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Contract

On-the-man Modular Carriage and PPE Clothing System

Ministry of Defence

F20: Modification notice

Notice identifier: 2022/S 000-006526

Procurement identifier (OCID): ocds-h6vhtk-032018

Published 9 March 2022, 10:45pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Portsmouth

Email

Elizabeth.Meatyrd-Gale100@mod.gov.uk

Country

United Kingdom

NUTS code

UKJ31 - Portsmouth

Internet address(es)

Main address

<https://contracts.mod.uk/web/login.html>

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

On-the-man Modular Carriage and PPE Clothing System

Reference number

701534395

II.1.2) Main CPV code

- 35113400 - Protective and safety clothing

II.1.3) Type of contract

Supplies

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKJ31 - Portsmouth

II.2.4) Description of the procurement at the time of conclusion of the contract:

At Contract Award the requirement was for procurement of:

1.

- a. Title: On-the-man Modular Carriage and PPE Clothing System
- b. Primary Aim: Modular Assault System Vest (including capability to carry specific plates (listed), administration panel, yoke (shoulder straps), cummerbund (belt) and pouches).
- c. Quantity: 200 sets (10 Small, 100 Medium, 70 Large and 20 XL)

II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

12

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 V. Award of contract/concession

Contract No

701534395

Title

On-the-man Modular Carriage and PPE Clothing System

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract/concession award decision:

18 March 2021

V.2.2) Information about tenders

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

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

Level Peaks Associates Ltd

UNIT 4, Hereford Trade Park, Hereford, HR4 9SG

Hereford,

Country

United Kingdom

NUTS code

- UKG11 - Herefordshire, County of

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)

Total value of the procurement: £170,210

Section VI. Complementary information

VI.3) Additional information

The Royal Navy, part of the UK Ministry of Defence (MOD), intends to modify an existing contract with LEVEL PEAKS ASSOCIATES LTD, under Contract Reference 701534395 for the purchase of 100 additional 'On-the-man Modular Carriage and PPE Clothing System's'. This is a value increase of 50%, increasing the Maximum Contract Liability from £170,210 (Exc VAT) up to a Maximum Contract Liability of £255,315 (Exc VAT). It is considered that the award of the contract modification without prior publication of a contract notice in the UK e-notification service (in accordance with the relevant legislation) is lawful in accordance with regulation 72(1)(b) of the Public Contracts Regulations 2015 (as amended (in particular by Statutory Instrument 2020/1319)) because it constitutes a permitted modification under that regulation. This is because these additional services/goods have become necessary and to introduce a change of contractor at this stage cannot be made for economic and technical reasons as only LEVEL PEAKS ASSOCIATES LTD has the necessary additional equipment which needs to be identical to the current equipment to ensure interoperability and as MOD personnel have conducted training and designed maintenance regimes tailored to equipment with the existing design. Alternative equipment would introduce a safety risk on urgent operational deployments. To introduce a change in Contractor at this stage would also cause significant inconvenience, delays and substantial duplication of cost for the MOD.

VI.4) Procedures for review

VI.4.1) Review body

Ministry of Defence

Portsmouth

Country

United Kingdom

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 35113400 - Protective and safety clothing

VII.1.3) Place of performance

NUTS code

- UKJ31 - Portsmouth

VII.1.4) Description of the procurement:

The Royal Navy, part of the UK Ministry of Defence (MOD), intends to modify an existing contract with LEVEL PEAKS ASSOCIATES LTD, under Contract Reference 701534395 for the purchase of 100 additional 'On-the-man Modular Carriage and PPE Clothing System's'. This is a value increase of 50%, increasing the Maximum Contract Liability from £170,210 (Exc VAT) up to a Maximum Contract Liability of £255,315 (Exc VAT). It is considered that the award of the contract modification without prior publication of a contract notice in the UK e-notification service (in accordance with the relevant legislation) is lawful in accordance with regulation 72(1)(b) of the Public Contracts Regulations 2015 (as amended (in particular by Statutory Instrument 2020/1319)) because it constitutes a permitted modification under that regulation. This is because these additional services/goods have become necessary and to introduce a change of contractor at this stage cannot be made for economic and technical reasons as only LEVEL PEAKS ASSOCIATES LTD has the necessary additional equipment which needs to be identical to the current equipment to ensure interoperability and as MOD personnel have conducted training and designed maintenance regimes tailored to equipment with the existing design. Alternative equipment would introduce a safety risk on urgent operational deployments. To introduce a change in Contractor at this stage would also cause significant inconvenience, delays and substantial duplication of cost for the MOD.

VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

12

VII.1.6) Information on value of the contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession:

£170,210

VII.1.7) Name and address of the contractor/concessionaire

Level Peaks Associates Ltd

UNIT 4, Hereford Trade Park, Hereford, HR4 9SG

Hereford,

Country

United Kingdom

NUTS code

- UKG11 - Herefordshire, County of

The contractor/concessionaire is an SME

Yes

VII.2) Information about modifications

VII.2.1) Description of the modifications

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

No earlier modifications to the original contract exist.

The Royal Navy, part of the UK Ministry of Defence (MOD), intends to modify an existing contract with LEVEL PEAKS ASSOCIATES LTD, under Contract Reference 701534395 for the purchase of 100 additional 'On-the-man Modular Carriage and PPE Clothing System's'. This is a value increase of 50%, increasing the Maximum Contract Liability from £170,210 (Exc VAT) up to a Maximum Contract Liability of £255,315 (Exc VAT). It is considered that the award of the contract modification without prior publication of a contract notice in the UK e-notification service (in accordance with the relevant legislation) is lawful in accordance with regulation 72(1)(b) of the Public Contracts Regulations 2015 (as amended (in particular by Statutory Instrument 2020/1319)) because it constitutes a permitted modification under that regulation. This is because these additional services/goods have become necessary and to introduce a change of contractor at this stage cannot be made for economic and technical reasons as only LEVEL PEAKS ASSOCIATES LTD has the necessary additional equipment which needs to be identical to the current equipment to ensure interoperability and as MOD personnel have conducted training and designed maintenance regimes tailored to equipment with the existing design. Alternative equipment would introduce a safety risk on urgent operational

deployments. To introduce a change in Contractor at this stage would also cause significant inconvenience, delays and substantial duplication of cost for the MOD.

VII.2.2) Reasons for modification

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

No earlier modifications to the original contract exist.

The Royal Navy, part of the UK Ministry of Defence (MOD), intends to modify an existing contract with LEVEL PEAKS ASSOCIATES LTD, under Contract Reference 701534395 for the purchase of 100 additional 'On-the-man Modular Carriage and PPE Clothing System's'. This is a value increase of 50%, increasing the Maximum Contract Liability from £170,210 (Exc VAT) up to a Maximum Contract Liability of £255,315 (Exc VAT). It is considered that the award of the contract modification without prior publication of a contract notice in the UK e-notification service (in accordance with the relevant legislation) is lawful in accordance with regulation 72(1)(b) of the Public Contracts Regulations 2015 (as amended (in particular by Statutory Instrument 2020/1319)) because it constitutes a permitted modification under that regulation. This is because these additional services/goods have become necessary and to introduce a change of contractor at this

VII.2.3) Increase in price

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £170,210

Total contract value after the modifications

Value excluding VAT: £255,315