

United Kingdom-Bristol: Telescopic sights

OJ S 148/2019 02/08/2019

Contract notice

Supplies

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

Official name: Ministry of Defence, Land Equipment, Soldier Training and Special Programmes

Postal address: no. 3260, Cedar 2a, NH3

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

Contact person: Eleanor Wright

E-mail: Eleanor.Wright113@mod.gov.uk

Telephone: +44 3067939504

Internet address(es):

General address of the contracting authority/entity: www.mod.gov.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

II.1. Description

II.1.1. Title attributed to the contract by the contracting authority

Assault Rifle In-line Low Light Sight

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

Supplies

Purchase

Main site or place of performance: Gloucestershire, Wiltshire and Bristol/Bath area

NUTS code UKK1 Gloucestershire, Wiltshire and Bristol/Bath area

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)

Telescopic sights. Rifles. The project covers the procurement of nine-hundred (900) fused weapon mounted in line sight Night Vision Systems (NVS) with a capacity that enables the Dismounted Close Combat (DCC) Assault Rifle operator to acquire and engage targets in low and zero light conditions, commensurate with the daylight performance of the current in-service weapon system and day sight.

II.1.6. CPV code(s)

38633000 Telescopic sights, 35321200 Rifles

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

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

The successful tenderer is obliged to specify which part or parts of the contract it intends to subcontract beyond the required percentage and to indicate the subcontractors already identified

II.1.8. Lots

This contract is divided into lots: no

II.1.9. Information about variants

Variants will be accepted: yes

II.2. Scope of the procurement

II.2.1. Total quantity or scope

There will be an initial purchase of nine-hundred (900) sights and over the lifetime of the Contract, if all the options are taken to a LFR of two-thousand four-hundred (2400). The planned duration is five (5) years.

Estimated value excluding VAT:

Range: between 30 000 000 and 50 000 000 GBP

II.2.2. Information about options

Options: yes

Description of options: There will be options to buy up to two-thousand four-hundred (2400) sights over the lifetime 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

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

A parent company or bank guarantee may be required.

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

As detailed in the Invitation to Tender.

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, they must nominate a legal entity to tender and enter into the Contract with the Authority.

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 and 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

Candidates which do not yet hold security clearance may obtain such clearance until:
1.6.2020

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 three 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.

As detailed in the Pre-Qualification Questionnaire.

Minimum level(s) of standards possibly required: As detailed in the Pre-Qualification Questionnaire.

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

Minimum level(s) of standards possibly required: As detailed in the Pre-Qualification Questionnaire.

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:

- (a) in the case of a supply contract requiring the siting or installation of goods, a services contract or a works contract, the economic operator's technical ability, taking into account in particular that economic operator's skills, efficiency, experience and reliability
- (c) a statement of the principal goods sold or services provided by the supplier or the services provider in the past five 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;
- (i) a statement of the services provider's or contractor's average annual number of staff and managerial staff over the previous 3 years;
- (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;
- (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;
(o) any other evidence of conformity to quality management systems standards which are equivalent to the standards referred to in sub-paragraph (n)(i).

As detailed in the Pre-Qualification Questionnaire.

Minimum level(s) of standards possibly required

As detailed in the Pre-Qualification Questionnaire.

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

List and brief description of conditions:

As detailed in the Pre-Qualification Questionnaire.

Minimum level(s) of standards possibly required

As detailed in the Pre-Qualification Questionnaire.

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 6

Objective criteria for choosing the limited number of candidates:

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

700007934

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2019/S 132-325599](#) of 11.7.2019

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

20.8.2019 - 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

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 GO Reference: GO-2019731-DCB-15181963

VI.4. Procedures for review

VI.4.1. Review body

Official name: Ministry of Defence, Land Equipment, Soldier Training and Special Programmes

Postal address: no. 3260, Cedar 2a, NH3

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

E-mail: Eleanor.Wright113@mod.gov.uk

Telephone: +44 3067939504

Body responsible for mediation procedures

Official name: Ministry of Defence, Land Equipment, Soldier Training and Special Programmes

Postal address: no. 3260, Cedar 2a, NH3

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom
E-mail: Eleanor.Wright113@mod.gov.uk
Telephone: +44 3067939504

VI.4.2. Review procedure

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

Official name: Ministry of Defence, Land Equipment, Soldier Training and Special Programmes
Postal address: no. 3260, Cedar 2a, NH3
Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
E-mail: Eleanor.Wright113@mod.gov.uk
Telephone: +44 3067939504

VI.5. Date of dispatch of this notice

31.7.2019