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Award

## **GENFLY Refresh**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-034275

Procurement identifier (OCID): ocds-h6vhtk-04b06d

Published 23 October 2024, 10:57am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Ministry of Defence

MOD Abbey Wood, Walnut 2B

Bristol

BS34 8JH

#### **Contact**

FsAST Project Team

#### **Email**

[DESFsAST-ComrcIMailbox@mod.gov.uk](mailto:DESFsAST-ComrcIMailbox@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

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

GENFLY Refresh

#### **II.1.2) Main CPV code**

- 80660000 - Training and simulation in military electronic systems

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

The Flight Simulation and Synthetic Training (FsAST) Team, part of the UK Ministry of Defence, intends to award a contract for the refresh of the hardware and software on the Generic Flying Controls Trainer (GENFLY) Rigs at RAF Cosford to remove obsolescence impacting functionality and training to the Original Equipment Manufacturer.

#### **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: £4,900,000

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

#### **II.2.4) Description of the procurement**

The Flight Simulation and Synthetic Training Team, part of the United Kingdom Ministry of Defence (“the Authority”) intends to place a new contract with Pennant International Ltd (“Pennant”) for the refurbishment and renewal of the Generic Flying Controls Trainer (GENFLY). The Authority intends to place a new contract with Pennant for a value of up to c£6,000,000 for a period of up to 5 years. In accordance with Regulation 4 of The

Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019 (SI No.2019/697) this procurement shall be regulated under the provisions of the Defence and Security Public Contracts Regulations 2011 (DSPCR 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 this contract can be placed using the negotiated procedure without prior publication of a contract notice pursuant to Reg 16 (1)(a)(ii) of the DSPCR 2011 on the basis that no economic operator aside from Pennant is capable of meeting the Authority's requirements for technical and exclusive rights reasons, as the Original Equipment Manufacturer (OEM). Pennant has specific proprietary know how that would be required to meet the user needs including but not limited to, Software design, Human machine interface design, Scale mechanical and hydraulic components and the sending and sequencing of software commands to physical hardware. The high level faults from the control system need to replicate aircraft, and if reverse engineered incorrectly, any mistakes or inaccuracies on the ground training system could cause risk to life when this training is applied in an operational environment. In addition, the intellectual property including the design and interface data necessitated to complete the works required to meet the User need is not held or owned by the Authority and such is not transferable to a third party.

#### **II.2.5) Award criteria**

Price

#### **II.2.11) Information about options**

Options: Yes

Description of options

Option 1: Refresh and deliver second GENFLY Rig

Option 2: Refresh and deliver third GENFLY Rig

#### **II.2.13) Information about European Union Funds**

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

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## **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 Flight Simulation and Synthetic Training Team, part of the United Kingdom Ministry of Defence (“the Authority”) intends to place a new contract with Pennant International Ltd (“Pennant”) for the refurbishment and renewal of the Generic Flying Controls Trainer (GENFLY). The Authority intends to place a new contract with Pennant for a value of up to c£6,000,000 for a period of up to 5 years. In accordance with Regulation 4 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019 (SI No.2019/697) this procurement shall be regulated under the provisions of the Defence and Security Public Contracts Regulations 2011 (DSPCR 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 this contract can be placed using the negotiated procedure without prior publication of a contract notice pursuant to Reg 16 (1)(a)(ii) of the DSPCR 2011 on the basis that no economic operator aside from Pennant is capable of meeting the Authority’s requirements for technical and exclusive rights reasons, as the Original Equipment Manufacturer (OEM). Pennant has specific proprietary know how that would be required to meet the user needs including but not limited to, Software design, Human machine interface design, Scale mechanical and hydraulic components and the sending and sequencing of software commands to physical hardware. The high level faults from the control system need to replicate aircraft, and if reverse engineered incorrectly, any mistakes or inaccuracies on the ground training system could cause risk to life when this training is applied in an operational environment. In addition, the intellectual property including the design and interface data necessitated to complete the works required to meet the User need is not held or owned by the Authority and such is not transferable to a third party.

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

The procurement is covered by the Government Procurement Agreement: No

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## **Section V. Award of contract/concession**

### **Contract No**

712275451

### **Title**

GENFLY Refresh

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

23 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**

Pennant International Ltd

Unit D1, Staverton Connection, Old Gloucester Road

Cheltenham

GL51 0TF

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £4,900,000

**V.2.5) Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

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**Section VI. Complementary information**

**VI.4) Procedures for review**

**VI.4.1) Review body**

Ministry of Defence

Bristol

Country

United Kingdom