



Ministry  
of Defence



LLB (Hons)  
DE&S Secretariat (Land Equipment)

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Defence Equipment & Support  
Maple 0a # 2043  
MOD Abbey Wood  
Bristol BS34 8JH



Via:

3 August 2018

OurRef: FOI2018/09333, 09335  
and 09336

Dear [REDACTED],

Thank you for your email of 18<sup>th</sup> May 2017, logged under reference FOI2018/09333, requesting the following information:

*I would be grateful to be informed of the current status of the competition [i.e. the tender for SSP/00135].*

*May I formally request to be informed of the detailed reasons for our rejection from the competition, including the notes that gave rise to the scoring of points to enable us to effectively review the decision making process in respect of our tender and those two companies selected to go forward.*

You sent an additional email, logged under reference FOI2018/09335, on the 24<sup>th</sup> May 2017 requesting:

- 1. The evaluation notes of individual evaluators .*
- 2. Notes of evaluation meetings particularly moderation meetings.*
- 3. Reports and records required to be maintained for compliance European Communities Act 1972 that I believe is contained within The Defence and Security Public Contracts Regulations 2011.*

You sent a further email, logged under reference FOI2018/09336, on the 19<sup>th</sup> July 2017 requesting:

- 1. The evaluation notes of individual evaluators.*
- 2. Notes of evaluation meetings particularly moderation meetings.*
- 3. Reports and records required to be maintained for compliance of European Communities Act 1972 that I believe is contained within The Defence and Security Public Contracts Regulations 2011.*
- 4. Price tendered for the award winning contract by the winner.*
- 5. The price tendered for the company taken to phase 3, but unsuccessful to evaluate if Englands should have been allowed to proceed to phase 3.*
- 6. The detailed reasons why in the initial tender those two companies who were taken to Phase 3 previously failed and why instead of being excluded from the competition they were allowed to continue in the subsequent revised tender for the same contract. I understand normal MOD and international tender rules should have meant both companies should have been excluded, so allowing other companies to proceed.*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and I can confirm that information in scope of your request is held.

The information you have requested can be found attached, but some of the information falls entirely within the scope of the absolute exemptions provided for at sections 21 (Information Reasonably Accessible to the Applicant by Other Means), 40 (Personal Data), 41 (Breach of Confidence) and 44 (Prohibitions on Disclosure) and qualified exemptions provided for at sections 26 (Defence), 38 (Health and Safety) and 43 (Commercial Interests) of the FOIA and has been redacted or withheld.

Section 21 has been applied to some of the information as it is already in the public domain. Section 21 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the General Data Protection Regulation and Data Protection Act 2018. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Section 41 has been applied to some of the information as it was provided to the MOD in the expectation that it will only be used, or disclosed, in accordance with the wishes of the confider. Section 41 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Section 44(1)(b) has been applied to some of the information where disclosure is incompatible with obligations under the Defence and Security Public Contracts Regulations (DSPCR) 2011 (in particular regulation 10 of DSPCR). Section 44 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Sections 26, 38 and 43 are qualified exemptions and are subject to public interest testing which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

Section 26(1)(b) has been applied to some of the information because it contains details which are operationally sensitive and would prejudice the capability and effectiveness of our armed forces. The balance of public interest was found to be in favour of withholding the information given that, overall, the public interest is best served in not releasing any details that would prejudice the security of UK personnel serving in the UK and abroad and which would provide tactical advantage to our enemies and for these reasons I have set the level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

Section 38 has been applied because some of the information has the potential to adversely affect the physical and/or mental health of UK personnel as well as endanger the safety of an individual by exposing vulnerabilities in the levels of protection. The balance of the public interest test concluded that, whilst release would increase public understanding and confidence, the balance of the public interest lay in withholding this information you desire. I have considered it necessary to apply the higher level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

