

**United Kingdom-Bristol: Modular and portable buildings**

OJ S 144/2019 29/07/2019

Contract notice

Supplies

Directive 2009/81/EC

**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: Ministry of Defence, Land Equipment, Dismounted Close Combat (DCC)

Postal address: Cedar 2A, #2360, MOD Abbey Wood (South), Filton

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

Contact person: Alex Potter

E-mail: [alex.potter108@mod.gov.uk](mailto:alex.potter108@mod.gov.uk)

Telephone: +44 3067981025

**Internet address(es):**General address of the contracting authority/entity: [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**

Training Enhanced Panels System (TEPS)

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

Supplies

Purchase

Main site or place of performance: Bristol, City of.

NUTS code UKK11 Bristol, City of

**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)**

Modular and portable buildings, training facilities building, training and simulation in firearms and ammunition. The MOD has a requirement for providing Close Quarter Battle (CQB) training within internal building environments using live fire. Correspondingly there is a requirement for a modular partition panel system that allows the internal layouts of buildings to be replicated, with rapid assembly, reconfiguration and breakdown with minimal staff. To ensure safety the panels shall provide ballistic protection, preventing penetration from common UK Army ammunition natures.

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

44211100 Modular and portable buildings - FA04, 45214800 Training facilities building, 80620000 Training and simulation in firearms and ammunition

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

The tenderer has to indicate in the tender any share of the contract it may intend to subcontract to third parties and any proposed subcontractor, as well as the subject-matter of the subcontracts for which they are proposed

The tenderer has to indicate any change occurring at the level of subcontractors during the execution of the contract

### **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 authority intends to place a contract for an initial 3-year period, whereby it can purchase the individual elements of the modular partition panel system, such as walls, windows, doors, etc. from a pre-agreed list of items. The initial order when the contract is placed with the successful tenderer will consist of the authority purchasing enough items to create 2 (two) TEPS systems, the constituent elements of which shall be defined in the invitation to tender. As part of the ongoing contract the authority shall purchase individual items on a ad-hoc basis for spares and repairs also.

Furthermore the authority requires an option to purchase 1 (one) further TEPS system at it's own discretion at an undefined point during the contract duration.

Estimated value excluding VAT: 6 887 000 GBP

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

Options: yes

Description of options: The authority shall require a 2-year option, in addition to the initial 3-year duration, to provide ongoing support to any TEPS systems purchased and the ability to purchase further items if and when needed. It shall be at the authority's discretion whether this option is taken up.

The authority shall also require an option to purchase a further 1 (one) TEPS system at the authority's own discretion at an undefined point during the contract duration.

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

This contract is subject to renewal: no

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

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

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

The authority reserves the right to ask for an indemnity, guarantee, bank bond or parent company guarantee if the supplier does not meet the required standard for economic and financial standing.

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

Payment for any items or services delivered under this contract shall be made through the authority's CP&F online payment system, following delivery and acceptance of the goods and /or services in line with departmental policy.

#### 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 submits a bid, the group must nominate a lead organisation to deal with the authority. The Authority shall require the group to form a legal entity 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 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 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 markings given, the aspects to which any protective marking applies or otherwise.

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

### 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 (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 (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.

### **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 following information is required:

(a) a copy of your audited accounts for the most recent 2 years or for the period that is available if trading for less than 2 years;

(b) a statement of your turnover, profit and loss account and cash flow for the most recent year of trading;

(c) a statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position;

(d) alternative means of demonstrating financial status if trading for less than a year.

This information should be provided through the formal dynamic pre-qualification questionnaire, provided as part of this Contract Notice.

Minimum level(s) of standards possibly required: The estimated annual contract value is 200 000 GBP ex VAT (after the initial purchase of 2 (two) TEPS systems and excluding the option purchase of 1 TEPS system). If the estimated annual contract value is greater than 40 % of the supplier's turnover, the authority reserves the right to exclude the supplier from being selected to tender except where the supplier provides, to the satisfaction of the authority, evidence showing it has sufficient economic and financial capability, for example such evidence may include:

1) Any additional information proving it has sufficient economic and financial resources to deliver the requirement; and

2) Stating whether the supplier is willing to provide the Authority with an indemnity, guarantee or bank bond.

A financial assessment will be undertaken on the supplier's financial status. An overall pass /fail judgement will be made after considering areas such as turnover, profit, net assets, liquidity, gearing and capacity. This assessment will include the parent company where applicable. An independent financial assessment obtained from a reputable credit rating organisation may be utilised as part of this process.

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

### **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:

(c) a statement of the principal goods sold or services provided by the supplier or the services provider in the past 5 years, or during a shorter period if necessary, and:

(i) the dates on which the goods were sold or the services provided;

- (ii) the consideration received;
- (iii) the identity of the person to whom the goods were sold or the service were provided;
- (iv) any certificate issued or countersigned by that person confirming the details of the contract for those goods sold or services provided; and
- (v) where:
  - (a) that person was not a contracting authority; and
  - (b) the certificate referred to in sub-paragraph (c)(iv) is not available, any declaration by the economic operator attesting the details of the goods sold or services provided.
- (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.
- (j) a description of the tools, material, technical equipment, staff numbers, know-how and sources of supply (with an indication of their geographical location when it is outside the territory of the EU) available to the economic operator to perform the contract, cope with any additional needs required by the contracting authority as a result of a crisis or carry out the maintenance, modernisation or adaptation of the goods covered by the contract;
- (k) any samples, descriptions and photographs of the goods to be purchased or hired under the contract and certification of the authenticity of such samples, descriptions or photographs;
- (l) certification by official quality control institutes or agencies of recognised competence, attesting that the goods to be purchased or hired under the contract conform to standards and technical specifications (within the meaning of regulation 12(1)) identified 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.

All information required shall be requested through the Dynamic Pre-Qualification Questionnaire (DPQQ).

Minimum level(s) of standards possibly required

Any minimum levels of standards and the scoring criteria for assessing technical and professional capability are detailed within the DPQQ.

#### **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**

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### **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 number of candidates 3

Objective criteria for choosing the limited number of candidates: The authority will use the DPQQ response to create a shortlist of tenderers who:

- (1) Are eligible to participate;
- (2) Fulfil any minimum economic, financial, professional and technical standards; and
- (3) Best meet, in terms of capacity and capability, the selection criteria set out in this notice and the DPQQ.

Further details of the method for choosing the tenderers is set out in the DPQQ.

#### **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 has been used: no

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

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

700007844

#### **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**

26.8.2019 - 10:00

#### **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: 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. 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. The link below to the Gov.uk website provides information on the Government Security Classification.

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

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 <https://www.contracts.mod.uk/delta>. 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: 4PV226492J. Please ensure you follow any instruction provided to you here.

The deadline for submitting your response(s) is 26.8.2019 10:00. Please ensure that you allow yourself plenty of time when responding to this invite 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 (FAQ's) or the user guides or contact the MOD DCO Helpdesk by emailing - [support@contracts.mod.uk](mailto:support@contracts.mod.uk) or call 0800 282 324. Go reference: GO-2019725-DCB-15153754

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

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

Official name: Ministry of Defence, Land Equipment, Dismounted Close Combat (DCC)

Postal address: Cedar 2A, #2360, MOD Abbey Wood (South), Filton

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

E-mail: [alex.potter108@mod.gov.uk](mailto:alex.potter108@mod.gov.uk)

Telephone: +44 3067981025

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

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

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

25.7.2019