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<https://www.mod.gov.uk>

**I.4) Type of the contracting authority**

Ministry or any other national or federal authority

**I.5) Main activity**

Defence

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

Nato Submarine Rescue System Third In-Service Support Period Contract Amendment for the relocation of the NSRS assets.

**II.1.2) Main CPV code**

- 75221000 - Military defence services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

JFD Ltd acting as agent for the UK Ministry of Defence is requested to secure a lease for the relocation of the NSRS assets to a suitable commercial building.

#### **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: £10,000,000

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

#### **II.2.4) Description of the procurement**

The In-Service Submarines Team, part of the UK Ministry of Defence, intends to award an amendment to the contract with JFD Ltd for the provision of the Nato Submarine Rescue Service (NSRS) to increase its scope to include:

1. Securing a lease on a suitable commercial premises for housing the full Nato Submarine Rescue System (NSRS);
2. Relocating the NSRS assets to the alternative commercial building and;
3. Modifying the alternative commercial building so it is fit for purpose in accordance with the system User Requirements Document.

The duration of this requirement is 4 years with the option of a further 2 + 2 years. The estimated total contract value is not to exceed £10m.

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)(d)(i)(aa) of the DSPCR 2011.

Unforeseen circumstances at the Base Location have required structural surveys to be undertaken which have identified issues within the building fabric. This has resulted in limited access to personnel, affecting the Contractor's ability to fulfil their contractual requirements to maintain Rescue System readiness.

It is determined that the additional services can only be supplied by JFD Ltd because they cannot be technically or economically separated from the original contract without major inconvenience to the procurer. Technically, the additional services cannot be provided by another supplier because it would cause an intolerable risk to the provision of the core contract services. Scheduling and maintenance requirements need to be factored in to ensure no loss of critical submarine rescue capability during relocation, and the configuration of the equipment at the new location must be optimised to ensure training, maintenance and mobilisation can take place. Mobilisation of the assets already forms a key element of the contract and so JFD Ltd have subcontractor framework agreements in place which will maximise efficiency and minimise cost.

The value of this amendment does not exceed 50% of the original contract value (Regulation 16(5)).

#### **II.2.11) Information about options**

Options: Yes

Description of options

The duration of this requirement is 4 years with the option of a further 2 + 2 years. The estimated total contract value is not to exceed £10m.

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Negotiated without a prior call for competition

- 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:

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)(d)(i)(aa) of the DSPCR 2011.

It is believed that the additional services can only be supplied by JFD Ltd because they cannot be technically or economically separated from the original contract without major inconvenience to the procurer. Technically, the additional services cannot be provided by another supplier because it would cause an intolerable risk to the provision of the core contract services. Scheduling and maintenance requirements need to be factored in to ensure no loss of critical submarine rescue capability during relocation, and the configuration of the equipment at the new location must be optimised to ensure training, maintenance and mobilisation can take place. Mobilisation of the assets already forms a key element of the contract and so JFD Ltd have subcontractor framework agreements in place which will maximise efficiency and minimise cost.

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

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

22 February 2024

#### **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**

JFD Ltd

Aberdeen

Country

United Kingdom

NUTS code

- UKM - Scotland

Companies House

SC123684

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £10,000,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

SDA Commercial

Bristol

Country

United Kingdom