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Award

n/a

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-015766

Procurement identifier (OCID): ocds-h6vhtk-03d381

Published 2 June 2023, 5:14pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

MOD Abbey Wood

Bristol

BS34 8JH

Contact

Harvey Webber

Email

Harvey.Webber100@mod.gov.uk

Country

United Kingdom

Region code

UKK11 - Bristol, City of

Internet address(es)

Main address

<https://www.gov.uk/government/groups/defence-digital>

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Defence

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

n/a

II.1.2) Main CPV code

- 50660000 - Repair and maintenance services of military electronic systems

II.1.3) Type of contract

Services

II.1.4) Short description

The TacSys Service Executive (SE) within Defence Digital, part of the UK Ministry of Defence (MOD), intends to place with Gentex Europe Ltd a 12-month contract for the provision of technical support services to Gentex Headsets .

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: £260,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKK11 - Bristol, City of

II.2.4) Description of the procurement

The TacSys Service Executive (SE) within Defence Digital, part of the UK Ministry of Defence (MOD), intends to place with Gentex Europe Ltd a 12-month contract for the provision of technical support services to Gentex Headsets .

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

Explanation:

A Single Source Contract with Gentex Europe Ltd for the Gentex Amp Ops Core Headset is justified as competition is absent for the following reasons:

Design Support: Gentex Europe Ltd is the only approved Co-ordinating Design Organisation for the Gentex headset in UK and they are the only contractor with access to the relevant drawings and qualification evidence required to undertake design and manufacture activities of this headset type. The reason for this is that they are the only approved supplier and have access to the product design information to enable them to undertake any design modifications and repairs to the Gentex headsets. (2) Gentex Corporation who own the Intellectual Property Rights of the Gentex Amp Ops Core Headset system have appointed Gentex Europe Ltd as their UK partner and are not prepared to licence other suppliers to support or supply the equipment.

Repair: Due to the complexity of the equipment, Gentex Europe Ltd as the Co-ordinating designer, are the only supplier with the technical ability to undertake repair, maintenance and overhaul activities as they are the only company that supply this equipment. Any other contractor would require a licence from Gentex Corporation to obtain the drawings and list of spare parts required to undertake design and manufacture activities. This would take time for any other supplier to obtain but may not be granted by Gentex Corporation who own the IPR in this headset.

Safety: To compete this requirement would introduce the possibility of contravention of the CNAWR and the Defence Safety Authority (DSA) regulations as it would not be possible to ensure that another contractor would be sufficiently qualified, within the requisite timeframes, to undertake design and manufacture activities without including an associated unacceptable level of risk. This would result in the Authority not being able to fulfil CNAWR safety requirements which must be fulfilled to ensure the safe functioning of the forces. To comply with the CNAWR the principles of As Low As Reasonably Practicable (ALARP) must be adhered to. Reasonably practicable involves weighing a risk against the trouble, time and money needed to control it. Thus, ALARP describes the level to which the Authority expect to see workplace risks controlled.

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

708085450

Title

Gentex Headset Support

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

2 June 2023

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

Gentex Europe Ltd

Unit 3, Focus 4, Letchworth Garden City

Hertfordshire

SG6 2TU

Country

United Kingdom

NUTS code

- UKH23 - Hertfordshire

The contractor/concessionaire is an SME

No

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession: £260,000

Total value of the contract/lot/concession: £260,000

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.3) Additional 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 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.

This notice is not a request for expressions of interest so please do not apply to be invited to tender. This notice advises that the Authority has decided to negotiate a contract with the named supplier on a single source basis, and is published for reasons of transparency. If you are interested in becoming a sub-contractor for this requirement, you should apply directly to the supplier named.

VI.4) Procedures for review

VI.4.1) Review body

TacSys Commercial

MOD Abbey Wood

Bristol

BS34 8JH

Email

harvey.webber100@mod.gov.uk

Country

United Kingdom