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Award

**900,000**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-025249

Procurement identifier (OCID): ocds-h6vhtk-0366f9

Published 8 September 2022, 2:28pm

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

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

Ministry of Defence

Andover

#### **Email**

[armycomrcl-define-hq-mailbox@mod.gov.uk](mailto:armycomrcl-define-hq-mailbox@mod.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

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

Main address

[www.gov.uk](http://www.gov.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**

900,000

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

- 33954000 - Biological evidence collection kits

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

Supplies

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

mobile evidential breathalysers

#### **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: £900,000

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

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

NUTS codes

- UK - United Kingdom

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

Evidential Breathalyser Kits;

- A range of 0.000 – 0.650 grams/210 Litres
- An accuracy of  $\pm 3\%$
- A precision standard deviation of 0.003
- Must be portable, and be able to fit into the boot of a car
- Be usable roadside

#### **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

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## **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
- 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 Authority intends to award a contract to Lions Laboratory for the procurement of mobile evidential breathalysers, Intoxilisers 9000. The estimated total value of the contract is £900k (inc VAT).

In accordance with the provisions of The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 SI No. 2020/1319, this procurement falls to be regulated under the provisions of the Public Contracts Regulations 2015 as amended (in particular by SI 2020/1319). 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 32(b)(ii) of PCR 2015 as competition is absent for technical reasons.

As well as being portable and being operational road-side so that drivers that are suspected of being above the legal limit for alcohol can be tested at the roadside, in order to be used as evidence in court the range, accuracy, and precision parameters of the device must be such to ensure the data collected is reliable, namely:

- A range of 0.000 – 0.650 grams/210 Litres
- An accuracy of  $\pm 3\%$
- A precision standard deviation of 0.003

Lions Laboratory is the only manufacturer of mobile evidential breathalysers which meet the Authority's requirements of being mobile and statistically significant and substantiated by research.

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Other mobile breathalysers on the market only have a range up to 0.003 grams/210 Litres, which is not clinically significant enough as the threshold is too low to evidentially assess someone's blood alcohol level, and therefore would not stand up in a UK court of law.

### **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**

A contract/lot is awarded: Yes

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

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

8 September 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**

Lions Laboratories Limited

Barry

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession: £900,000

#### **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**

Ministry of Defence

Andover

Country

United Kingdom