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Award

In Service Support of Extended Duration Breathing Apparatus

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-020349

Procurement identifier (OCID): ocids-h6vhtk-047a5f

Published 3 July 2024, 4:49pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Bristol

Email

desshipscomrcl-salmo-multiuser@mod.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<http://des.mod.uk/>

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

In Service Support of Extended Duration Breathing Apparatus

Reference number

707614450

II.1.2) Main CPV code

- 98300000 - Miscellaneous services

II.1.3) Type of contract

Services

II.1.4) Short description

Defence Equipment and Support Group (DE&S), part of the UK Ministry of Defence (the Authority), proposes to place a single source contract with Scott Health & Safety Ltd (Scott

Safety) who are owned by 3M. This contract will be for the In-Service Support of the current

Extended Duration Breathing Apparatus (EDBA) which is an In-Service Navy Capability which enables vessels and shore establishments to perform firefighting duties. This contract

is to be placed for the Contract term of 1st January 2025 up to 31st December 2030, this is

made up of 3 years (plus 1 +1 option years).

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: £5,350,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The contract is for the provision of in-service support (including management and technical support), spares, repair and refurbishment, engineering support and Ad Hoc Tasking of the current EBDA equipment.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

2 x 1 year (January 2028 - December 2029)

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:

In accordance with the provisions of 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 this 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 Regulation 16 (1)(a)(ii) of the Defence and Security Public Contract Regulations 2011 because competition is absent for technical reasons and Regulation 16 (1) (b) (i) (bb) relating to disproportionate technical difficulties in the operation of the existing equipment.

This is because Scott Health and Safety Ltd is the original equipment manufacturer (OEM) for the EDBA set (Scott Safety ProPak). As the OEM and Design Authority (DA), Scott Health & Safety Ltd is the only economic operator that has access to the design documentation, specifications and test reports and Scott Health & Safety Ltd owns all proprietary information and documentation, including the special tooling and machinery (which manufactures the bespoke EDBA Set and Spares), that is essential in fulfilling the requirement. The Authority does not have any proprietary rights in, nor does it have access to, the design documentation, specifications, test reports or specialist tooling and machinery and is therefore unable to pass this information on to any third party.

EDBAs are a safety critical item. Personnel are trained to use only one variant of EDBAs; using different equipment would result in disproportionate technical difficulties in operation by Royal Navy (RN) personnel and incompatibility with existing RN equipment. Introducing another type of EDBA would introduce an unacceptable safety risk to

personnel.

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

3 July 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

Scott Health and Safety Ltd

Skelmersdale

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: £5,350,000

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

DE&S Ships

Bristol

Country

United Kingdom