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Award

## **The Supply of Colours & Standards**

Leidos Supply

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-026071

Procurement identifier (OCID): ocids-h6vhtk-029dac

Published 16 September 2022, 2:43pm

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

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

Leidos Supply

Monarch Court, 8 The Brooms, Emersons Green

Bristol

#### **Contact**

Adam Colbourne

#### **Email**

[adam.colbourne@leidos.com](mailto:adam.colbourne@leidos.com)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://leidos-supply.app.jaggaer.com/>

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

Body governed by public law

**I.5) Main activity**

Defence

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## **Section II: Object**

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

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

The Supply of Colours & Standards

Reference number

LSL/DC/0175

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

- 35821000 - Flags

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

Supplies

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

Team Leidos are proud to be delivering the logistics commodities and services transformation (LCS(T)) Delivery partner contracts (LCS (T)/0001 dated 16.4.2015) on behalf of the UK Ministry of Defence (the 'Prime Contract'). Delivery of other parts of the LCS(T) contract are delivered by Leidos Europe Ltd (LEL) and other partners (together 'Team Leidos'). This requirement is subject to the EU Public Procurement Regulations and respective advertising action.

#### **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: £6,134,906.43

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

#### **II.2.2) Additional CPV code(s)**

- 19000000 - Leather and textile fabrics, plastic and rubber materials
- 35821000 - Flags
- 39520000 - Made-up textile articles

- 39525000 - Miscellaneous manufactured textile articles
- 39560000 - Miscellaneous textile articles
- 39561000 - Tulle, lace, narrow-woven fabrics, trimmings and embroidery
- 39561100 - Narrow-woven fabrics; trimmings

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

NUTS codes

- UK - United Kingdom

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

The Defence Clothing Team, which forms part of Leidos Supply Ltd is considering the potential requirement for the Supply of Colours & Standards on behalf of the UK MOD, consisting of various items.

The total estimated value for this contract will be £6134906.43, with a total contract length of 7 years.

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

Options: Yes

Description of options

Total contract length of 7 years (5 years followed by 2 option years).

### **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 without a prior call for competition

- No tenders or no suitable tenders/requests to participate in response to open procedure
- The products involved are manufactured purely for the purpose of research, experiment, study or development

Explanation:

Following the completion of the recent tender exercise for the Supply of Colours & Standards (LSL/DC/0119), and having received no compliant bids, our incumbent supplier of these ranges informed us that they would no longer be in a position to support this range of items going forward. In light of this, Leidos Supply Ltd intends to award a maximum term framework agreement of 7 years (5+1+1 Years) to The Wyedean Weaving Co Ltd.

There is a need to ensure continuity of supply for the goods in question, that are deemed essential by our Customer, and as such Leidos Supply Ltd will be looking to award a framework under Regulation 32(2) (a) of the Public Contract Regulations 2015, which allows for the use of the negotiated procedure without prior publication “where no tenders, no suitable tenders, no requests to participate or no suitable requests to participate have been submitted in response to an open procedure or a restricted procedure, provided that the initial conditions of the contract are not substantially altered”.

The subject matter of this framework is very technical/ specialist, and as such, there is a genuine lack of compliant competition within the market. This was confirmed during the recent tender, concluded earlier this year, which resulted in no bidders being able to meet the minimum standard required for the tender, though the incumbent (who has since advised that they will no longer be in a position to support this range going forward) did meet the technical standard and a second bidder, The Wyedean Weaving Co Ltd, were very close to meeting the technical standard. On this basis, it would also be appropriate to refer to Regulation 32(2) (B) (ii) of the Public Contract Regulations 2015, which allows for the use of the negotiated procedure without prior publication “where the works, supplies or services can be supplied only by a particular economic operator” where “competition is absent for technical reasons”.

This Framework will have a maximum term of 7 years (5 + 1 + 1), which is considered justifiable in that the subject matter of the framework is deemed technical and due to this,

any future supplier of this range will require a significant initial investment, which includes, but is not limited to the expansion of premises, and the employment of new staff or upskilling of existing members of staff. This initial investment would be prohibitive for suppliers should the term of the framework be only for 4 years, as this investment would be disproportionate to the profit a supplier would expect to make on a framework of this term.

In light of this, Leidos Supply Ltd intends to utilise Regulation 33 (3) of the Public Contract Regulations 2015, which states that the term of a framework agreement may exceed 4 years, “in exceptional cases, justified in particular by the subject – matter of the framework agreement.”

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

The procurement is covered by the Government Procurement Agreement: Yes

#### **IV.2) Administrative information**

##### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2021/S 000-019668](#)

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

#### **Contract No**

LSL/DC/0175

#### **Title**

The Supply of Colours & Standards

A contract/lot is awarded: Yes

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

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

15 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**

The Wyedean Weaving Co Ltd

Keighley

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: £6,134,906.43

**V.2.5) Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

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## Section VI. Complementary information

### VI.3) Additional information

Please note this is a Voluntary Transparency Notice, this contract has not been awarded yet.

Subject to Leidos Supply Limited receiving no notice during the standstill period of any intention to legally challenge the award process, Leidos Supply Limited aims to award the Proposed Contract after 12:00PM on 28th September 2022.

The authority reserves the right to amend any condition related to security of information to reflect any changes in national law or government policy. If any contract documents are accompanied by instructions on safeguarding classified information (e.g. a Security Aspects Letter), the authority reserves the right to amend the terms of these instructions to reflect any changes in national law or government policy, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise. The link below to the [Gov.uk](https://www.gov.uk/government/publications/government-security-classifications) website provides information on the Government Security Classification.

<https://www.gov.uk/government/publications/government-security-classifications>

### VI.4) Procedures for review

#### VI.4.1) Review body

N/A

N/A

Country

United Kingdom