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Award

## **MoD Defence Safety Authority Regulator to Regulator Advice, Guidance and Support.**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-012173

Procurement identifier (OCID): ocds-h6vhtk-04523e

Published 15 April 2024, 1:47pm

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

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

Ministry of Defence

Kentigern House, 65 Brown Street

Glasgow

G2 8EX

#### **Contact**

Jack Davies

#### **Email**

[jack.davies506@mod.gov.uk](mailto:jack.davies506@mod.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://www.gov.uk/government/organisations/ministry-of-defence>

**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**

MoD Defence Safety Authority Regulator to Regulator Advice, Guidance and Support.

**II.1.2) Main CPV code**

- 63732000 - Air-traffic control services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

MoD Defence Safety Authority Regulator to Regulator Advice, Guidance and Support.

**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: £250,000

## **II.2) Description**

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

NUTS codes

- UK - United Kingdom

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

MoD Defence Safety Authority Regulator to Regulator Advice, Guidance and Support.

### **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

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## **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 Defence Safety Authority, part of the Ministry of Defence (“the Authority”), intends to award a contract to the Civil Aviation Authority International (CAAi) to obtain advice, guidance and collaboration on UK and European Civil Aviation Safety, Regulation and Aircraft Certification for a period of 5 years. The estimated contract value is £250k excluding VAT.

In accordance with the provisions of The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 SI No. 2020/1319, this procurement falls to be regulated under the provisions of the Public Contracts Regulations 2015 as amended (in particular by SI 2020/1319). 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 32(b)(ii) of the PCR 2015 because competition is absent for technical reasons.

The Military Aviation Authority (“MAA”) is part of the Defence Safety Authority and is responsible for the registration and regulation of UK military air systems. While the provisions of the Air Navigation Order made pursuant to the Civil Aviation Act (1982) regulate air navigation in the UK, they do not apply to the MAA. However, in accordance with the Secretary of State for Defence, Health, Safety, and Environment Protection policy statement, it is required that the Authority maintain arrangements that produce outcomes that are, so far as reasonably practicable, at least as good as those required by UK legislation. Consequently, the MAA has established a regulatory framework that reflects the system established by the European Aviation Safety Agency (EASA) for Civil Aviation. The CAAi is the only national authority to regulate UK civil aviation by the UK Government and EASA; therefore, they are the only authority what can provide the advice, guidance and collaboration on UK and European Civil Aviation Safety, Regulation and Aircraft Certification. Accordingly, this requirement can only be met by the CAAi.

#### **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**

#### **Title**

MoD Defence Safety Authority Regulator to Regulator Advice, Guidance and Support.

A contract/lot is awarded: Yes

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

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

15 April 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**

Civil Aviation Authority International (CAAi)

Aviation House, Beehive Ring Rd, Crawley

Gatwick

RH6 0YR

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £250,000

**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**

Ministry of Defence

Kentigern House, 65 Brown Street

Glasgow

G2 8EX

Country

United Kingdom