

UK-Bristol: Military helmets

OJ S 92/2013 14/05/2013

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Fast Air Support Team (FAST), DE&S

Postal address: FAST Commercial 4a2a, Walnut 1a #1128, MOD Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

For the attention of: Luke Drawnel

E-mail: desfast-comrcl4a2a@mod.uk

Telephone: +44 3067982916

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

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 attributed to the contract by the contracting authority**

The Manufacture, Supply and Post Design Services for Mk15 Passenger Helmets.

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

Supplies

Purchase

NUTS code UKG West Midlands (England)

II.1.3. Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with a single operator

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT:

Range: between 800 000 and 1 000 000 GBP

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

Military helmets. Expressions of Interest (EOI) are sought from companies interested in meeting the requirement for a 3 year (with the option to extend by 1 year) Framework Agreement for the Manufacture, Supply and Post Design Services for Mk15 Passenger Helmets. The limited period of the proposed contract is due to an on-going review of the current MoD aircrew helmet strategy as well as an assessment of the impact performance requirements which, within the next 18 months, should establish a performance specification for any subject competition activities.

The current helmet designated the Mk15 helmet, is an omni-fitting helmet, designed to provide maximum comfort and ease of fitting whilst maintaining a high level of impact protection. The helmet consists of a shell, liner assembly, twin visor assembly (including ridged visor protection cover) and a communication system, which will interface with a variety of communications equipment. Provision within the design has been made for two oxygen mask fixing points when required. Retention of the helmet is achieved by three straps, one for the chin and one for the nape and the third adjusting the height. Each helmet comes with an illustrated fitting instructions and a stowage bag for stowing the helmet (within the aircraft), when it is not being worn.

COMPANIES EXPRESSING AN INTEREST ARE REQUESTED TO COMPLETE THE PRE-QUALIFICATION QUESTIONS IN SECTION III (LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION) AS PART OF YOUR EOI SUBMISSION, WHILST NOTING THE SCORING MATRIX AT SECTION IV (PROCEDURE).

II.1.6. CPV code(s)

35813000 Military helmets

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

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

The helmet which is constructed of a composite material consisting of an epoxy resin system reinforced with high performance aramid and manufactured by the compression moulding method using matched steel tooling. The helmet will need to conform to the original build specification requirements with the exception or relaxations of any limitations currently in place for the existing or new build helmets (or their associated spares). The original specification with any relaxations will be provided as part of the tender documentation.

The design clearance for the existing or new build helmets will remain extant from the original manufactures however the company awarded the contract will be required to underwrite future build and spares and ensure interchangeability of components between existing and new contract build items.

The company is to provide fault Investigation support and to advise on rectification action on all three current in-service build variants of the passenger helmet or its associated spares,

covering pre and post contract helmets.

Development of design improvements or addressing legislative requirements during the period of the contract associated with the manufacturing of the equipment or as required by the Equipment Authority (EA).

Maintenance of the drawing package during the period of the contract and provide technical authoring support and configuration control of the associated Air Publications (AP's), with the publications being in digital format. The publications will also require formatting to Pdf to meet current website limitations of 8Megabits maximum.

A quality assurance system to Article 11B of the EC Directive for Personal Protective equipment will be required. The companies certified standard and supporting evidence to be provided as part of this PQQ response.

Evidence in the form of a Certificate of Conformity (C of C) as a minimum will need to be provided prior to the initial delivery of the items supplied under the new contract to ensure that the required specifications / design criteria / drawing package requirements have been met.

The manufacturing element of the contract will be set up as a demand order arrangement and therefore order quantities / periodicity throughout the contract period will be dictated by the authority against an agreed price list (within the spares contract element) or hourly rate with respect to PDS activities. It is anticipated that quantities purchased will vary but will range between 50 to 100 helmets per year.

A maximum of five bidders will be selected from the PQQ phase and invited to tender. Tenders will be evaluated on the Most Economically Advantageous Tender (MEAT) basis. Assessment will include safety and integration tests of specimens as well as user assessment of aesthetic properties and comfort to ensure compliance with the current build.