Section 43 (2) considers information which if released is likely to prejudice the commercial interests of any person. A person may be an individual, a company, the MOD, or any other legal entity. Disclosing the information requested would be considered a breach of commercial confidentiality and would weaken a company's position in a competitive environment by revealing market sensitive information and/or information of usefulness to its competitors. This could result in other companies being reluctant to provide commercially sensitive information to the MOD and undermine the MOD's ability to secure value for money. For these reasons I have set the level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

Further to your email of 18<sup>th</sup> May 2017 requesting the current status of the competition, this is being withheld under s21 because the information has been released in line with the DSPCR regulations, however, the answer to your question 4 below refers. With regard to your request for detailed reasons for your rejection, this is similarly being withheld under s44 and s43 (2), but it should be noted that you were

informed of the reasons in accordance with the DSPCR regulations under cover of letters reference SSP/00135 dated 16 November 2016, SSP/00135 dated 2 December 2016, SSP/00135 – Revise and Confirm Level 2 dated 26 June 2017 and SSP/00193 dated 9 August 2017.

The evaluation notes of individual evaluators requested in your email of 18<sup>th</sup> May 2017 and 24<sup>th</sup> May 2017 are being withheld under s26, s43 and s44.

The notes and minutes requested in both the emails dated 18<sup>th</sup> May 2017 and 24<sup>th</sup> May 2017 can be found at Annexes A-D listed below which have been redacted under exemptions s26, s38, s41, s43 and s44:

Annex A – 22 June 2016 – Minutes of the Tender Evaluation Meeting held at MOD Abbey Wood on 13 June 2016 to conduct the Phase 1 Assessment of Tender SSP/00135

Annex B – 26 October 2016 - Minutes of the Tender Assessment Panel Meeting (TAP) held at MOD Abbey Wood on 18 October 2016 to discuss the Assessment of Tender SSP/00135

Annex C – 31 January 2017 - Minutes of the Tender Assessment Panel Meeting (TAP) held at MOD Abbey Wood on 31 January 2017 to discuss the Assessment of Tender SSP/00193

Annex D – 24 May 2017 - Minutes of the Tender Assessment Panel Meeting (TAP) held at MOD Abbey Wood on 10 May 2017 to discuss the Assessment of Tender SSP/00135 Revise and Confirm for Level 2 – Phase 3

The information the Ministry of Defence is required to record, and provide a statistical return to the European Union, is at Annex E (DEFFORM 49B).

Turning to your email of 19<sup>th</sup> July 2017, I will answer each question in turn.

1. This information, also requested in your email of 24<sup>th</sup> May 2017, is being withheld under exemptions s26, s43 and s44 as explained above.

2. This information can be found at Annexes A - D, with information being redacted under s26, s38, s41, s43 and s44.

3. The information the Ministry of Defence is required to record, and provide a statistical return to the European Union, also requested in your email of 24<sup>th</sup> May 2017, is at Annex E (DEFFORM 49B).

4. This information could be withheld under s21, however, for your convenience, the following links will provide access to the relevant contract award notices:

- <http://ted.europa.eu/TED/notice/udl?uri=TED:NOTICE:203164-2017:TEXT:EN:HTML>
- <http://ted.europa.eu/udl?uri=TED:NOTICE:419606-2017:TEXT:EN:HTML>

5. This information is withheld under s41, s43 and s44.

6. In respect of the Level 2 lot of the requirement, neither of the top two solutions from Phase 2 (User Trials) was successful in the Phase 3 (Ballistic Testing) of the evaluation. The decision was taken, following legal advice, to issue a Revise & Confirm to all five bidders in respect of Level 2 (including those that had been unsuccessful in the original competition in respect of the Level 2 lot in both Phase 1 (Initial Evaluation) and Phase 2 (User Trials)) under the auspices of the original tender. The alternative to this course of action would have been to abandon the competition and start a new one for the Level 2 requirement only; this was considered onerous on both MOD and industry resources and would entail an unacceptable delay to meeting the military requirement. The Revise & Confirm invitation was issued in November 2016 to all five tenderers. Four tenderers submitted their Revise & Confirm submissions in January 2017 and the evaluation was carried out in accordance with the instructions and process set out

in the original tender, namely an evaluation in the three phases; Phase 1 (Initial Evaluation) involving all tenderers, Phase 2 (User Trials) where only the top three ranked tenderers were evaluated, and Phase 3 (Ballistic Tests) where only the top two ranked tenderers are evaluated.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that DE&S is prepared to meet to discuss the released information. If you would like to avail yourself of this offer please contact me at the above email address to arrange a mutually convenient time.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.gov.uk](mailto:CIO-FOI-IR@mod.gov.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

