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Contract

CHC/628 (700217320) Ground Mission Support System (GMSS) Support Contract

Ministry of Defence

F03: Contract award notice

Notice identifier: 2021/S 000-032138

Procurement identifier (OCID): ocds-h6vhtk-030501

Published 22 December 2021, 10:45pm

Section I: Contracting authority

I.1) Name and addresses

Ministry of Defence

Bristol

Email

hayley.shortall101@mod.gov.uk

Country

United Kingdom

NUTS code

UKK1 - Gloucestershire, Wiltshire and Bristol/Bath area

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

CHC/628 (700217320) Ground Mission Support System (GMSS) Support Contract

II.1.2) Main CPV code

- 71356300 - Technical support services

II.1.3) Type of contract

Services

II.1.4) Short description

The Authority has placed a contract with Thales UK Ltd with a duration of 4 years for the ongoing support of the extant GMSS hardware and software, including laptops and servers. Thales UK Ltd will further provide under the terms of the contract technical support and support management services in relation to the GMSS.

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: £8,430,521

II.2) Description

II.2.2) Additional CPV code(s)

- 34711500 - Helicopters
- 35612400 - Military transport helicopters
- 71356300 - Technical support services
- 72250000 - System and support services

- 72253000 - Helpdesk and support services

II.2.3) Place of performance

NUTS codes

- UKK1 - Gloucestershire, Wiltshire and Bristol/Bath area

II.2.4) Description of the procurement

In-service support services for the hardware and software for the Ground Mission Support System (GMSS) on the Chinook aircraft.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

The Contract includes Options for recommendations to resolve an obsolescence issue and training courses to front line users.

The Contract includes a Post Design Service tasking mechanism.

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

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:

As per previous Voluntary Transparency Notice (prior to contract award), the justification for the non-competitive decision was as follows:

"It is considered that this contract can be placed using the negotiated procedure without prior publication of a contract notice pursuant to Article 28(1)(e) of Directive 2009/81/EC and Regulation 16(1)(a)(ii) of the Defence and Security Public Contract Regulations 2011 (SI 2011/No.1848) on the basis that for reasons connected with the protection of exclusive rights the contract may be awarded only to Thales UK Ltd. Thales UK Ltd is the original equipment manufacturer and design authority of the GMSS and alone holds all relevant technical rights (including rights in the system's source code), data and information (including in relation to the Chinook Mission Avionics System, with which the GMSS must be interoperable) required for the performance of services under the contract. There is no available and lawful equivalent right that another economic operator could offer, which could support the contract services: Thales UK Ltd has not licensed its rights' exploitation to any other economic operator nor does the United Kingdom Ministry of Defence have a licence to use such exclusive rights which would enable it to procure the subject matter of the contract from another supplier. Accordingly, a third party would be unable to carry out the essential support activities required (such as software upgrades and modifications) under the contract."

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

Contract No

CHC/628 700217320 Ground Mission Support System (GMSS) Support Contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

9 December 2021

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

Thales UK Limited

Crawley

Country

United Kingdom

NUTS code

- UKJ27 - West Sussex (South West)

The contractor is an SME

No

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

Total value of the contract/lot: £8,430,521

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Ministry of Defence

Bristol

Country

United Kingdom