Contractors who wish to express an interest in this tender are to forward a written expression of interest which is to include answers (including supporting documentation, where required) to the supplier selection questions included within this advert.

Estimated value excluding VAT:

Range: between 800 000 and 1 000 000 GBP

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

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

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

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

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

III.1.4. Contract performance conditions

III.2. Conditions for participation

III.2.1.

Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: In some circumstances the Authority is required by law to exclude you from participating further in this procurement. If you answer 'yes' to any part of question 1, below, it is very unlikely that your application will be accepted. If you answer "yes", please set out (in a separate Annex) full details of the relevant conviction and any remedial action taken subsequently.

Please state 'Yes' or 'No' to each question.

1. Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?

(a) conspiracy within the meaning of section 1 or 1a of the Criminal Law Act 1977 or article 9 or 9a of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA;

(b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906 (as amended); where the offence relates to active corruption;

(c) the offence of bribery, where the offence relates to active corruption; the offence of bribery within the meaning of section 1 or 6 of the Bribery Act 2010;

(d) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:

(i) the offence of cheating the Revenue;

(ii) the offence of conspiracy to defraud;

(iii) fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;

(iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;

(v) defrauding the Customs within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;

(vi) an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or

(vii) destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 9 of the Theft Act (Northern Ireland) 1969;

(viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or

(ix) making, adapting, supplying, or offering to supply articles for use in frauds within the meaning of Section 7 of the Fraud Act 2006;

(e) money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;

(f) an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46, or 47 of the Proceeds of Crime (Northern Ireland) Order 1996; or

(g) an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or

(h) any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State.

The Authority is entitled to exclude you from consideration if any of the following apply but may decide to allow you to proceed further. If you cannot answer 'no' to every part of questions 2

and 3, below, it is possible that your application might not be accepted. In the event that any of the following do apply, please set out (in a separate Annex) full details of the relevant incident and any remedial action taken subsequently. The information provided will be taken into account by the Authority in considering whether or not you will be able to proceed any further in respect of this procurement exercise.

Please state 'Yes' or 'No' to each question.

2. Is any of the following true of your organisation?

(a) being an individual, is a person in respect of whom a debt relief order has been made, is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order, or a debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of his creditors or has not made any conveyance or assignment for the benefit of his creditors or appears unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other state;

(b) being a partnership constituted under Scots law, has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate; or

(c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is the subject of similar procedures under the law of any other state?

3. Has your organisation

(a) been convicted of a criminal offence relating to the conduct of your business or profession;

(b) committed an act of grave misconduct in the course of your business or profession;

(c) failed to fulfil obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which you are established;

(d) failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which you are established; or

(e) been guilty of serious misrepresentation in providing any information required of you under Regulation 23 of the Public Contracts Regulations 2006?

Questions 4 and 5, below, are for completion by non-UK businesses only:

4. Registration with professional body. Is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annexes IX A-C of Directive 2004/18/EC) under the conditions laid down by that member state).

5. Is it a legal requirement in the State where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? If yes, please provide details of what is required and confirm that you have complied with this.

III.2.2. Economic and financial ability

List and brief description of conditions: 1. Please provide a copy of your audited accounts for the most recent two years (if filing abbreviated accounts please also state your last two years turnover and profit and loss figures).

2. Employer's liability insurance is a legal requirement (except for businesses employing only the owner / close family members) and this should be at least £5 million. Please confirm that you have this in place.

Minimum level(s) of standards possibly required: 1. No scoring will be given based on the accounts provided. However they will be subject to a risk based assessment looking at turnover, profitability, liquidity, capital structure and funding. Where accounts are not provided or concerns are identified within the supplied accounts that would suggest a higher risk level, further information may be requested. However, should additional evidence not prove satisfactory then the Authority reserves the right to exclude those contractors from the tender.

