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Award

The Supply and In-Service Support Of the Soft Landing System (SLS)

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-015180

Procurement identifier (OCID): ocds-h6vhtk-0341f2

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Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Bristol

Contact

Louise Burgwyn

Email

louise.burgwyn100@mod.gov.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

www.gov.uk/government/ministry-of-defence

I.4) Type of the contracting authority

Other type

N/A

I.5) Main activity

Other activity

N/A

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

The Supply and In-Service Support Of the Soft Landing System (SLS)

II.1.2) Main CPV code

- 35113000 - Safety equipment

II.1.3) Type of contract

Supplies

II.1.4) Short description

The provision of new and continued through-life support of existing fall bag Soft Landing Systems ("SLS") including repair, maintenance, spares provision, training and technical 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: £2,800,000

II.2) Description

II.2.2) Additional CPV code(s)

- 35113100 - Site-safety equipment
- 80550000 - Safety training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

Main site or place of performance

United Kingdom

II.2.4) Description of the procurement

The Secretary of State for Defence intends to enter into a contract with Forest Safety Group Ltd (“Forest”) for the continued through-life support of existing fall bag Soft Landing Systems (“SLS”) including repair, maintenance, spares provision, training and technical support, together with the purchase of additional compatible SLS (“the Contract”). The duration of the new Contract will be five years together with two additional individual option years. The approximate value of the Contract is estimated to be £2.8 million ex VAT including the full exercise of the option years.

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 regulations 16(1)(a)(ii) and 16(1)(b)(i) of the DSPCR 2011 for technical reasons and for the purchase of additional supplies.

In respect of the existing supplies of SLS, Forest is the owner of several patents and design rights for the SLS and has exclusivity arrangements for certain materials used in the SLS. The Authority does not have sufficient rights in the information in the SLS to provide to an alternative supplier to manufacture new SLS equipment and undertake the

repair, maintenance, training and subsequent safety certification of the new or existing supplies to the reasonable satisfaction of the Authority.

Furthermore, as Design Authority only Forest has the accumulated expertise and technical know-how at its disposal required to undertake this work. This includes the intimate knowledge and understanding of the existing equipment used across the Authority's platforms and the extreme range of operating environments and climactic conditions in which they are deployed, and for which the SLS have been specifically designed (to include impermeability to Aviation Fuel and paints, oils & lubricants, flame retardancy and UV stability).

In respect of the additional supplies, to obtain supplies from a different contractor would create disproportionate technical difficulties in the operation and maintenance of the existing equipment and potential unacceptable interoperability and compatibility risks between all such existing and new equipment both per platform and between platforms, especially considering the life-saving safety criticality of the equipment. Furthermore it would cause significant inconvenience and substantial duplication of costs for the Authority.

It is also vital that end users are trained and fully competent in the use of a single system. It would be impracticable and inadvisable for users to be trained to use more than one system.

An attempt to integrate and utilise different proprietary systems in the environments and conditions in which they are deployed could lead to mistakes and potentially pose a risk to life.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

2 additional years on an annual basis (+1,+1)

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:

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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

704025450

Title

The Supply and In-Service Support Of the Soft Landing System (SLS)

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

31 May 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

Forest Safety Group LTD

Unit 2 Ramsdale Road, Lower Tuffley Lane

Gloucester

GL2 5FE

Email

info@forestgroupuk.co.uk

Telephone

+44 1531828960

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://www.forestgroupuk.co.uk/>

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: £2,800,000

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.3) Additional information

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VI.4) Procedures for review

VI.4.1) Review body

Ministry of Defence

Bristol

BS34 8JH

Country

United Kingdom