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Award

The Maritime Strategic Capability Agreement (MSCA) Future Arrangement (FA

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-018894

Procurement identifier (OCID): ocds-h6vhtk-035077

Published 11 July 2022, 12:04pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Filton Abbeywood, Stoke Gifford

Bristol

BS34 8JH

Contact

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+44 3067930878

Country

United Kingdom

NUTS 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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

The Maritime Strategic Capability Agreement (MSCA) Future Arrangement (FA

Reference number

701575518

II.1.2) Main CPV code

- 75220000 - Defence services

II.1.3) Type of contract

Services

II.1.4) Short description

Delivery of essential UK strategic capabilities to support the effective delivery of current and future submarine and surface platform design, manufacture and operation.

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: £215,000,000

II.2) Description

II.2.2) Additional CPV code(s)

- 50660000 - Repair and maintenance services of military electronic systems
- 71320000 - Engineering design services
- 71600000 - Technical testing, analysis and consultancy services
- 79993000 - Building and facilities management services
- 80600000 - Training services in defence and security materials

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Procurement for the provision of assured access to deep expertise, and the facilities required to support them, in hydrodynamics, maritime life support, structures & survivability and stealth materials in support of the UK Royal Navy.

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

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 Submarine Delivery Agency (the “Authority”), part of the UK Ministry of Defence, intends to award a contract to QinetiQ Limited (the “Contractor”) for the sustainment and support of the Maritime Strategic Capability Agreement (MSCA). This contract will be for a period of 10 years. This will be a new Qualifying Defence Contract (QDC) and will be compliant with the Defence Reform Act (DRA) and secondary legislation Single Source Contract Regulations (SSCR) 2014.

An exemption from the Defence and Security Public Contract Regulations (DSPCR) 2011 (as amended) using regulation 7(1)(a), in conjunction with Regulation 6(3A)a, for security of national-eyes only information has been endorsed by the MoD Directorate of Security and Resilience.

It is considered that this contract can be placed using the principles of the Negotiated Procedure without Prior Publication of a Contract Notice pursuant to Regulation 16(1)(a)(ii) of the DSPCR 2011 (as amended) on the basis that QinetiQ Limited is the only contractor capable of supplying the facilities and Suitably Qualified and Experienced Personnel (SQEP) needed to meet the Authority's requirements under this contract.

The MSCA requirement has been determined to be, and must remain, a sovereign capability by the current UK Government meaning any potential contractor must meet this requirement with a capability within UK territory.

The Restated Principles Agreement (RPA) was signed in July 2001 and transferred operations of the former Defence Evaluation and Research Agency, which was a part of the MOD, to QinetiQ Limited. QinetiQ Limited are currently the only contractor with UK based facilities accredited to the required security requirements and with sufficient technical capability to fulfil the MSCA requirement in UK territory. If a different contractor were to be awarded the contract, these create a disproportionate technical difficulty for the Authority in maintaining and operating its maritime platforms including its Defence Objective of a Continual at Sea Detetterant (CASD).

This is due to the necessity for an alternative contractor to undertake a significant investment in their existing capital estate across the whole of the UK to build and furnish dedicated facilities within the UK to meet the unique demands of the MSCA requirement. QinetiQ Limited have operated the facilities transferred to them under the RPA for 15 years and have developed extensive expertise, deeply integrated technical knowledge of the maritime platforms, and specialist tools to support the Authority with maintaining maritime platform capability through-life and CASD. Furthermore, the alternative contractor would be fully responsible for keeping the safety profile of multiple maritime platforms during this initial period to the expected standard, which creates an unacceptable risk to life for users of the maritime platforms in question given the disproportionate technical effort needed from the contractor to meet and maintain this operational requirement. Therefore, only QinetiQ Limited are currently able to meet the Authority's requirement due to technical reasons.

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

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

11 March 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

QinetiQ Limited

Cody Technology Park, Ively Road

Farnborough

GU14 0LX

Country

United Kingdom

NUTS code

- UK - United Kingdom

National registration number

03796233

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: £215,000,000

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

MOD Central Legal Services

Bristol

Country

United Kingdom