2. Evidence provided must demonstrate appropriate employer liability insurance.

III.2.3. Technical and professional ability

List and brief description of conditions:

1. Experience and Contract Examples. Please provide details of up to three contracts from either or both the public or private sector, that are relevant to the Authority's requirement. Contracts for the supply of goods or services should have been performed during the past three years. (The customer contact should be prepared to speak to the purchasing organisation to confirm the accuracy of the information provided below if we wish to contact them). The following details are required:

Customer Organisation (Name)

Customer contact name, phone number and email

Contract start date, completion date and value

Brief description of contract (max 150 words) including evidence as to your technical capability in this market.

If you cannot provide at least one example, please briefly explain why (100 words max).

2. Staffing. How many staff does your organisation (including consortia members or named sub-contractors where appropriate) employ relevant to the carrying out of services and/or delivery of goods similar to those required under this contract?

3. Technical Capability:

(a) In relation to the requirement, please provide details of the technicians or technical services available to the Potential Provider to provide the goods or services, particularly those involved with quality control, whether or not they are independent of the Potential Provider.

(b) In relation to the requirement, please provide details of the Potential Provider's available technical facilities, study and research facilities, tools, plant and technical equipment.

(c) Please provide details of the Potential Provider's technical ability to perform the contract, including details of skills, efficiency, experience and reliability relevant to the contract.

(d) Please provide details of the Potential Provider's measures for ensuring quality in relation to the goods to be sold or hired or the services provided under the contract. Details of the Potential Provider's measures to ensure quality including any recognised quality management certification or quality management systems. If the Potential Provider does not have quality certification or a quality management system, please explain why.

Minimum level(s) of standards possibly required:

Questions 1 and 3d, minimum score of 5 against the scoring matrix.

Questions 2, 3a, 3b and 3c, minimum score of 3 against the scoring matrix.

See section IV (Procedure) 1.2 for scoring matrix.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

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

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Restricted

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

Envisaged minimum number 2: and Maximum number 5

Objective criteria for choosing the limited number of candidates: Questions at section III.2.1 and III.2.2 (Question 2) are pass / fail. Where tenderers satisfy these requirements their responses to questions at section III.2.3 will be scored as detailed below.

Question number, weighting %

1) 30

2) 5

3a) 5

3b) 10

3c) 20

3d) 30

Scoring guidance: score, assessment.

10, Strong, comprehensive and relevant answer to the question fully supported by credible and relevant evidence.

5, Comprehensive and relevant answer to the question partially supported by credible and relevant evidence.

3, Satisfactory and relevant answer to the question, but little evidence provided.

0, Limited or irrelevant response with insufficient, irrelevant or unconvincing evidence.

NOTE:

The same evidence may be referenced for multiple responses, candidates are encouraged to submit a portfolio of evidence and reference this as appropriate throughout their responses.

Selection will then be based on the scorings above and any risks identified against the financial accounts supplied. Questions III.2.1, III.2.2 and III.2.3 are identical to questions asked in the standard MOD PQQ form, therefore those companies that have completed a MOD PQQ within the last 6 months may declare this and those responses will be considered for this requirement.

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

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 will be used: yes

Additional information about electronic auction: Yes. A Reverse Auction, conducted using electronic means, may be used as part of the procurement process for this requirement.

Specific relevant information on Reverse Auction usage will be given in the Invitation to Tender.

IV.3. Administrative information

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

FAST/00039

IV.3.2. Previous publication concerning this procedure

no

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

IV.3.4. Time limit for receipt of tenders or requests to participate

21.6.2013 - 23:59

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.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

IV.3.8. Conditions for opening of tenders

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

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

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. 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-2013510-DCB-4795533

VI.4. Procedures for review

VI.4.1. Review body

Official name: Fast Air Support Team (FAST), DE&S

Body responsible for mediation procedures

Official name: Fast Air Support Team (FAST), DE&S

VI.4.2. Review procedure

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

Official name: Fast Air Support Team (FAST), DE&S

VI.5. Date of dispatch of this notice

10.5.2013