DES SEC PolSec Land Equipment



**ANNEX A TO FOI2018/09333, 09335 AND 09336**

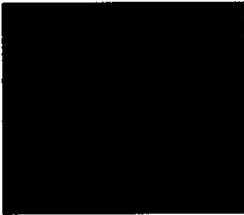
LOOSE MINUTE

SSP/00135

22 Jun 2016

**MINUTES OF THE TENDER EVALUATION MEETING HELD AT MOD ABBEY WOOD ON 13th JUNE 2016 TO CONDUCT THE PHASE 1 ASSESSMENT OF TENDER SSP/00135**

Those present:



DCC-SURV-PM3a-Prot  
STSP-PgMo-QM  
DCC-Comrcl3  
DCC-Comrcl- Grad

1. The meeting was convened to complete the initial Phase 1 evaluation of the five tenders (covering 9 solutions) submitted on Tender SSP/00135. The results were also reviewed to ensure compliance with the tender evaluation methodology, and establish that all Bidders had meet the Phase 1 Fail/Pass criteria before proceeding to shortlist three bidders to participate in Phase 2.
2. The meeting therefore proceeded to review the following elements of the Phase 1 evaluation:
  - **Initial Technical Evaluation (6 MEAT marks include Pass/Fail criteria).** [REDACTED] tabled the outcome of the initial Technical Evaluation and the weighted MEAT scores. A full summary of the moderated scores allocated to each bidder can be found at Annex A to these Minutes. [REDACTED] confirmed that solution 5c from [REDACTED] had failed the Pass/Fail criteria relating to the provision of samples in all sizes.
  - **Dry Mass test (38 MEAT marks including pass/fail criteria).** [REDACTED] advised that the samples provided by each Bidder had been weighed in accordance with the prescribed process in the ITT. The results of this process were as detailed at Annex A. [REDACTED] confirmed that [REDACTED] had also failed a Pass/Fail criteria as

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part of this evaluation, in this instance the Tier 1 plate had exceeded the maximum weight threshold.

- **Delivery Schedule (5 MEAT marks).** [REDACTED] tabled the following summary of the delivery schedules proposed by each Bidder and the associated MEAT mark that this attracted:

Bidder	T0	T1	T2	T3
Morgans				
Englands Option 1				
Englands Option 2				
Level Peaks Option 1				
Level Peaks Option 2				
Edgar Brothers Option A				
Edgar Brothers Option B				
Edgar Brothers Option C				
Cooneen				

- **Quality Assurance (5 MEAT marks)** [REDACTED] had advised DCC Commercial of the findings of the QA evaluation prior to the meeting. A full summary of the QA evaluation can be found at Annex B. The conversion of these scores into MEAT marks was as follows:

Morgan	
Englands	
Level Peaks	
Edgar Bothers	
Cooneens	

- **Commerical Compliance (20 MEAT marks including pass/fail criteria).** [REDACTED] advised that while some Bidders had applied caveats to their prices, none had indicated any non-compliance with the proposed terms and conditions. He advised the meeting that some bidders had also made caveats in relation to ITAR or German Government End User Certification and/or their support arrangements. However while these were unwelcome, they did not constitute non-compliance with the ITT and all Bidders had therefore passed the evaluation. This was a Pass/Fail criteria with no MEAT points allocated to it.
- The 20 MEAT marks were therefore awarded on the basis of the lowest Through Life Cost over 5 years, with each of the more expensive Bidders receiving a MEAT mark in proportion to the ration between their price and that of the lowest bidder [REDACTED]. He also advised that a number of clarification questions had been asked of bidders to establish a comparable baseline for the support costs; in most instances this had resulted in the Bidders involved confirming that the absence of any repair/refurbishment prices was because refurbishment was effectively only by replacement. In these instances the cost of replacements had been entered into the evaluation cost model to facilitate an effective comparison in accordance with the cost criteria specified in the ITT. This was the acquisition costs with 5 years of support (this being 25% per annum

