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Award

## **Support of ALE 47 AND M147 Counter Measure Dispensing Systems (CMDs)**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-020939

Procurement identifier (OCID): ocids-h6vhtk-0357ca

Published 1 August 2022, 11:58am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Ministry of Defence

MOD Abbey Wood, #1027 | NH1 Atrium

Bristol

BS34 8JH

#### **Email**

[matthew.rowan101@mod.gov.uk](mailto:matthew.rowan101@mod.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UK - United Kingdom

#### **Internet address(es)**

Main address

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

#### **I.4) Type of the contracting authority**

Ministry or any other national or federal authority

#### **I.5) Main activity**

Defence

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Support of ALE 47 AND M147 Counter Measure Dispensing Systems (CMDS)

#### **II.1.2) Main CPV code**

- 50000000 - Repair and maintenance services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

The through-life support of ALE-47 and M-147 Counter Measure Dispensing Systems (CMDS) fitted to the following platforms: Chinook (all marks), C-130, Puma and Merlin Mk.2 and Mk.4 aircraft.

#### **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: 5,000,000 USD

### **II.2) Description**

### **II.2.3) Place of performance**

NUTS codes

- US - United States

### **II.2.4) Description of the procurement**

Repair, Maintenance, Technical Engineering Support and associated Spares Provision.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: Yes

Description of options

Two (2) one (1) year options.

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## **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:

Air Platform Systems Delivery Team, part of the Ministry of Defence (“the Authority”), intends to enter into a contract with BAE Systems Ltd (“BAE”) for the through-life support of ALE-47 and M-147 Counter Measure Dispensing Systems (CMDSD) (“the Contract”) including repair, maintenance, technical engineering support and associated spares provision. This equipment for which BAE is the original equipment manufacturer and design authority is fitted to the following platforms: Chinook (all marks), C-130, Puma and Merlin Mk.2 and Mk.4 aircraft. The length of the new contract will be three years with two additional individual option years (3+1+1). The approximate value of the Contract is estimated to be £5 million ex VAT including the 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 Regulation 16(1)(a)(ii) of the DSPCR 2011 on the basis that BAE alone can carry out the services under it for technical reasons.

This Single Source Justification is based on a Safety Assurance grounds. As the Original Equipment Manufacturer (OEM) and DAOS approved organisation for ALE-47 (UK.MAA.DAOS.0376), only BAE Systems have sufficient access to technical and safety information and competency to provide the safety assurance APS DT requires.

A key requirement for APS DT from a Design Organisation is the “DO Safety Assessment and Report”. This outlines the DO arguments and supporting evidence that the equipment is safe to operate, including identification of hazardous materials contained within the equipment. This evidence is contained in our Commodity Safety Assessment Report (CSAR), which is a fundamental component of our End Users Air System Safety Case. Only BAE Systems, as the OEM, now has access to the necessary data.

Finally, in order for BAE Systems to provide this safety assurance, they must ensure configuration control is maintained and repair activity is carried out correctly. For this to be assured, responsibility for both activities must be held by the same organisation. Only an OEM or a Contractor that has been licensed by the OEM can support the requirement and the OEM confirms that it will not license another contractor to carry out the necessary work

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: No

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## **Section V. Award of contract/concession**

### **Contract No**

701579453

### **Title**

Support of ALE 47 AND M147 Counter Measure Dispensing Systems (CMDS)

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

25 July 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**

BAE SYSTEMS INFORMATION AND ELECTRONIC SYSTEMS INTEGRATION INC.

6500 Tracor LN

Austin

78725-215

Country

United States

NUTS code

- US - United States

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: 5,000,000 USD

**V.2.5) Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

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**Section VI. Complementary information**

**VI.4) Procedures for review**

**VI.4.1) Review body**

DE&S

Bristol

Country

United Kingdom