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Award

## **Atlas AC Loader In-Service Support VTN**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-023160

Procurement identifier (OCID): ocds-h6vhtk-03ee1f

Published 9 August 2023, 8:04am

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

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

Ministry of Defence

MOD Abbey Wood South

Bristol

BS34 8JH

#### **Contact**

Haylie Coles

#### **Email**

[haylie.coles100@mod.gov.uk](mailto:haylie.coles100@mod.gov.uk)

#### **Country**

United Kingdom

#### **Region 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**

Atlas AC Loader In-Service Support VTN

**II.1.2) Main CPV code**

- 34144710 - Wheeled loaders

**II.1.3) Type of contract**

Supplies

**II.1.4) Short description**

This contract involves the maintenance and repair, calibration, in-service support, spares, post design activities, on-call technical support and technical documentation maintenance for the UK MOD ATLAS Loader fleet.

**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: £2,250,000

## **II.2) Description**

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

NUTS codes

- UK - United Kingdom

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

This contract involves the maintenance and repair, calibration, in-service support, spares, post design activities, on-call technical support and technical documentation maintenance for the UK MOD ATLAS Loader fleet.

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

Price

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

Options: Yes

Description of options

Additional two options to extend the contract by an additional 12 months each

### **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:

The Air Commodities Delivery Team, part of the UK Ministry of Defence (“the Authority”) intends to contract with JBT Aerotech Ltd. on a single source basis for the provision of in-service support for the JBT ATLAS Loader vehicle from 09 Sept 23 to 09 Sept 25, with the inclusion of options to extend the contract by up to 24 months until 09 Sept 2027. The contract involves the maintenance and repair, calibration, in-service support, spares, post design activities, on-call technical support and technical documentation maintenance for the UK MOD ATLAS Loader fleet.

It is considered that the award of the contract without prior publication of a contract notice in the UK e-notification service is lawful in accordance with Regulation 16(1)(a)(ii) of the Defence and Security Public Contracts Regulations 2011 due to technical reasons.

This is because JBT Aerotech Ltd. is the Original Equipment Manufacturer (OEM) for this vehicle and provides both proprietary software and spares designs that are considered critical to the safe operation of the vehicle. The existing contract for the in-service support of this range of equipment does not cover the release of any proprietary information to 3rd parties and hence the Authority does not have access to the data-packs associated with the equipment and JBT Aerotech Ltd. have confirmed they are not prepared to grant any such licences. The OEM also maintains the complementary Safety Cases, and there is a significant risk that if a third party took over the contract for in-service support without the data-packs, these Safety Cases would over time deteriorate, as the functionality of the equipment declines in line with the loss of proprietary information in the form of firmware and software upgrades. This would result in an unacceptable level of risk to human life and accelerate the equipment’s removal from service. A Single Source solution is the only means of maintaining the integrity of the equipment through to its natural Out of Service Date

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

The procurement is covered by the Government Procurement Agreement: Yes

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

### **Contract No**

708724451

### **Title**

ATLAS AC Loader Support

A contract/lot is awarded: Yes

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

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

9 August 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**

JBT Aerotech Ltd

Eagle House

Bridgend

CF33 6NU

Country

United Kingdom

NUTS code

- UKL17 - Bridgend and Neath Port Talbot

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: £2,250,000

Total value of the contract/lot/concession: £2,250,000

**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**

ACDT

Abbey Wood South

Bristol

BS34 8JH

Country

United Kingdom