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Award

Low Value Cat D

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-028865

Procurement identifier (OCID): ocds-h6vhtk-04996a

Published 10 September 2024, 7:32am

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

MOD ABBEY WOOD

BRISTOL

BS34 8JH

Contact

JSENS Commercial

Email

desjsens-comrcl-dsp@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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Low Value Cat D

II.1.2) Main CPV code

- 73400000 - Research and Development services on security and defence materials

II.1.3) Type of contract

Services

II.1.4) Short description

The Joint Sensors and Engagement Networks Team, part of the UK Ministry of Defence ('the Authority'), intends to enter into a contract with Northrop Grumman UK Limited ('NGUK', 'the Contractor'), by way of new contract JSSENS/00212 (the 'Contract'). This is planned to take effect on and from 1st October 2024 for a period of 6 months for the undertaking of two case studies and the delivery of related report(s) assessing the feasibility of the Integrated Battle Command System (IBCS) and Forward Area Air Defence (FAAD) C2 systems and their suitability as potential short and medium-range air defence (SHORAD/MRAD) C2 solutions. The Contract will be a low value Category D procurement.

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: £1

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

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. The Authority considers that the single source procurement of this non-competitive contract falls within the circumstances set out in regulation 16 (1)(a)(ii) of the DSPCR, 'use of the negotiated procedure without prior publication of a contract notice' for technical reasons as detailed below.

The Contractor, NGUK, are the operating entity in the United Kingdom for the ultimate parent, Northrop Grumman Corporation that is the design authority and joint holder (shared with USG) of all intellectual property rights for the physical elements of both the IBCS and FAAD systems, and software elements of FAAD system. The Authority does not have any rights in the required proprietary information to enable it to pass this on to a third party.

As such, NGUK are the only supplier with the specific know-how, ability to access the necessary proprietary information, and means to provide the required depth of analysis to address questions raised by the Authority, particularly in relation to specific interoperability and safety requirements relating to the potential solution. The Contractor is therefore the only economic operator capable of meeting the Authority's technical requirements for the purposes of the Contract.

II.2.5) Award criteria

Criterion: Technical Merit 100

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

II.2.14) Additional information

The total actual value of this procurement will be published alongside the Contract Award Notice once finalised. The purpose of this Voluntary Transparency Notice (VTN) is to announce the decision that the MOD intends to conduct single source procurement with Northrop Grumman UK for the reasons outlined above.

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 Contractor, NGUK, are the operating entity in the United Kingdom for the ultimate parent, Northrop Grumman Corporation that is the design authority and joint holder (shared with USG) of all intellectual property rights for the physical elements of both the IBCS and FAAD systems, and software elements of FAAD system. The Authority does not have any rights in the required proprietary information to enable it to pass this on to a third party. As such, NGUK are the only supplier with the specific know-how, ability to access the necessary proprietary information, and means to provide the required depth of analysis to address questions raised by the Authority, particularly in relation to specific interoperability and safety requirements relating to the potential solution.

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

JSSENS/00212

Title

Delivery of IBCS and FAAD C2 Concept Studies

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

27 August 2024

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

NORTHROP GRUMMAN UK LIMITED

LONDON

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)

Total value of the contract/lot/concession: £1

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

JSENS Delivery Team, DE&S

MOD ABBEY WOOD

BRISTOL

BS34 8JH

Email

DESJSSENS-COMRCL-DSP@mod.gov.uk

Country

United Kingdom