

**United Kingdom-Portsmouth: Education and training services**

OJ S 16/2016 23/01/2016

Contract notice

Services

Directive 2009/81/EC

**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: Ministry of Defence, C&amp;C, Naval Authority Group

Postal address: HMS Nelson, Orion Block, Room 24, Queen Street, Hampshire

Town: Portsmouth

Postal code: PO1 3HH

Country: United Kingdom

Contact person: NAVYTRGHQ-CTSPOTSMailbox@mod.uk

For the attention of: Bryony Camp

E-mail: [NAVYTRGHQ-CTSPOTSMailbox@mod.uk](mailto:NAVYTRGHQ-CTSPOTSMailbox@mod.uk)

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**Internet address(es):**Electronic access to information: [www.contracts.mod.uk](http://www.contracts.mod.uk)Electronic submission of tenders and requests to participate: [www.contracts.mod.uk](http://www.contracts.mod.uk)**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address**I.2. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.3. Main activity**

Defence

**I.4. Contract award on behalf of other contracting authorities/entities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description****II.1.1. Title attributed to the contract by the contracting authority**

Provision of Outsourced Training Services.

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 20: Training and simulation services in the fields of defence and security

NUTS code UKJ31 Portsmouth

**II.1.3. Information about framework agreement**

#### **II.1.4. Information about framework agreement**

#### **II.1.5. Short description of the contract or purchase(s)**

Education and training services. Training services. Training programme services. Technical training services. Personal development training services. Training services in defence and security materials. The Training Service will be delivered at a number of MOD establishments within the UK, primarily in Devon and Hampshire. The Training Service comprises both the delivery of education and training to personnel (to enable them to meet operational needs) and training design.

The Training Service will primarily comprise Naval technical and tactical training, education and training support (e.g. training planning, equipment support, routine maintenance and training design).

This service is partially a replacement of the current training provision under the Fleet Outsourced Activities Project (Training) (FOAP(T)). Contract no: FLEET/SP2/0006. It is intended that additional training services, beyond those delivered by FOAP(T), will be added progressively throughout the contract duration: A small number of services may also be removed. Further information will be included in the Invitation to Negotiate (ITN)

Training design falls into 4 primary categories: Routine Training Document Maintenance; design changes due to new equipment(s); design changes as a result of restructuring, policy changes and operational requirements; and Training Modernisation.

Training Modernisation is the progressive modernisation of training services to provide more efficient resource utilisation, shorter training pipelines, improved morale and retention of RN personnel, and flexibility to enable tailoring to different student levels of competence and prior learning.

To deliver the range, depth and capacity of training design expertise, elements of training design, other than routine training document maintenance are expected to be sub-contracted. Further information will be included in the ITN.

POTS envisages a staged approach, initially focused on a seamless transition from existing arrangements leading into continuous delivery of the Training Service which will then be improved by Training Modernisation.

The Crown owns the Intellectual Property Rights (IPR) for the existing training documents and the contractor will be given access to these during transition and throughout the contract period for maintenance and service delivery purposes.

The contractor will be required to manage military assets supplied to the contractor as Government Furnished Assets. An element of International Traffic in Arms Regulations (ITAR) will apply to a small proportion of this equipment and the Contractor will be expected to manage this. Further information will be included in the ITN.

#### **II.1.6. CPV code(s)**

80000000 Education and training services, 80500000 Training services, 80521000 Training programme services, 80531200 Technical training services, 80570000 Personal development training services, 80600000 Training services in defence and security materials

#### **II.1.7. Information about subcontracting**

The contracting authority/entity may oblige the successful tenderer to award all or certain subcontracts through the procedure set out in Title III of Directive 2009/81/EC

#### **II.1.8. Lots**

This contract is divided into lots: no

#### **II.1.9. Information about variants**

Variants will be accepted: no

## **II.2. Scope of the procurement**

### **II.2.1. Total quantity or scope**

Contract duration is just over 6 years (75 months to bring the contract and financial years into alignment) plus an option for up to a further 4 years.

