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Contract

The Provision of In-Service Support for INVISIO headsets

Ministry of Defence

F18: Contract award notice for contracts in the field of defence and security

Notice identifier: 2023/S 000-024598

Procurement identifier (OCID): ocds-h6vhtk-03d380

Published 22 August 2023, 11:30am

Section I: Contracting authority/entity

I.1) Name, addresses and contact point(s)

Ministry of Defence

MoD Abbey Wood

Bristol

Bs34 8JH

Contact

Ash, 0A

For the attention of

Webber Harvey

Email(s)

Harvey.Webber100@mod.gov.uk

Country

United Kingdom

Internet address(es)

General address of the contracting authority/entity

<https://www.gov.uk/government/groups/defence-digital>

I.2) Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local subdivisions

I.3) Main activity

Defence

I.4) Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities:

No

Section II: Object of the contract

II.1) Description

II.1.1) Title attributed to the contract

The Provision of In-Service Support for INVISIO headsets

II.1.2) Type of contract and location of works, place of delivery or of performance

Services

Service category No 1: Maintenance and repair services

Main site or location of works, place of delivery or of performance

Rehill, Surrey

NUTS code

- UKJ2 - Surrey, East and West Sussex

II.1.4) Short description of the contract or purchase(s)

The TacSys Service Executive (SE) within Defence Digital, part of the UK Ministry of Defence (MOD), intends to place with Marlborough Communications Ltd a 12-month contract for the provision of technical support services to Invisio Headsets

II.1.5) Common procurement vocabulary (CPV)

- 50660000 - Repair and maintenance services of military electronic systems

II.2) Total final value of contract(s)

II.2.1) Total final value of contract(s)

Value: £606,476.63

Excluding VAT

Section IV: Procedure

Type of procedure

Negotiated without publication of a contract notice

Justification for the award of the contract without prior publication of a contract notice

1) Justification for the choice of the negotiated procedure without prior publication of a contract notice

No tenders or no suitable tenders in response to: negotiated procedure competition

All tenders submitted in reply to an open procedure, a restricted procedure or competitive dialogue were irregular or unacceptable. Only those tenderers were included in the negotiations which have satisfied the qualitative selection criteria: no

The periods for the restricted procedure and the negotiated procedure with prior publication of a contract notice are incompatible with the urgency resulting from a crisis: no

Extreme urgency brought about by events unforeseeable by the contracting authority/entity: no

The works/goods/services can be provided only by a particular tenderer for reasons that are:

technical

The contract concerns research and development services other than those referred to in the regulations: no

The products involved are manufactured purely for the purpose of research, experiment, study or development: no

Additional works/deliveries/services are ordered under strict conditions: no

For supplies quoted and purchased on a commodity market: no

New works/services, constituting a repetition of existing works/services: no

Contract related to the provision of air and maritime transport services for the armed forces deployed or to be deployed abroad: no

A Single Source contract with Marlborough Communications Ltd (MCL) for the Invisio Headset is justified

as competition is absent for the following reasons:

Design Support: INVISIO® A/S Denmark who own the Intellectual Property Rights of the INVISIO Headset

system have appointed MCL as their UK partner and are not prepared to licence other suppliers to

support or supply the equipment.

Repair: Due to the complexity of the equipment, MCL as the Co-ordinating designer, are the only

contractor with the technical ability to undertake repair, maintenance and overhaul activities as they are

the only company that supply this equipment. Any other contractor would require a licence from

INVISIO®A/S to obtain the drawings and list of spare parts required to undertake design and

manufacture activities which is unlikely to be approved by INVISIO due to the presence of MCL with

whom they have an agreement.

Safety: To compete this requirement would introduce the possibility of contravention of the CNAWR and

the Defence Safety Authority (DSA) regulations as it would not be possible to ensure that another

contractor would be sufficiently qualified, within the requisite timeframes, to undertake design and

manufacture activities without including an associated unacceptable level of risk. This would result in

the Authority not being able to fulfil CNAWR safety requirements which must be fulfilled to ensure the

safe functioning of the forces. To comply with the CNAWR the principles of As Low As Reasonably

Practicable (ALARP) must be adhered to. Reasonably practicable involves weighing a risk against the

trouble, time and money needed to control it. Thus, ALARP describes the level to which the Authority

expect to see workplace risks controlled. d. The Law requires that Safety and Risk to Life are managed

to an ALARP status. This requires evidence of speed of response and that the costs are not

disproportionate to the benefit achieved. To compete this requirement would introduce the possibility

of contravention of the CNAWR and the DSA regulations as it would not be possible to ensure that

another contractor could be sufficiently qualified within the requisite timeframes to undertake design

and manufacture activities without including an associated unacceptable level of risk. This would result

in the Authority not being able to fulfil CNAWR safety requirements which must be fulfilled to ensure

the safe functioning of the forces

IV.2) Award criteria

IV.2.1) Award criteria

Lowest price

IV.2.2) Information about electronic auction

An electronic auction has been used: no

IV.3) Administrative information

IV.3.1) File reference number attributed by the contracting authority

708083450

IV.3.2) Previous publication(s) concerning the same contract

Voluntary ex ante transparency notice

Notice number: [2023/S 000-015765](#) of 2 June 2023

Section V: Award of contract

Contract No

708083450

V.1) Date of contract award decision

28 July 2023

V.2) Information about offers

Number of offers received

1

Number of offers received by electronic means

1

V.3) Name and address of economic operator in favour of whom the contract award decision has been taken

Marlborough Communications Limited (MCL)

Perrywood Business Park, Honeycrock Lane

Redhill

RH1 5DZ

Country

United Kingdom

V.4) Information on value of contract

Total final value of the contract

Value: £606,476.63

Excluding VAT

If annual or monthly value

Number of months: 16

V.5) Information about subcontracting

The contract is likely to be sub-contracted: No

Section VI: Complementary information

VI.1) Information about European Union funds

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

VI.3) Procedures for appeal

VI.3.1) Body responsible for appeal procedures

TacSys Commercial

MoD Abbey Wood, Ash 0A

Bristol

BS34 8JH

Email(s)

Dominika.Benton104@mod.gov.uk

Country

United Kingdom

Body responsible for mediation procedures

TacSys Commercial

MoD Abbey Wood, Ash 0a

Bristol

BS34 8JH

Email(s)

Dominika.Benton104@mod.gov.uk

Country

United Kingdom

VI.3.3) Service from which information about the lodging of appeals may be obtained

TacSys Commercial

MoD Abbey Wood, Ash 0a

Bristol

BS34 8JH

Email(s)

Dominika.Benton104@mod.gov.uk

Country

United Kingdom