

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/031723-2024>

Award

7000000

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-031723

Procurement identifier (OCID): ocds-h6vhtk-04a577

Published 3 October 2024, 2:08pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Bristol

Email

thomas.redmore100@mod.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

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

7000000

II.1.2) Main CPV code

- 72000000 - IT services: consulting, software development, Internet and support

II.1.3) Type of contract

Services

II.1.4) Short description

7000000

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Lowest offer: £7,000,000 / Highest offer: £7,000,000 taken into consideration

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

VTN for the placement of the EOS & GPC Equipment In-Service Support Contract

The United Kingdom Ministry of Defence (the “Authority”) intends to place a contract with Ultra Maritime UK (the “Company”) for the In-Service Support, including maintenance, repair and replacement component spares for the EOS & GPC Equipment fitted to the QEC platforms. The term of the contract is envisaged to be three years (with an option for the Authority to extend the contract for up to an additional three years). The anticipated value of the contract will be circa £7 million (Seven Million Pounds Sterling).

Equipment items included in the scope of the proposed contract are:

- a. Electro-Optical Director I(EOD)
- b. EOS equipment cabinets
- c. Glide Path Camera (GPC)

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 (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 Defence and Security Public Contracts Regulations 2011 for technical reasons.

This is because:

- a. EOS & GPC equipment performs the essential function of managing the known risk of an aircraft crashing whilst attempting to land on board a ship at sea. As such, the Authority requires absolute confidence that repairs and maintenance are carried out in accordance with design specifications, ensuring the equipment is fit for purpose and enabling the Armed Forces to function safely. The safety mitigation that this equipment provides is a key tenet of the Certificate of Safety (Aviation) issued to each aviation-capable platform.
- b. In respect of EOS & GPC equipment, there is a strict technical impracticability for a candidate other than the Company to achieve the required goals of maintaining and repairing the equipment. This is because only the Company has at its disposal the specialist know-how, extensive technical knowledge and maintenance history of the products concerned and the characteristics of the system(s) being maintained.
- c. The Company has developed in-house Special To Type Test equipment that is required

to maintain, repair, fit and Set to Work the EOS & GPC equipment.

d. In respect of the EOS & GPC equipment, the Company is the Original Equipment Manufacturer (OEM) for these systems. This range of equipment is designed to mitigate safety risks associated with landing aircraft on ships at sea. The Company is responsible for the overall system integrity and safe installation and operability, ensuring form fit for function is maintained and certifying that this safety-critical equipment remains fit for purpose, at both component and system level.

e. EOS is a combined set of common equipment that must operate effectively and reliably as a complete system capability. The Company is the only supplier able to perform the services due to its extensive technical knowhow.

f. In respect of the EOS & GPC equipment, the Company is the OEM and holds all IPR rights as these equipment items were designed as a sole venture. There is a strict technical impracticability for a candidate other than the Company to achieve the required goals of maintaining and repairing the equipment. This is because only the Company has at its disposal the specialist know-how, extensive technical knowledge and maintenance history of the products and the characteristics of the system(s) being maintained.

II.2.5) Award criteria

Price

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

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated procedure without publication of a contract notice

- No tenders or no suitable tenders/requests to participate in response to negotiated procedure with prior publication of a contract notice
- The products involved are manufactured purely for the purpose of research, experiment, study or development

Explanation:

VTN for the placement of the EOS & GPC Equipment In-Service Support Contract

The United Kingdom Ministry of Defence (the “Authority”) intends to place a contract with Ultra Maritime UK (the “Company”) for the In-Service Support, including maintenance, repair and replacement component spares for the EOS & GPC Equipment fitted to the QEC platforms. The term of the contract is envisaged to be three years (with an option for the Authority to extend the contract for up to an additional three years). The anticipated value of the contract will be circa £7 million (Seven Million Pounds Sterling).

Equipment items included in the scope of the proposed contract are:

- a. Electro-Optical Director I(EOD)
- b. EOS equipment cabinets
- c. Glide Path Camera (GPC)

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 (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 Defence and Security Public Contracts Regulations 2011 for technical reasons.

This is because:

a. EOS & GPC equipment performs the essential function of managing the known risk of an aircraft crashing whilst attempting to land on board a ship at sea. As such, the Authority requires absolute confidence that repairs and maintenance are carried out in accordance with design specifications, ensuring the equipment is fit for purpose and enabling the Armed Forces to function safely. The safety mitigation that this equipment provides is a key tenet of the Certificate of Safety (Aviation) issued to each aviation-capable platform.

b. In respect of EOS & GPC equipment, there is a strict technical impracticability for a candidate other than the Company to achieve the required goals of maintaining and repairing the equipment. This is because only the Company has at its disposal the specialist know-how, extensive technical knowledge and maintenance history of the products concerned and the characteristics of the system(s) being maintained.

c. The Company has developed in-house Special To Type Test equipment that is required to maintain, repair, fit and Set to Work the EOS & GPC equipment.

d. In respect of the EOS & GPC equipment, the Company is the Original Equipment Manufacturer (OEM) for these systems. This range of equipment is designed to mitigate safety risks associated with landing aircraft on ships at sea. The Company is responsible for the overall system integrity and safe installation and operability, ensuring form fit for function is maintained and certifying that this safety-critical equipment remains fit for purpose, at both component and system level.

e. EOS is a combined set of common equipment that must operate effectively and reliably as a complete system capability. The Company is the only supplier able to perform the services due to its extensive technical knowhow.

f. In respect of the EOS & GPC equipment, the Company is the OEM and holds all IPR rights as these equipment items were designed as a sole venture. There is a strict technical impracticability for a candidate other than the Company to achieve the required goals of maintaining and repairing the equipment. This is because only the Company has at its disposal the specialist know-how, extensive technical knowledge and maintenance history of the products and the characteristics of the system(s) being maintained.

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

3 October 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

EOS GPC VTN

Bristol

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)

Lowest offer: £7,000,000 / Highest offer: £7,000,000 taken into consideration

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

EOS GPC

Bristol

Country

United Kingdom