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of the fleet being refurbished and 10% of the fleet being replaced due to attrition). The prices were as follows:

Bidder	Acquisition Costs	Total incl 5 years support	Ranking
Morgans			2
Englands Option1			4
Englands Option 2			5
Level Peaks Option 1			7
Level Peaks Option 2			6
Edgar Brothers Option A (Armor Australia)			8
Edgar Brothers Option B (NFM)			3
Edgar Brothers Option C (Velocity)			9
Cooneen			1

Whilst the ITT reserved the Authority's right to exclude unaffordable bidders (those exceeding £5.35M ex VAT), [REDACTED] advised the meeting that he had spoken to DCC SCO [REDACTED] who was content that this provision was not enforced. In addition several bidders had offered discounts for multi plate contracts. The technical and mass evaluations had been carried out on a Tier by Tier basis, which obliged Commercial to award the MEAT marks for the Through Life costs on a consistent basis. This approach was also consistent with the Authority's declared position in the ITT of reserving the right to source different Tiers from different suppliers should this provide an optimum solution.



4. The meeting therefore concluded by reviewing the overall position on a Tier by Tier basis, which can be summarised as follows:

*TIER 0 MEAT Summary*

Cooneen	
Morgan	
NFM (Edgar Bros)	
Englands Option 2	
Englands Option 1	
LPA Option A	
LPA Option B	
Armor Australia (Edgar Bros)	
Velocity (Edgar Bros)	

It was agreed to take Tier 0 solutions from Cooneen, Morgans and NFM (Edgar Brothers) forward to the Phase 2 evaluation.

TIER 1 MEAT Summary

Cooneen	
Morgan	
NFM (Edgar Bros)	
Englands Option 1	
Englands Option 2	
LPA Option A	
LPA Option B	
Armor Australia (Edgar Bros)	
Velocity (Edgar Bros)	

The meeting agreed that Tier 1 solutions from Cooneen, Morgans and NFM should proceed to the Phase 2 User Trials. The ability to include Englands as part of the trial was considered by the meeting (given the closeness of their score), but [REDACTED] advised that the evaluation strategy in the SNITS made it clear that the down-selection strategy explicitly stated three solutions rather than a minimum of three, so there was no flexibility to accommodate a fourth solution.

TIER 2 MEAT Summary

Morgan	
Cooneen	
Englands Option 1	
Englands Option 2	
LPA Option B	
NFM (Edgar Bros)	
LPA Option A	
Velocity (Edgar Bros)	
Armor Australia (Edgar Bros)	

The meeting agreed that Tier 2 solutions from Cooneen, Morgans and Englands should proceed to the Phase 2 User Trials.

TIER 3 MEAT Summary

Morgan	
Cooneen	
LPA Option A	
LPA Option B	
Englands Option 1	
Englands Option 2	
NFM (Edgar Bros)	
Armor Australia (Edgar Bros)	
Velocity (Edgar Bros)	

The meeting agreed that Tier 3 solutions from Cooneen, Morgans and LPA should proceed to the Phase 2 User Trials.

5. [REDACTED] agreed to formally advise all of the bidders of the outcome, although the full de-brief activity in each case would be reserved to the standstill letters which would be issued follow completion of the Phase 3 TAP meeting

[REDACTED]  
DCC-Comrcd 3

**TENDER SSP/00135 – PHASE 1 INITIAL TECHNICAL EVALUATION**

Scores at the end of evaluation.

