

**United Kingdom-Telford: Security, fire-fighting, police and defence equipment**

OJ S 186/2019 26/09/2019

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, ISTAR, Other

Postal address: Building F2, MOD Donnington

Town: Telford

Postal code: TF2 8JT

Country: United Kingdom

Contact person: Phil Carrington

E-mail: [Phil.Carrington756@mod.gov.uk](mailto:Phil.Carrington756@mod.gov.uk)

Telephone: +44 1952674025

Fax: +44 1952674027

**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**

Supply of Spares for Various Explosive Ordnance Disposal Equipments

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

Supplies

Purchase

Main site or place of performance: Telford and Wrekin.

NUTS code UKG21 Telford and Wrekin

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

The procurement involves the establishment of a framework agreement

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

##### **Duration of the framework agreement**

Duration in years: 4

Justification for a framework agreement, the duration of which exceeds seven years:

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

Estimated value excluding VAT: 800 000 GBP

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

Security, fire-fighting, police and defence equipment. Supply of Spares for Various Explosive Ordnance Disposal (EOD) Equipments.

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

35000000 Security, fire-fighting, police and defence equipment

#### **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 4 year framework agreement for supply of spares in support of various explosive ordnance equipments, including shrike, rocket wrench, RE 70, splinter, S Set and IGOL. Orders will be raised (and Payment authorised) using the Authority's CP&F /Exostar System. Options will be included to potentially extend the contract for a further 2 years.

No business whatsoever is guaranteed under any resulting framework agreement or contract indeed there is no guarantee that any framework agreement or contract will be put in place in relation to this notice. No compensation, etc. will be paid if a tender or resulting framework agreement is withdrawn for any reason. Bidders should take part in this process only on the basis that they fully understand and accept this position.

Estimated value excluding VAT: 800 000 GBP

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

Options: yes

Description of options: Options will be included to extend the agreement by up to 2 years.

Provisional timetable for recourse to these options:

in months: 42 (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**

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

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

The authority reserves the right to request an indemnity, guarantee or bank bond 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 to be made following delivery using the Authority's CP&F/Exostar system.

#### 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 framework agreement is based on Ex-Works Supply of Spares ordered. Spares ordered through the framework agreement will be collected from the supplier's premises following submission by the supplier of a collection request using the freightcollection.com facility. All spares ordered are to be carefully packed and labelled in accordance with the contract requirements.

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.

A statement relating to good standing will be issued to all suppliers expressing interest shortly after the closure date for expressions of interest. The authority reserves the right to disallow any Supplier not completing and returning the statement relating to good standing within 1 week of receipt.

**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: A statement relating to good standing is to be provided with any expression of interest.

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

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

Minimum level(s) of standards possibly required: The estimated annual contract value is 200 000 GBP. 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 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 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;
- (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.

The Authority requires the information specified above to be provided with your response to this contract notice.

Minimum level(s) of standards possibly required

Provide with your response, evidence of any previous supply of spares in support of the explosive ordnance disposal equipments referred to in the scope of contract over the last 3 years.

### **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 minimum number 2 and Maximum number 4

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**

FP/10980

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

no

**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**

25.10.2019 - 12:00

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

25.11.2019

**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 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)

Electronic trading:

Potential suppliers must note the mandatory requirement for electronic trading using the contracting, purchasing and finance (CP&F) electronic procurement tool. All payments for

contractor deliverables under the contract shall only be made via CP&F. You can find details on CP&F at <https://www.gov.uk/government/publications/mod-contracting-purchasing-and-finance-e-procurement-system>

Cyber risk level is 'Not Applicable'.

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 login, go to your response manager and add the following access code: N34TAUB32N

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 (FAQ's) or the user guides or contact the MOD DCO Helpdesk by emailing [support@contracts.mod.uk](mailto:support@contracts.mod.uk) or Telephone 0800282324.

GO Reference: GO-2019925-DCB-15402310

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

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

Official name: Ministry of Defence, ISTAR, Other

Town: Telford

Country: United Kingdom

E-mail: [Phil.Carrington756@mod.gov.uk](mailto:Phil.Carrington756@mod.gov.uk)

Telephone: +44 1952674025

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

Official name: Ministry of Defence, ISTAR, Other

Town: Telford

Country: United Kingdom

E-mail: [Phil.Carrington756@mod.gov.uk](mailto:Phil.Carrington756@mod.gov.uk)

Telephone: +44 1952674025

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

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

Official name: ISTAR SOM Team

Town: Telford

Country: United Kingdom

E-mail: [Phil.Carrington756@mod.gov.uk](mailto:Phil.Carrington756@mod.gov.uk)

Telephone: +44 1952674025

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

25.9.2019