

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/014622-2021>

Award

Voluntary ex ante transparency notice for the Supply of Ceremonial and Parade Headwear - Caps and Specialist

Leidos Supply

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-014622

Procurement identifier (OCID): ocds-h6vhtk-02c091

Published 25 June 2021, 10:45pm

Section I: Contracting authority/entity

I.1) Name and addresses

Leidos Supply

Monarch Court, 8 The Brooms, Emersons Green

Bristol

Email

emil.karmazyn@leidos.com

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<https://www.leidos-supply.uk/>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Defence

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Voluntary ex ante transparency notice for the Supply of Ceremonial and Parade Headwear - Caps and Specialist

Reference number

LSL/DC/0142

II.1.2) Main CPV code

- 18440000 - Hats and headgear

II.1.3) Type of contract

Supplies

II.1.4) Short description

Team Leidos are proud to be delivering the logistics commodities and services transformation (LCS(T)) Delivery partner contracts (LCS (T)/0001 dated 16.4.2015) on behalf of the UK Ministry of Defence (the 'Prime Contract'). Delivery of other parts of the LCS(T) contract are delivered by Leidos Europe Ltd (LEL) and other partners (together 'Team Leidos'). This requirement is subject to the EU Public Procurement Regulations and respective advertising action.

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: £11,400,000

II.2) Description

II.2.2) Additional CPV code(s)

- 18440000 - Hats and headgear
- 18443340 - Caps

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The Defence Clothing Team, which forms part of Leidos Supply Ltd intends to award a framework agreement to Try & Lilly Ltd for The Supply of Ceremonial and Parade Headwear — Caps and Specialist on behalf of the UK MOD. This requirement covers non-protective headwear, caps and specialist items.

The total estimated total value for this framework will be £11,400,000.00, with a total maximum term framework agreement of 7 years (5 + 2 Option Years).

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

- The products involved are manufactured purely for the purpose of research, experiment, study or development
- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons
- Extreme urgency brought about by events unforeseeable for the contracting authority/entity

Explanation:

Further to being informed by our incumbent supplier of Ceremonial headwear (Caps) that they would be ceasing production, and would no longer be in a position to support this range of items, Leidos Supply Ltd intends to award a maximum term framework agreement of 7 years (5 + 2 Years) to Try & Lilly Ltd. There is a need to ensure continuity of supply for the goods in question, that are deemed essential by our Customer, and as such Leidos Supply Ltd will be looking to award a framework under Regulation 32(2) (C) of the Public Contract Regulations 2015, which allows for the use of the negotiated procedure without prior publication “insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with.”

The subject matter of this framework is very technical/ specialist, and as such, there is a genuine lack of compliant competition within the ceremonial headwear market. This was confirmed during the previous tender, concluded in 2019, which resulted in only two bidders being able to meet the minimum technical standard required. One of these was the incumbent for this range (who has now ceased trading in this market), and the other being Try & Lilly Ltd. On this basis, it would also be appropriate to refer to Regulation 32(2) (B) (ii) of the Public Contract Regulations 2015, which allows for the use of the negotiated procedure without prior publication “where the works, supplies or services can be supplied only by a particular economic operator” where “competition is absent for technical reasons”.

This Framework will have a maximum term of 7 years (5 + 2 Years), which is considered

justifiable in that the subject matter of the framework (Ceremonial Headwear) is deemed technical/ specialist and due to this, any future supplier of this range will require a significant initial investment, which includes, but is not limited to the expansion of premises, the purchase of machinery, and the employment of new staff or upskilling of existing members of staff. This initial investment would be prohibitive for suppliers should the term of the framework be only for 4 years, as this investment would be disproportionate to the profit a supplier would expect to make on a framework of this term.

In light of this, Leidos Supply Ltd intends to utilise Regulation 33 (3) of the Public Contract Regulations 2015, which states that the term of a framework agreement may exceed 4 years, "in exceptional cases, justified in particular by the subject – matter of the framework agreement."

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

Contract No

LSL/DC/0142

Title

The Supply of Ceremonial and Parade Headwear - Caps and Specialist

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

25 June 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

Try & Lilly Ltd

Liverpool

Country

United Kingdom

NUTS code

- UK - United Kingdom

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: £11,400,000

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.3) Additional information

Please note this is a Voluntary Transparency Notice, this contract has not been awarded yet.

Subject to Leidos Supply Limited receiving no notice during the standstill period of any intention to legally challenge the award process, Leidos Supply Limited aims to award the Proposed Contract after 12:00PM on 6th July 2021

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 instructions on safeguarding classified information (e.g. a Security Aspects Letter), the authority reserves the right to amend the terms of these instructions 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. The link below to the [Gov.uk](https://www.gov.uk/government/publications/government-security-classifications) website provides information on the Government Security Classification.

<https://www.gov.uk/government/publications/government-security-classifications>

VI.4) Procedures for review

VI.4.1) Review body

Leidos Supply Limited

8 Monarch Court

Bristol

BS16 7FH

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

UK has no body responsible for appeals or mediation procedures

N/A

Country

United Kingdom