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Tender

Provision of Nuclear Site Safety Justification (NSSJ) Services based at HMNB Devonport, Plymouth, Devon, UK.

Ministry of Defence

F17: Contract notice for contracts in the field of defence and security

Notice identifier: 2021/S 000-009767

Procurement identifier (OCID): ocds-h6vhtk-02ad98

Published 5 May 2021, 10:55pm

Section I: Contracting authority/entity

I.1) Name, addresses and contact point(s)

Ministry of Defence

NBC(D) Commercial, Naval Base HQ, HMNB Devonport

Plymouth

PL2 2BG

For the attention of

Miss H. R. Zubka-Hill

Email(s)

Hana.Zubka-Hill100@mod.gov.uk

Telephone

+44 3001699909

Country

United Kingdom

Internet address(es)

General address of the contracting authority/entity

www.contracts.mod.uk

Electronic access to information

www.contracts.mod.uk

Electronic submission of tenders and requests to participate

www.contracts.mod.uk

Further information

Further information can be obtained from the above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from

The above-mentioned contact point(s)

Tenders or requests to participate must be sent to

The above-mentioned contact point(s)

I.2) Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local subdivisions

I.3) Main activity

Defence

I.4) Contract award on behalf of other contracting authorities/entities

The contracting authority is purchasing on behalf of other contracting authorities:

No

Section II: Object of the contract

II.1) Description

II.1.1) Title attributed to the contract by the contracting authority

Provision of Nuclear Site Safety Justification (NSSJ) Services based at HMNB Devonport, Plymouth, Devon, UK.

II.1.2) Type of contract and location of works, place of delivery or of performance

Services

Service category No 3: Defence services, military defence services and civil defence services

Main site or location of works, place of delivery or of performance

HMNB Devonport, Plymouth, Devon, UK.

NUTS code

- UKK41 - Plymouth

II.1.5) Short description of the contract or purchase(s)

Please refer to Section II.2) Quantity or scope of the contract of this notice.

II.1.6) Common procurement vocabulary (CPV)

- 98113100 - Nuclear safety services

Additional CPV code(s)

- 44421722 - Safety cases
- 71356300 - Technical support services
- 72224000 - Project management consultancy services

II.1.7) Information about subcontracting

The tenderer has to indicate in the tender any share of the contract it may intend to

subcontract to third parties and any proposed subcontractor, as well as the subject-matter of the subcontracts for which they are proposed

The tenderer has to indicate any change occurring at the level of subcontractors during the execution of the contract

II.1.8) Lots

This contract is divided into lots: No

II.1.9) Information about variants

Variants will be accepted: Yes

II.2) Quantity or scope of the contract

II.2.1) Total quantity or scope

The fundamental aim of the NSSJ contract is to procure the provision of a Project Management Service (PMS) which will deliver: Project Management, Nuclear Advice, defined Safety Case and Periodic Review of Safety (PRS) work, and other associated work under a milestone-based arrangement. These services will maintain the authorisation of the Naval Base Site through the provision of specialist nuclear advice, which reflects modern civil nuclear practice to Naval Base staff and ensures the Naval Base Commanders Site Safety Justification documentation suite remains current and fully compliant with MoD Authorisation Conditions, MoD Naval Nuclear Safety Principles (NNSP) and other standards imposed by the Defence Nuclear Safety Regulator (DNSR). In parallel, the contract shall support knowledge share/transfer that develops the Authority's Intelligent Customer (IC) function.

It is anticipated that a core team to provide the service shall be embedded within the HMNB Devonport delivery location; the Home Base. The estimated contract duration shall be for a period of three (3) years. The contract shall include the option to extend at the Authority's sole discretion the contract duration by a further two (2) years which will be constructed as two discrete one (1) year option periods; each option shall be severable from the other. The contract shall also include options for emergent work and resource 're-sizing' as may be reasonably required by the Authority in the contract life.

This tender is operating under the DSPCR (2011) Restricted Procure in accordance with Regulation 17. Therefore, tenderers are required to respond to the DPQQ attached to this notice. A copy of the draft ITT has also been attached, to enable potential providers to self-assess their suitability to the requirement. The final ITT and suite of contract documents shall only be made available to potential providers, who are successful at Phase 1 (DPQQ stage) and have been formally notified and invited to participate in the next phase of the

procurement process.

