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Contract

Agreement for the Supply of Radiometric Protection Instruments - Spares and Consumables

CTM Portal for the NDA Shared Services Alliance

F03: Contract award notice

Notice identifier: 2022/S 000-030586

Procurement identifier (OCID): ocds-h6vhtk-037d78

Published 28 October 2022, 5:48pm

Section I: Contracting authority

I.1) Name and addresses

CTM Portal for the NDA Shared Services Alliance

Calder Bridge

Seascale

CA20 1PG

Contact

Martin Ellicott

Email

Martin.x.ellicott@sellafieldsites.com

Telephone

+44 7855149009

Country

United Kingdom

Region code

UKD1 - Cumbria

National registration number

01002607

Internet address(es)

Main address

<https://www.gov.uk/government/case-studies/shared-services-alliance-ssa-for-nuclear-decommissioning-estate>

Buyer's address

<https://sharedsystems.eu-supply.com/ctm/Company/CompanyInformation/Index/3510>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Other activity

Nuclear Decommissioning

Section II: Object**II.1) Scope of the procurement****II.1.1) Title**

Agreement for the Supply of Radiometric Protection Instruments - Spares and Consumables

Reference number

Ultra 3Yr Radiometrics Spares 4610002788

II.1.2) Main CPV code

- 35113200 - Nuclear, biological, chemical and radiological protection equipment

II.1.3) Type of contract

Supplies

II.1.4) Short description

The contract is for acquiring supplies from the supplier (Ultra) to prevent difficulties in operation and maintenance of the Ultra radiometric support equipment to ensure they are the correct Ultra own equipment (to which the supplier has the Intellectual Property rights and patents) so that:

- The Radiometric Protective (RP) equipment is correct and already part of a set of pre-approved type tested equipment, evaluated, and considered fit and safe for the intended purpose

- The spares in use are required to meet a predetermined specification which matches the equipment outlined above and as the OEM, Ultra are required to ensure that their spares continue meet that specification at their cost, therefore.

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: £1,001,282

II.2) Description

II.2.2) Additional CPV code(s)

- 90520000 - Radioactive-, toxic-, medical- and hazardous waste services

II.2.3) Place of performance

NUTS codes

- UKD1 - Cumbria

II.2.4) Description of the procurement

The contract was awarded to the supplier (Ultra) to maintain an ongoing supply of the require, pre-approved spares and consumables to maintain the most robust and safe use of the Ultra equipment by being able to continuously support the timely supply of the correct spares required.

As the supplier retains Intellectual Property Rights (IPR) this restricts the ability of another economic operator to provide the supplies and ensure the safe operation and maintenance of Ultra equipment on site.

II.2.5) Award criteria

Quality criterion - Name: NA / Weighting: 100

Cost criterion - Name: NA / Weighting: 0

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 service provider retains the Intellectual Property Rights (IPR) relating to Regulation 32(2)(b)(iii) PCR (the protection of exclusive rights, including intellectual property rights), subject to accompanying legal advice. Regulation 32(2)(b)(ii) PCR (competition is absent for technical reasons) also applies. Regulation 32 (5) (b) of the Public Contract Regulations 2015 (PCR) also applies

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:
 - protection of exclusive rights, including intellectual property rights

Explanation:

The service provider retains the Intellectual Property Rights (IPR) for items and would restrict the ability of another economic operator to provide the works/ supplies with justification for contract award on the grounds of Regulation 32(2)(b)(iii) PCR (the protection of exclusive rights, including intellectual property rights), subject to accompanying legal advice. Regulation 32(2)(b)(ii) PCR (competition is absent for technical reasons) also applies.

Regulation 32 (5) (b) of the Public Contract Regulations 2015 (PCR) also applies (for additional deliveries by the original supplier which are intended either as a partial replacement of supplies or installations or as the extension of existing supplies or installations where a change of supplier would oblige the contracting authority to acquire supplies having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance).

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

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

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract

Contract No

1

Title

Agreement for the Supply of Radiometric Protection Instruments - Spares and Consumables

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

5 October 2022

V.2.2) Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

ULTRA ELECTRONICS LIMITED

Wimborne

Country

United Kingdom

NUTS code

- UKK2 - Dorset and Somerset

The contractor is an SME

No

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

Total value of the contract/lot: £1,001,282

Section VI. Complementary information

VI.3) Additional information

The service provider retains the Intellectual Property Rights (IPR) for items and would restrict the ability of another economic operator to provide the works/ supplies with justification for contract award on the grounds of Regulation 32(2)(b)(iii) PCR (the protection of exclusive rights, including intellectual property rights), subject to accompanying legal advice. Regulation 32(2)(b)(ii) PCR (competition is absent for technical reasons) also applies.

Regulation 32 (5) (b) of the Public Contract Regulations 2015 (PCR) also applies (for additional deliveries by the original supplier which are intended either as a partial replacement of supplies or installations or as the extension of existing supplies or installations where a change of supplier would oblige the contracting authority to acquire supplies having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance).

VI.4) Procedures for review

VI.4.1) Review body

Royal Courts of Justice

Strand

London

London

Country

United Kingdom

Internet address

<http://www.justice.gov.uk>

VI.4.2) Body responsible for mediation procedures

Royal Courts of Justice

Strand

London

London

Country

United Kingdom

Internet address

<http://www.justice.gov.uk>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

Any appeals should be promptly brought to the attention of the contact specified in Section I above, and will be dealt with in accordance with the requirements of the Public Contracts Regulations 2015. Any appeals must be brought within the timescales specified by the applicable law, including without limitation, the Public Contracts Regulations 2015. In accordance with the Public Contracts Regulations 2015, the Contracting Authority will also incorporate a minimum 10 calendar day standstill period from the date information on award of contract is communicated to tenderers.

VI.4.4) Service from which information about the review procedure may be obtained

Sellafield Ltd

Seascale

Country

United Kingdom