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Award

## **CONTRACT CHANGE FOR THE USE OF THE AERIAL VERIFICATION AND SPRAY SERVICE SPOTTER AIRCRAFT FOR MARITIME PATROL ACTIVITY**

Maritime & Coastguard Agency

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-010189

Procurement identifier (OCID): ocds-h6vhtk-02af3e

Published 10 May 2021, 10:55pm

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

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

Maritime & Coastguard Agency

105 Commercial Road

Southampton

SO15 1EG

#### **Email**

[contracts@mcga.gov.uk](mailto:contracts@mcga.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://www.gov.uk/government/organisations/maritime-and-coastguard-agency>

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

Body governed by public law

**I.5) Main activity**

General public services

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## **Section II: Object**

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

#### **II.1.1) Title**

CONTRACT CHANGE FOR THE USE OF THE AERIAL VERIFICATION AND SPRAY SERVICE  
SPOTTER AIRCRAFT FOR MARITIME PATROL ACTIVITY

#### **II.1.2) Main CPV code**

- 60651300 - Anti-pollution ship services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

The MCA originally awarded a contract to RVL Aviation Limited for the provision of an aerial verification and spray service utilizing a spotter aircraft in support of both spray operations and maritime patrol activity. The service includes the aerial application of oil spill dispersant using a Boeing 737 400 modified for aerial dispersant spray delivery. This service requires the use of a Spotter Aircraft to conduct maritime reconnaissance patrols and, in the event of an oil spill in which dispersant is required, to ensure the safety of the spray aircraft and the effectiveness of the dispersant application. The Spotter Aircraft is available for the MCA's use at least 98% of the time but is not routinely used for spray operations due to the rare requirement for this service.

The contract modification will provide a temporary alteration to be made to the Spotter Aircraft under the MCA's Aerial Dispersant Spray Contract to enable it to undertake a trial of a radar system on behalf of the UK Government. The trial itself will consist of a series of flights over the course of 12 weeks, or around 120 flying hours, from the end of July 2021 to test the utility of the radar system in a range of operational scenarios. Once the trial is complete the requirement will cease and any additional equipment, including the installed radar system, will be removed.

#### **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: £638,552.80

## **II.2) Description**

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

NUTS codes

- UK - United Kingdom

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

A contract change to enable the utilisation of the existing 'Spotter Aircraft' under the MCA's Aerial Spray and Verification contract for additional short-term maritime patrol activity to trial equipment.

### **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

### **II.2.14) Additional information**

Not provided

## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

The MCA's Aerial Spray and Verification Contract, provided by RVL Aviation, relies on the use of a Spotter Aircraft for maritime patrol activity and to spot oil and perform a safety and targeting role during spray operations. Because of its role in spotting oil slicks, the aircraft, a Beechcraft King Air 200, is equipped to perform aerial reconnaissance missions. To make best use of the asset the aircraft is therefore used to conduct maritime reconnaissance missions on behalf of the MCA, supplementing the MCA's Aerial Surveillance and Verification Contract. It is also made available for use by other government departments; the aircraft has conducted reconnaissance missions in support of fisheries enforcement, border protection and maritime law enforcement, on behalf of a number of other government stakeholders.

The UK Government have approached the MCA with a requirement to use the Spotter Aircraft to conduct a proof-of-concept trial on a radar system. The requirement is urgent, with a limited window of opportunity to conduct the trial over the summer months. The Spotter Aircraft RVL provide is already equipped with the fixed fittings required to carry the radar, so the installation and removal will be relatively quick and unintrusive, enabling the modifications to be made in time for the summer window. Furthermore, with capacity already available in this asset, the trial will not impact on the MCA's own operational priorities. Upon conclusion of the trial after approximately 12 weeks of flight time, the radar and all associated equipment will be removed from the aircraft. If the trial is successful and the concept is proven, it is the UK Government's intention to tender for an enduring requirement as an open competition.

MCA considers that this change is permitted on the basis that it is not substantial under Regulation 72(1)(e) as the change does not materially alter the original procurement or the scope of the services. The Contractor is using the same spotter aircraft to deliver the additional, short-term service and the increase in charges reflects only the increased flying hours and cost of the temporary modifications to the aircraft and as such the economic balance of the contract has not changed. The Spotter Aircraft already conducts reconnaissance on behalf of the MCA and other government departments, which it has done since the commencement of the contract and consequently there is no considerable

extension of scope. This contract modification is simply to facilitate a specific, temporary requirement of another government partner. No new conditions have been added to the contract which would have altered the initial procurement had they been present at that stage – this is a short-term contract change which will not be enduring.

In any event, contracting for short-term additional aerial capacity through open competition would cause significant inconvenience for the MCA and a substantial duplication of costs. RVL is the only operator who can utilise existing spare capacity in the Spotter Aircraft provided under its Aerial Verification and Spray Service.

#### **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**

10 May 2021

##### **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**

RVL Aviation Limited

East Midlands Airport, Building 21 Anson Rd

Derby

DE74 2SA

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

01880927

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: £638,552.80

#### **V.2.5) Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

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## **Section VI. Complementary information**

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

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

Maritime and Coastguard Agency

Southampton

SO15 1EG

Country

United Kingdom