The aim of Phase 1 (DPQQ) is to arrive at a short list of no more than four (4) qualified potential service providers who are eligible to participate; fulfil any minimum economic, financial, professional and technical standards, and best meet in terms of capacity and capability the selection criteria set out in the DPQQ. Full details of the method of choosing the Tenders are set out in the DF47. Each response must achieve Technical Envelope compliance at 70% or higher to be considered for phase 2. If a potential service provider receives a fail to any Pass/Fail question within the PQQ, they will automatically fail the evaluation and not be invited to participate further. Where more than one potential service provider scores the same (and both responses are technically compliant), then the response which achieves the highest score against criterion with the greater weighting shall progress to phase 2. If following this granulated assessment responses remain on equal scores, the Authority at its sole discretion may invite up to a maximum of six (6) technically compliant potential service providers to phase 2.

Potential Providers/Tenderers are invited to note the following:

1. Following an initial assessment, the Authority believe IR35 may apply. The final status of IR35 will only be known, following final assessment of the winning tenderers' solution and specifically how the winning tenderer proposes to provide personnel. Any formal CEST/Status Determination Statement (SDS) letters will then be provided as necessary.
2. Attention is drawn to the Security Aspects Letter (SAL) attached as part of the Draft Contract, which details key criteria for eligibility. In accordance with Regulation 6 (3A)(a) – 'Security of Information', and read in conjunction with Regulation 7 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019; this requirement is open to National eyes-only. Meaning, only economic operators established in the UK and Gibraltar shall be eligible to tender for this requirement.
3. The Cyber risk has been considered and in accordance with the Cyber Security Model resulted in a Cyber Risk Profile of 'Low'.

Estimated value excluding VAT:

£9,500,000

II.2.2) Information about options

Options: Yes

Description of these options: The contract shall include the option to extend at the Authority's sole discretion the contract duration by a further two (2) years which will be constructed as two discrete one (1) year option periods; each option shall be severable

from the other. The contract shall also include options for emergent work and resource 're-sizing' as may be reasonably required by the Authority in the contract life.

II.2.3) Information about renewals

This contract is subject to renewal: No

II.3) Duration of the contract or time limit for completion

Start date: 1 November 2021

End date: 31 October 2024

Section III. Legal, economic, financial and technical information

III.1) Conditions relating to the contract

III.1.1) Deposits and guarantees required

An indemnity, guarantee or bank bond may be required to support the contract. The Authority reserves the right to ask for an indemnity, (parent company) guarantee or bank bond if the supplier does not meet the required standard for economic and financial standing.

III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Tasks will be payable either upon successful completion of individual tasks/core deliverables or via an agreed milestone payment arrangement.

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded

If a group of economic operators submits a bid, the group must nominate a lead organisation to deal with the Authority. The Authority shall require the group to form a legal entity before entering into the contract.

III.1.4) Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information

The Authority reserves the right to amend any condition related to security of information to reflect any changes in National Law or Government Policy. If any contract documents are accompanied by a Security Aspects Letter, the Authority reserves the right to amend

the terms of the Security Aspects Letter to reflect any changes in National Law or Government Policy whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise.

Attention is drawn to the Security Aspects Letter (SAL) attached as part of the Draft Contract, which details key criteria for eligibility. In accordance with Regulation 6 (3A)(a) – ‘Security of Information’, and read in conjunction with Regulation 7 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019; this requirement is open to National eyes-only. Meaning, only economic operators established in the UK and Gibraltar shall be eligible to tender for this requirement.

The maximum level of protective marking is Official-Sensitive.

Following an initial assessment, the Authority believe IR35 may apply. The final status of IR35 will only be known, following final assessment of the winning tenderers’ solution and specifically how the winning tenderer proposes to provide personnel. Any formal CEST/Status Determination Statement (SDS) letters will then be provided as necessary.

Cyber risk has been considered and in accordance with the Cyber Security Model resulted in a Cyber Risk Profile of ‘Low’. The Risk Assessment Reference is [RAR-427K6FJB].

