

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/026841-2021>

Award

CHC/645 Flat Panel Trainer

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-026841

Procurement identifier (OCID): ocds-h6vhtk-02f046

Published 26 October 2021, 10:44pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Bristol

Email

megan.white207@mod.gov.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<https://des.mod.uk>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Defence

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

CHC/645 Flat Panel Trainer

II.1.2) Main CPV code

- 50000000 - Repair and maintenance services

II.1.3) Type of contract

Services

II.1.4) Short description

The Secretary of State for Defence (the 'Authority') intends to enter into a contract with Thales UK Ltd ("Thales") for the provision of repairs, spares and engineering support in respect of its existing Chinook Flat Panel Trainer (FPT), enabling its continued use at RAF Benson. The proposed contract term is 3 years and the contract value is estimated to be £0.66M.

In accordance with regulation 4 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019 (SI 2019/697) this procurement falls to be regulated under the provisions of the Defence and Security Public Contracts Regulations 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 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 16(1)(a)(ii) of the DSPCR 2011 due to technical reasons.

Thales are the original equipment manufacturers and Design Authority of the Digital Cockpit fitted on the UK Chinook aircraft. As such, the In Service support of the Flat Panel Trainer (including the provision of repairs and spares) together with the related Project Management, can only be carried out by Thales as Thales exclusively own the software rights and holds the relevant skills, technical data, proprietary information (including drawing and design information) and know-how that is needed to meet the requirement. Thales previously confirmed that it is not prepared to share or license the use of that proprietary information outside of the Company and the UK Ministry of Defence does not have a right to obtain the necessary documentation from Thales. The aforementioned skills, technical data, drawing and design information are necessary for the performance of the requirement.

Furthermore, only Thales holds the level of certification (under the Authority's Design Approved Organisation (DAOS) and Maintenance Approved Organisation (MAOS) Schemes) necessary to carry out the activities that are required in order to meet the Military Aviation Authority's Regulatory Articles applicable to the Flat Panel Trainer. It is not possible for another company to obtain the relevant level of certification without access to the skills, knowledge and technical information that only Thales hold.

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: £663,327.43

II.2) Description

II.2.2) Additional CPV code(s)

- 34740000 - Aircraft or spacecraft equipment, trainers, simulators and associated parts

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Support and maintenance of the FPT.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

Option to extend support by a further 2 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

II.2.14) Additional information

Cyber Risk Assessment rating: 'N/A'.

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 Secretary of State for Defence (the 'Authority') intends to enter into a contract with Thales UK Ltd ("Thales") for the provision of repairs, spares and engineering support in respect of its existing Chinook Flat Panel Trainer (FPT), enabling its continued use at RAF

Benson. The proposed contract term is 3 years and the contract value is estimated to be £0.66M.

In accordance with regulation 4 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019 (SI 2019/697) this procurement falls to be regulated under the provisions of the Defence and Security Public Contracts Regulations 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 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 16(1)(a)(ii) of the DSPCR 2011 due to technical reasons.

Thales are the original equipment manufacturers and Design Authority of the Digital Cockpit fitted on the UK Chinook aircraft. As such, the In Service support of the Flat Panel Trainer (including the provision of repairs and spares) together with the related Project Management, can only be carried out by Thales as Thales exclusively own the software rights and holds the relevant skills, technical data, proprietary information (including drawing and design information) and know-how that is needed to meet the requirement. Thales previously confirmed that it is not prepared to share or license the use of that proprietary information outside of the Company and the UK Ministry of Defence does not have a right to obtain the necessary documentation from Thales. The aforementioned skills, technical data, drawing and design information are necessary for the performance of the requirement.

Furthermore, only Thales holds the level of certification (under the Authority's Design Approved Organisation (DAOS) and Maintenance Approved Organisation (MAOS) Schemes) necessary to carry out the activities that are required in order to meet the Military Aviation Authority's Regulatory Articles applicable to the Flat Panel Trainer. It is not possible for another company to obtain the relevant level of certification without access to the skills, knowledge and technical information that only Thales hold.

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

CHC/645 Flat Panel Trainer

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

24 September 2021

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

Thales UK Limited

Reading

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)

Initial estimated total value of the contract/lot/concession: £663,327.43

Total value of the contract/lot/concession: £663,327.43

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

Bristol

Country

United Kingdom