Total Value (ex Vat) in the range of 270 000 000 GBP to 330 000 000 GBP for the entire 10 years.

Estimated value excluding VAT:

Range: between 270 000 000 and 330 000 000 GBP

### **II.2.2. Information about options**

Options: yes

Description of options: 4 year option which will be exercised at the Authority's discretion.

Additional training services, including the Fire Fighting Training Unit, may be exercised at the Authority's discretion.

Provisional timetable for recourse to these options:  
in months: 75 (from the award of the contract)

### **II.2.3. Information about renewals**

This contract is subject to renewal: no

## **II.3. Duration of the contract or time limit for completion**

Start 1.1.2018. Completion 31.3.2028

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

Parent Company guarantee or a Bank Bond may be required prior to Contract Award. Further information will be included in the ITN.

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

The Contract will be subject to the current Purchase to Payment (P2P) System and the subsequent replacement system due to be launched late 2016. Payment terms and conditions will be included in the ITN.

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

If a group of economic operators submit a bid, the group must nominate a lead organisation to deal with the Authority. The Authority will require the group to form a legal entity in the UK before entering into the contract.

#### **III.1.4. Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information**

The Security Aspects Letter will be incorporated into the contract.

TUPE is likely to apply because the current services are provided by Industry.

The Authority reserves the right to amend any condition related to security of information to reflect any changes in the national law or government policy. If any contract documents are accompanied by a Security Aspects Letter, the Authority reserves the right to amend the terms of the Security Aspects Letter to reflect any changes in national law or government policy

whether in respect of the applicable protective marking scheme, specific protective marking given, the aspects to which any protective marking applies or otherwise.

### **III.1.5. Information about security clearance**

Candidates which do not yet hold security clearance may obtain such clearance until:  
1.9.2017

## **III.2. Conditions for participation**

### **III.2.1. Personal situation**

#### **Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: The Authority will apply all the offences listed in Article 39(1) of Directive 2009/81/EC of the European Parliament and of the Council (implemented as Regulation 23(1) of the Defence and Security Public Contract Regulations (DSPCR) 2011 in the UK) and all of the professional misconducts listed at Article 39(2) of Directive 2009/81/EC of the European Parliament and of the Council (see also Regulation 23(2) in the DSPCR 2011) to the decision of whether a Candidate is eligible to be invited to tender.

A full list of the Regulation 23(1) and 23(2) criteria are at <http://www.contracts.mod.uk/delta/project/reasonsForExclusion.html#dspr>

Candidates will be required to sign a declaration confirming whether they do or do not have any of the listed criteria as part of the pre-qualification process.

Candidates who have been convicted of any of the offences under Article 39(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest (including defence and security factors) for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 39(2) may be excluded from being selected to bid at the discretion of the Authority.

#### **Criteria regarding the personal situation of subcontractors (that may lead to their rejection) including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: The Authority will apply DSPCR 2011 Part 4, Selection of Economic Operators — Clause 23, Criteria for the rejection of economic operators; Clause 24, Information as to the economic and financial standing and Clause 25, Information as to technical and professional ability.

A declaration of good standing will be sought in the Dynamic Pre-Qualification Questionnaire (DPQQ).

### **III.2.2. Economic and financial ability**

#### **Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)**

List and brief description of conditions: (a) Appropriate statements from the economic operator's bankers or where appropriate, evidence of relevant professional risk indemnity insurance;

(b) The presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established;

(c) where appropriate, a statement, covering the 3 previous financial years of the economic operator, of: (i) the overall turnover of the business of the economic operator; and (ii) where appropriate, the turnover in respect of the work, works, goods or services which are of a similar type to the subject matter of the contract.

The Authority will apply DSPCR 2011 Part 4, Selection of Economic Operators — Regulations 24, Information as to economic and financial standing.

Minimum level(s) of standards possibly required: If the supplier's annual turnover is less than 75 000 000 GBP, the Authority reserves the right to exclude the supplier from being selected to tender.

