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Award

## **HOCSCM800014/7-1 - Professional Legal Services - VTN**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-037712

Procurement identifier (OCID): ocids-h6vhtk-04bdc3

Published 21 November 2024, 4:08pm

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

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

Ministry of Defence

Bristol

#### **Email**

[desshipscomrcl-acq-t26-mailbox@mod.gov.uk](mailto:desshipscomrcl-acq-t26-mailbox@mod.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

#### **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

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## **Section II: Object**

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

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

HOCSCM800014/7-1 - Professional Legal Services - VTN

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

- 79140000 - Legal advisory and information services

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

Services

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

Extend the extant Legal Services Contract with Linklaters LLP for the provision of Professional Legal Services for the Type 26 Programme for a duration of 5 years.

#### **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: £2,631,625

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

#### **II.2.2) Additional CPV code(s)**

- 79140000 - Legal advisory and information services

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

NUTS codes

- UK - United Kingdom

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

The Secretary of State for Defence intends to extend the extant Legal Services Contract with Linklaters LLP for the provision of Professional Legal Services for the Type 26 Programme for a duration of 5 years. The estimated value of the amendment is £1,461,136.

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 (as required by the relevant legislation) is lawful in accordance with Regulation 16(1)(a)(ii) of the DSPCR 2011 for technical reasons.

The Authority currently operates CONTRACT NO SHIPACQ036 - MANUFACTURE PHASE CONTRACT RELATING TO THE TYPE 26 PROGRAMME. Linklaters LLP is the current provider of the services required to manage the Type 26 programme and as such they have the knowledge and expertise to provide a continuing service. The Authority's view is that Linklaters LLP are the only providers who can provide the continuity & expertise required because as the sole provider of legal services to Type 26 since the beginning of this complex contract, only Linklaters LLP has the appropriate expertise, knowledge and appreciation of the extensive understanding of the services required concerning the Programme and can provide continuity without any disruption. Utilising another provider will be detrimental to the Authority, as there would be an unacceptable burden with an alternative provider having to take time & build their competency & knowledge of the contract before they can provide help. With the pressing nature of the risks & support the programme needs at this crucial time in T26; the Authority cannot afford to expose ourselves to these additional risks of time & effort & can rightly mitigate through extending the extant Linklaters LLP contract.

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

Criterion: appropriate expertise, knowledge and appreciation of the extensive understanding of the services required concerning the Programme 100

### **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

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

- The contract has its object services listed in Annex II B

Explanation:

The Secretary of State for Defence intends to extend the extant Legal Services Contract with Linklaters LLP for the provision of Professional Legal Services for the Type 26 Programme for a duration of 5 years from March 2025. The estimated value of the amendment is £1,461,136.

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 (as required by the relevant legislation) is lawful in accordance with Regulation 16(1)(a)(ii) of the DSPCR 2011 for technical reasons.

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#### 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**

A contract/lot is awarded: Yes

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

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

20 November 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**

Linklaters LLP

London

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)**

Total value of the contract/lot/concession: £2,631,625

#### **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**

Type 26

Bristol

Country

United Kingdom