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Award

Procurement of Link 16 Tactical Data Links with Technical Assistance

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-030948

Procurement identifier (OCID): ocids-h6vhtk-040d85

Published 19 October 2023, 5:43pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Type 31 Delivery Team, MOD Abbey Wood #3016

Bristol

BS34 8JH

Email

emma.brind848@mod.gov.uk

Country

United Kingdom

Region code

UKK11 - Bristol, City of

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/ministry-of-defence>

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

Procurement of Link 16 Tactical Data Links with Technical Assistance

II.1.2) Main CPV code

- 32583000 - Data and voice media

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply of Link 16 Tactical Data Link

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: £15,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKJ37 - North Hampshire

II.2.4) Description of the procurement

Procurement of Link 16 Tactical Data Link with technical support

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

Additional quantities of Link 16 equipment if required

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

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:

Ship Acquisition, which is part of the UK Ministry of Defence (MOD), proposes to place a

contract with L3 Harris Communications Systems UK Limited (L3 Harris) for the provision of Link 16 Tactical Data Links and ancillaries (the “Goods”) for the Type 31 frigates with technical support. The term of the proposed contract is 5 years and has an estimated value (including options) of £12m-£15m.

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 is lawful in accordance with Regulation 16(1)(a)(ii) of the Defence and Security Public Contracts Regulations 2011 for Technical Reasons.

This is because in accordance with the Authority’s specific requirement, the Link 16 Tactical Data Links for the Type 31 frigates need to meet certain technical requirements. In particular, they need to be compatible and interoperate with the Type 31 Data Link Processor and Combat Management System. The Link 16 Tactical Data Link also needs to be embodied in the limited space envelope available and comply with REACH legislation regarding hazardous materials and be delivered to meet the Type 31 challenging build schedule. The L3 Harris Link 16 Tactical Data Link is the only product that is capable of meeting the Authority’s technical requirements. L3 Harris owns the IPR in its Link 16 Tactical Data Link and is the only economic operator with the necessary know-how, proprietary processes, and equipment-specific tooling and test equipment to manufacture the Goods. L3 Harris is therefore the only economic operator that can meet the Authority’s requirement.

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

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

19 October 2023

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

L3 Harris Communications Systems UK Limited

1 Dingley Way, Aerospace Park

Farnborough

GU14 6FF

Country

United Kingdom

NUTS code

- UKJ37 - North Hampshire

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: £15,000,000

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

Type 31 Delivery Team

Bristol

Country

United Kingdom