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Award

NSSL Extension

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-023124

Procurement identifier (OCID): ocds-h6vhtk-036057

Published 19 August 2022, 1:00pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Corsham

Email

thomas.gregory103@mod.gov.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.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

NSSL Extension

II.1.2) Main CPV code

- 32531000 - Satellite communications equipment

II.1.3) Type of contract

Supplies

II.1.4) Short description

Provision of Commercial Satellite Services, including Airtime, Equipment and Engineering Services.

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: £9,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Defence Digital, Strategic Connectivity, part of the UK Ministry of Defence (MOD) intends to amend a contract to NSSL Global Limited to allow the continuation of existing NSSL Catalogue Enabling Contract for a further 18 months from 1 September 2022 to 29 February 2024 to maintain a product catalogue capability for various Front Line Commands (FLC) and other Government Departments (OGD) to purchase Commercial Satellite (CS) engineering services, airtime and equipment in support of military operations worldwide, prior to this requirement being consumed into the Service Delivery Wrap requirement currently being competed for separately.

Justification For Non-Competitive Decision:

In accordance with regulation 4 of Defence and Security Public Procurement (Amendment etc.) (EU Exit) Regulations 2019 SI No. 2019/697, this procurement falls to be regulated under the provisions of the Defence and Security Public Contracts Regulations 2011 (DSPCR 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 amendment of this contract without prior publication of a contract notice in the UK e-notification service (as required by the relevant legislation) is lawful in accordance with regulation 16(1)(a)(ii) of the DSPCR 2011 because competition is absent for technical reasons.

Technical reasons:

NSSL Global are the only economic entity that can provide the technical know-how and systems required to deliver the capability that meets the requirement within the required timescale to maintain operational readiness- NSSL Global Ltd currently provide a bespoke, ground-based network infrastructure which is owned and operated by NSSL Global Limited and the Authority does not have sufficient rights in the system to provide information to any third party to operate.

An alternate service provider would need to provide a MoD Assured UK based Network Operating Centre with security cleared personnel and central Point of Presence in the UK with MoD Assured links to their various teleports and 3rd party communications services. Replicating the existing network infrastructure would be complex, technically challenging and not without significant operational risk. Such a process would normally take up to 2 years to design, build and gain the necessary Assurances/Accreditation before migrating to a new network. An alternate service provider would also require 'List X' status in order to ensure the same technical and security guarantees for MoD data. This includes access, operation and maintenance of secure Gateways on commercial premises (Redhill) and MoD owned sites as well as access and handling of high-grade Cryptographic equipment and information classified up to and including Secret.

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:

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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

NETBLOS/SAT009

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

19 August 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

NSSL Global Limited

Redhill

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: £9,000,000

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

Ministry of Defence - Defence Digital

Corsham

Country

United Kingdom