**Criteria regarding the economic and financial standing of subcontractors (that may lead to their rejection)**

List and brief description of conditions: The requirement will include an obligation on the contractor to compete elements of training design. Subcontracting will be in accordance with Directive 2009/81/EC of the European Parliament and of the Council, further information will be included in the ITN.

**III.2.3. Technical and/or professional capacity**

**Criteria regarding the technical and/or professional ability of economic operators (that may lead to their exclusion)**

List and brief description of conditions:

(d) a statement of the technicians or technical services available to the economic operator to: (i) carry out the work under the contract, or (ii) be involved in the production of goods or the provision of services under the contract, particularly those responsible for quality control, whether or not they are independent of the economic operator;

(e) a statement of the economic operator's: (i) technical facilities; (ii) measures for ensuring quality; (iii) study and research facilities; and (iv) internal rules regarding intellectual property;

(g) in the case of works contracts, services contracts or supply contracts also covering siting and installation operations or services, the economic operator's educational and professional qualifications where the economic operator is an individual and: (i) if any, those of the economic operator's managerial staff; and (ii) those of one or more persons who would be responsible for providing the services or carrying out the work or works under the contract;

(h) the environmental management measures, that the economic operator is able to apply when performing the contract, but only where it is necessary for the performance of that contract;

(m) in the case of contracts involving, entailing or containing classified information, evidence of the ability to process, store and transmit such information at the level of protection required by the contracting authority;

(n) a certificate: (i) attesting conformity to quality management systems standards based on the relevant European standard; and (ii) from an independent accredited body established in any member State conforming to the European standards concerning accreditation and certification.

The Authority will apply DSPCR2011 Part 4, Selection of Economic Operators — Regulation 23, Criteria for the rejection of economic operators; Regulation 24, information as to economic and financial standing and Regulation 25, Information as to technical and professional ability.

Minimum level(s) of standards possibly required

Further information will be included in the ITN.

**Criteria regarding the technical and/or professional ability of subcontractors (that may lead to their rejection)**

List and brief description of conditions:

The Authority will apply DSPCR2011 Part 4 Selection of Economic Operators, Information as to technical and professional ability — Regulation 25.

Minimum level(s) of standards possibly required

The requirement will include an obligation on the contractor to compete elements of training design. Subcontracting will be in accordance with Directive 2009/81/EC of the European Parliament and of the Council, further information will be included in the ITN.

#### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

##### **III.3.2. Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

### **Section IV: Procedure**

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#### **IV.1. Type of procedure**

##### **IV.1.1. Type of procedure**

Negotiated

##### **IV.1.2. Information about the limits on the number of candidates to be invited**

Envisaged minimum number 3 and Maximum number 5

Objective criteria for choosing the limited number of candidates: Down selection through the Dynamic Pre-Qualification Questionnaire.

In the event of 5 or less potential suppliers meeting the minimum selection criteria via the DPQQ all will be invited to negotiate.

In the event of more than 5 potential suppliers meeting the minimum selection criteria via the DPQQ, the top 5 scoring will be invited to negotiate.

##### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated yes

#### **IV.2. Award criteria**

##### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

##### **IV.2.2. Information about electronic auction**

An electronic auction has been used: no

#### **IV.3. Administrative information**

##### **IV.3.1. File reference number attributed by the contracting authority**

FLEET/00428

##### **IV.3.2. Previous publication concerning this procedure**

Prior information notice

Other previous publications

##### **IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

Payable documents: no

##### **IV.3.4.**

## Time limit for receipt of tenders or requests to participate

22.2.2016 - 17:00

### IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

### IV.3.6. Languages in which tenders or requests to participate may be submitted

English.

## Section VI: Complementary information

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### VI.1. Information about recurrence

This is a recurrent procurement: yes

Estimated timing for further notices to be published: 54 months or 102 months after the Contract Award, depending on whether options are taken.

