

UK-Bristol: Repair and maintenance services of audio-visual and optical equipment

OJ S 82/2013 26/04/2013

Contract award notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Combat Tracks Group Systems Team, DE&S

Postal address: Spruce 1A, #1122, NH1, MOD Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

For the attention of: David Stayt

E-mail: desleavp-isp-comrcl-mgr1a@mod.uk

Telephone: +44 3067971216

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

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

Section II: Object of the contract

II.1. Description**II.1.1. Title**

Thales Optronics Equipment Repair Contract.

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

Services

Service category No 1: Maintenance and repair services

NUTS code UKM34 Glasgow City

II.1.3. Information about a framework agreement or a dynamic purchasing system (DPS)**II.1.4. Short description of the contract or purchase(s)**

Repair and maintenance services of audio-visual and optical equipment. The Combat Tracks Group System Team, part of the UK Ministry of Defence, has awarded a contract extension until 31 March 2014 to Thales Optronics Ltd for the repair of Camera and Remote Weapon Station equipment consisting of: E- Sight Periscopic Infrared Equipment (ESPIRE), M-Sight Periscopic Infrared Equipment (MSPIRE), Tactical Navigation and Target locating System (TNTLS), ESCAPADE Drivers Night Vision Systems (DNVS), Trojan Wiper Assemblies, Protector Remote Weapon Station (PRWS) and FOXHOUND Situational Awareness System.

II.1.5. CPV code(s)

50340000 Repair and maintenance services of audio-visual and optical equipment

II.1.6. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

II.2. Total value of the contract/lot

II.2.1. Total value of the contract/lot

Value: 2 140 000 GBP
excluding VAT

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

Justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union:

Directive 2004/18/EC

1) Justification for the choice of the negotiated procedure without prior publication of a contract notice in the OJEU in accordance with Directive 2004/18/EC

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

protection of exclusive rights, including intellectual property rights

It is considered that this contract can be placed with Thales Optronics Limited using the negotiated procedure without prior publication pursuant to Article 28(1)(e) of Directive 2009/81/EC (Regulation 16(1)(a)(ii) of the Defence and Security Public Contracts Regulations 2011). This is for technical reasons and for reasons connected with the protection of exclusive rights. Thales Optronics Limited hold exclusive Intellectual Property Rights necessary for the repair of the ESPIRE, MSPIRE and Trojan Wiper Assemblies. No licences have been or will be granted to any party, including the MOD, to obtain the drawings, specifications and/or other intellectual property necessary to carry out the repair of the ESPIRE, MSPIRE or Trojan Wiper Assemblies. Thales Optronics Limited do not own all of the intellectual property necessary to repair the TNTLS (which is a part of the ESPIRE and MSPIRE systems). However, they do own the intellectual property relating to the software on the TNTLS which would prevent anyone other than Thales Optronics Limited being able to repair the TNTLS. No licences have been or will be granted to any party, including the MOD, to obtain the Thales Optronics Limited owned drawings, specifications and/or other intellectual property relating to the software necessary to carry out the repairs to TNTLS. Thales Optronics Limited do not own all of the intellectual property necessary to repair the DNVS but the DNVS cannot be repaired without access to Thales Optronics Limited owned drawings, specifications and/or other intellectual property necessary to carry out the services. No licences have been or will be granted to any party, including the MOD, to obtain the Thales Optronics Limited owned drawings, specifications and/or other intellectual property necessary to carry out the repairs to DNVS. Thales Optronics Limited do not have the intellectual property necessary to repair the PRWS but Thales Optronics Limited have been granted an exclusive licensing agreement enabling them to carry out the repairs of the PRWS for the MOD, which no other operator would be able to do. Thales Optronics Limited hold exclusive Intellectual Property Rights in the drawings, specifications and configurations which are necessary to carry out these repairs on the

FOXHOUND Situational Awareness System. No licences have been or will be granted to any party, including the MOD, to obtain the relevant drawings, specifications and configurations necessary to carry out repairs to the FOXHOUND Situational Awareness System.

IV.2. Award criteria

IV.2.1. Award criteria

Lowest price

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

Thales Optronics Equipment Repair Contract.

IV.3.2. Previous publication concerning this procedure

no

Section V: Award of contract

Contract No: CBTSYST/09005

V.1. Date of conclusion of the contract

19.4.2013

V.2. Information about tenders

Number of tenders received: 1

Number of tenders received by electronic means: 1

V.3. Name and address of the contractor

Official name: Thales Optronics Ltd

Postal address: 1 Lighthouse Road

Town: Glasgow

Postal code: G51 4BZ

Country: United Kingdom

V.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot:

Value: 7 840 000 GBP

excluding VAT

If annual or monthly value:

Number of months: 38

V.5. Information about subcontracting

The contract is likely to be subcontracted: no

Section VI: Complementary information

VI.1. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:

no

VI.2. Additional information

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. 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.

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 GO Reference: GO-2013424-DCB-4756273

VI.3. Procedures for review

VI.3.1. Review body

Official name: Combat Tracks Group Systems Team

Country: United Kingdom

VI.3.2. Review procedure

VI.3.3. Service from which information about the review procedure may be obtained

VI.4. Date of dispatch of this notice

24.4.2013