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Award

Typhoon MIDS Field Service Engineer Contract Amendment

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-007261

Procurement identifier (OCID): ocds-h6vhtk-0322f7

Published 16 March 2022, 10:45pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Ministry of Defence, Typhoon Delivery Team

Email

isabelle.williamson103@mod.gov.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

www.gov.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

Typhoon MIDS Field Service Engineer Contract Amendment

II.1.2) Main CPV code

- 71336000 - Engineering support services

II.1.3) Type of contract

Services

II.1.4) Short description

Contract Amendment to the Typhoon MIDS Field Service Engineer contract to provide Terminal Exerciser software license.

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: £350,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Contract Amendment to the Typhoon MIDS Field Service Engineer contract to provide Terminal Exerciser software license.

II.2.5) Award criteria

Price

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

- No tenders or no suitable tenders/requests to participate in response to negotiated procedure with prior publication of a contract notice
- The products involved are manufactured purely for the purpose of research, experiment, study or development

Explanation:

The Typhoon Delivery Team, part of the Ministry of Defence, intends to amend a contract with Data Link Solutions LLC (DLS) to include the supply of a licence for Terminal Exerciser (TE) software, which is loaded on to appropriate test equipment (eg laptops) in order to test, support and further develop the Link 16 Data Link installed on the Typhoon platform. The value of the contract amendment is £300,000.

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 (in accordance with the relevant legislation) is lawful in accordance with regulation 16(1)(a)(ii) of the DSPCR 2011 for reasons connected with the protection of exclusive rights. This is because DLS is the owner of the copyright in the source code of the TE software, which has been developed to work with this specific Link 16 Data Link and tested to work in the Windows 10 operating environment.

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

The procurement is covered by the Government Procurement Agreement: No

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

16 March 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

Data Link Solutions LLC

Cedar Rapids

Country

United States

NUTS code

- US - United States

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £350,000

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, MOD Abbeywood

Filton

Country

United Kingdom