### VI.2. Information about European Union funds

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

### VI.3. Additional information

Potential suppliers must note the mandatory requirement for electronic trading using the Ministry of Defence's current standard Purchase to Payment (P2P) system operating under the Defence Electronic Commerce Service, which shall be a special condition for the performance of the contract. You can find details on the current P2P System at [www.d2btrade.com](http://www.d2btrade.com). The contractor will be required to sign DEFFORM 30 (Electronic Transaction Agreements) and unconditionally accept DEFCON 5J (Unique Identifiers), DEFCON 129J (The use of Electronic Business Delivery Form), and DEFCON 522J (Payment under P2P). Potential suppliers should be aware that the current P2P System is likely to be replaced prior to Contract Award.

The contracting authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender. Suppliers interested in working with the Ministry of Defence should register on the MOD Supplier Information Database (SID) Register, available at [www.contracts.mod.uk](http://www.contracts.mod.uk). The MOD SID is a database of active and potential suppliers available to all MOD and UK Defence procurement personnel, and is the main supplier database of MOD Procurement organisations. Please note: the registration and publication of a company profile on the MOD SID does not mean or imply that the supplier has in any way been vetted or approved by the MOD. Suppliers wishing to compete for advertised MOD contracts must respond to any specific call for competition by submitting a separate expression of interest in accordance with the instructions of the purchasing organisation.

From 2.4.2014 the Government is introducing its new Government Security Classifications Policy (GSC) to replace the current Government Protective Marking Scheme. A key aspect of this is the reduction in the number of security classifications used. All suppliers to the Department are encouraged to make themselves aware of the changes as it may impact on this Requirement. The link below to the Gov.uk website provides information on the new GSC.

<https://www.gov.uk/government/publications/government-security-classifications>

The Authority reserves the right to amend any condition related to security of information to reflect any changes in national law or government policy. If any contract documents are

accompanied by instructions on safeguarding classified information (e.g. a Security Aspects Letter), the Authority reserves the right to amend the terms of these instructions to reflect any changes in national law or government policy, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies, or otherwise.

Advertising Regime OJEU: This contract opportunity is published in the Official Journal of the European Union (OJEU), the MoD Defence Contracts Bulletin and [www.contracts.mod.uk](http://www.contracts.mod.uk)

Suppliers must read through this set of instructions and follow the process to respond to this opportunity.

The information and/or documents for this opportunity are available on <http://www.contracts.mod.uk>

You must register on this site to respond, if you are already registered you will not need to register again, simply use your existing username and password. Please note there is a password reminder link on the homepage.

Suppliers must log in, go to your Response Manager and add the following Access Code: 2S3HE77UQA.

Please ensure you follow any instruction provided to you here.

The deadline for submitting your response(s) is detailed within this contract notice, you will also have visibility of the deadline date, once you have added the Access code via DCO as the opening and closing date is visible within the opportunity.

Please ensure that you allow yourself plenty of time when responding to this opportunity prior to the closing date and time, especially if you have been asked to upload documents.

If you experience any difficulties please refer to the online Frequently Asked Questions (FAQs) or the User Guides or contact the MOD DCO Helpdesk by emailing [support@contracts.mod.uk](mailto:support@contracts.mod.uk) or Telephone 0800 282 324.

GO Reference: GO-2016121-DCB-7609531.

IV.3.2) Previous publication(s) concerning the same contract: yes

Prior information notice

Notice number in the OJEU: [2015/S 41-002015](#) of 6.6.2015

Other previous publications

Notice number in the OJEU: [2015/S 75-002015](#) of 9.6.2015

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Ministry of Defence, C&C, Naval Authority Group

##### **Body responsible for mediation procedures**

Official name: Ministry of Defence, C&C, Naval Authority Group

##### **VI.4.2. Review procedure**

##### **VI.4.3. Service from which information about the review procedure may be obtained**

Official name: Ministry of Defence, C&C, Naval Authority Group

##### **VI.5. Date of dispatch of this notice**

21.1.2016