III.1.5) Information about security clearance

Candidates which do not yet hold security clearance may obtain such clearance until: 29 October 2021

III.2) Conditions for participation

III.2.1) Personal situation

Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if the requirements are met: Suppliers Instructions How to Express Interest in this Tender:

1. Register your company on the eSourcing portal (this is only required once)
 - Browse to the eSourcing Portal
 - Click the “Click here to register” link

- Accept the terms and conditions and click “continue”
- Enter your correct business and user details
- Note the username you chose and click “Save” when complete
- You will shortly receive an email with your unique password (please keep this secure)

2. Express an Interest in the tender

- Login to the portal with the username/password
- Click the "PQQs Open to All Suppliers" link. (These are Pre-Qualification Questionnaires open to any registered supplier)
- Click on the relevant PQQ to access the content.
- Click the “Express Interest” button in the “Actions” box on the left-hand side of the page.
- This will move the PQQ into your “My PQQs” page. (This is a secure area reserved for your projects only)
- Click on the PQQ code, you can now access any attachments by clicking the “Settings and Buyer Attachments” in the “Actions” box

3. Responding to the tender

- You can now choose to “Reply” or “Reject” (please give a reason if rejecting)
- You can now use the ‘Messages’ function to communicate with the buyer and seek any clarification
- Note the deadline for completion, then follow the onscreen instructions to complete the PQQ
- There may be a mixture of online & offline actions for you to perform (there is detailed online help available)

If you require any further assistance please consult the online help, or contact the eTendering help desk.

Criteria regarding the personal situation of subcontractors (that may lead to their rejection) including requirements relating to enrolment on professional or trade

registers

Information and formalities necessary for evaluating if the requirements are met: Suppliers Instructions How to Express Interest in this Tender:

1. Register your company on the eSourcing portal (this is only required once)

- Browse to the eSourcing Portal
- Click the “Click here to register” link
- Accept the terms and conditions and click “continue”
- Enter your correct business and user details
- Note the username you chose and click “Save” when complete
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III.2.2) Economic and financial ability

Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)

Information and formalities necessary for evaluating if the requirements are met: Two Years Audited Accounts will be required as part of any Pre-Qualification Questionnaire (PQQ) response.

The estimated annual contract value for the Provision of Nuclear Site Safety Justification (NSSJ) Services is £3,166,666. If the estimated annual contract value is greater than “40%” of the supplier’s turnover, the Authority reserves the right to exclude the supplier from being selected to tender except where the supplier provides, to the satisfaction of the Authority, evidence showing it has sufficient economic and financial capability, e.g. such evidence may include:

(1) Any additional information proving it has sufficient economic and financial resources to deliver the requirement; and

(2) State whether the supplier is willing to provide the Authority with an indemnity, guarantee or bank bond.

A financial assessment that is proportionate to the proposed contract will be undertaken on the supplier’s financial status. An overall pass / fail judgement will be made after considering areas such as turnover, profit, net assets, liquidity, gearing and capacity. This assessment will include the Parent company, where applicable. An independent financial assessment obtained from a reputable credit rating organisation may be utilised as part of this process.

A Statement of Good Standing will be required as part of the Pre-Qualification Questionnaire response.

III.2.3) Technical and/or professional capacity

Criteria regarding the technical and/or professional ability of economic operators (that may lead to their exclusion)

Information and formalities necessary for evaluating if the requirements are met: As detailed within the Pre-Qualification Questionnaire and associated documentation.

III.3) Conditions specific to services contracts

III.3.1) Information about a particular profession

Execution of the service is reserved to a particular profession: Yes

III.3.2) Staff responsible for the execution of the service

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: Yes

Section IV: Procedure

IV.1) Type of procedure

IV.1.1) Type of procedure

Restricted

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate

Envisaged number of operators: 4

Objective criteria for choosing the limited number of candidates: The aim of the DPQQ (Phase 1) is to arrive at a short list of no more than four (4) qualified potential service providers, owing to the technical complexities and specialist nature of the requirement. If, following this granulated assessment responses remain on equal scores, the Authority at its sole discretion may invite up to a maximum of six (6) technically compliant potential service providers to ITT (Phase 2).

IV.2) Award criteria

IV.2.1) Award criteria

the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

IV.2.2) Information about electronic auction

An electronic auction has been used: no

IV.3) Administrative information

IV.3.1) File reference number attributed by the contracting authority

701551834-DPQQ (Phase 1)

IV.3.4) Time limit for receipt of tenders or requests to participate

18 June 2021 - 5:00pm

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates

23 June 2021

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up

English

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about European Union funds

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

VI.3) Additional information

The Contracting Authority intends to use an e-Tendering system in this procurement exercise, please visit www.contracts.mod.uk for full details and to register your interest in this procurement.