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Award

Single Source Procurement for the Modification and Future Maintenance of Fume Extraction Cabinets.

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-040571

Procurement identifier (OCID): ocds-h6vhtk-04c8a7

Published 17 December 2024, 11:42am

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Bristol

Email

sophie.smith455@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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Single Source Procurement for the Modification and Future Maintenance of Fume Extraction Cabinets.

II.1.2) Main CPV code

- 50413100 - Repair and maintenance services of gas-detection equipment

II.1.3) Type of contract

Services

II.1.4) Short description

Single Source Procurement for the Modification and Future Maintenance of Fume Extraction Cabinets, this will include long term maintenance, and due to the age of the Cabinets, key electronic components are now obsolete and require modification to allow for continued use.

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: £551,000

II.2) Description

II.2.2) Additional CPV code(s)

- 90721500 - Toxic substances protection services
- 90743100 - Toxic substances monitoring services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Services providing maintenance and modification works.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

4 option years (taken in 1 year increments)

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
- The works, supplies or services can be provided only by a particular economic operator for the

following reason:

- absence of competition for technical reasons
- New works/services, constituting a repetition of existing works/services

Explanation:

The Air Commodities team, part of the Ministry of Defence, intends to enter into a contract with Fumecare Ltd (Fumecare) for the modification and future maintenance of the Fume Extraction Cabinet SP130 (7359-99-8394223 GSE Type Code WAX) (Cabinet). The contract will be an initial 5 years with 4 additional option years to be taken in 1 year increments at the Authorities discretion and have a value of approximately £551,000 (Ex VAT).

In accordance with the provisions of The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 SI No. 2020/1319, this procurement falls to be regulated under the provisions of the Public Contracts Regulations 2015 as amended (in particular by SI 2020/1319). 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 32(2)(b)(ii) of the Public Contracts Regulations 2015 because competition is absent for technical reasons.

This is because Fumecare is the Original Equipment Manufacturer (OEM) of the Cabinet and has supported it since it was introduced into service in 1997. Only the OEM has the drawings, information, technical expertise, and tools necessary to support this critically important piece of safety equipment which is used to remove toxic dust, fumes and aerosol vapours when testing aircraft components for early signs of failure such as cracks and metal fatigue. In particular, due to the age of the Cabinet, certain of its key electronic components are now obsolete and only the OEM has the expertise to upgrade them to the required technical and safety standards.

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

Contract No

709986452

Title

Modification and Future Maintenance of the Fume Extraction Cabinets

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

8 April 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

FumeCare Ltd

Suite 8, Jubilee House, Altcar Road, Merseyside

Formby

L37 8DL

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)

Initial estimated total value of the contract/lot/concession: £551,000

Total value of the contract/lot/concession: £551,000

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

Ministry of Defence, Defence Equipment & Support

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Bristol

BS34 8JH

Email

sophie.smith455@mod.gov.uk

Country

United Kingdom