		Supplier								
		Morgans	Englands -1	Englands 2	LPA - Black	LPA - Biege	Ed Bros Armor Aus	Ed Bros NFM	Ed Bros Velocity	Cooneen
<b>Tech Eval</b>										
<b>Mass</b>										

<b>Tech Eval</b>	
0	
1	
2	
3	

<b>Mass</b>	
0	
1	
2	
3	



Initial Technical scores weighted

Supplier								
Morgans	Englands -1	Englands 2	LPA - Black	LPA - Biege	Ed Bros Armor Aus	Ed Bros NFM	Ed Bros Velocity	Cooneen

Tech Eval	[REDACTED]
Mass	

Tech Eval

0	[REDACTED]
1	
2	
3	

Mass

0	[REDACTED]
1	
2	
3	

**TENDER SSP/00135 - QUALITY ASSURANCE ASSESSMENT.**

Each potential supplier was rated against the following quality information:

- *ISO 9001 certification checked for correct scope, date and UKAS recognised accreditation body.*
- *Draft Quality Management Plan against AQAP 2105 requirements.*

The company's submission was reviewed and assessed against the quality assurance requirements listed above. Based on this review a Quality score of 1 – 4 was determined with the following definitions.

- 1 - Unacceptable
- 2 - Acceptable after agreed clarifications
- 3 - Acceptable
- 4 – Good

As outlined in the Invitation to Tender (ITT) Reference No. SSP/00135, the quality score will be converted to a MEAT equivalent score out of 5.

The quality assessment against the ITT evidence provided for the Ballistic Plates project is summarised in Table 1. The QA Score for each potential supplier is provided based on the method described above.

**Table 1: QA Assessment**

REF	SUPPLIER NO	QA SCORE	ISO CERTIFICATE			COMMENTS
			DATE	SCOPE	UKAS CERTIFIED	
QA1	6	4	29/07/2016	Full scope	BSI	<p>The QA score indicates a good submission.</p> <p>This was a satisfactory submission set out as per AQAP 2105 requirements which made it easier to evaluate.</p> <p>A couple of instances where more detail could have been provided, specifically in reference to Reliability &amp; Maintenance and Control of Non-Conforming Project. A bit more explanation as to where contractor boundary is and what supply is outsourced would have been useful. While this submission fulfills requirements, detail will be sought if company goes further in process.</p>

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QA2	4	2	07/09/2017	Supplier only, no production	ACM	<p>The QA Score awarded reflects that submission would be acceptable with agreed clarifications.</p> <p>The lessons learnt section indicated that there is feedback to the Quality process and LFE accounted for. This gives a positive indication of the Quality Process but unfortunately does not clearly link with specific AQAP requirements although it was taken into account in the Improvement section. The highlighting of risks related to the project shows that, although low risk expected, this has been considered.</p> <p>The following outlines the areas of concern:</p> <ul style="list-style-type: none"> <li>• The submission does not clearly align with AQAP 2105 and there are some gaps against this requirement.</li> <li>• As this is a stand-alone document a clear description of project and company/sub-supplier roles/responsibilities would aid project description.</li> <li>• Insufficient detail given throughout submission in terms of internal procedures in place to control processes. A list of relevant processes and how those were identified would assist as well as regular reference to the company's QMS.</li> </ul>
QA3	5	3	07/11/2017	Supplier only, no production	SGS	<p>The QA score indicates that this is an acceptable submission.</p> <p>Quality Assessment has been carried out by looking at Prime Contractor's information only. The key factor to be addressed with this submission is the constant reference to sub-contractor processes. The Quality Plan scope should cover the Prime Contractor's processes only and detail their process for sub-contractor control to gain assurance that sub-contractors are being managed.</p> <p>In addition improvement could be made by giving more project specific detail regarding project personnel, change procedures and configuration management.</p>

QA4	3	3	03/02/2017	<p>Scope covers supply and distribution of personal safety equipment.</p> <p>Acceptable at present but further investigation required.</p>	ISOQAR	<p>QA Score indicates that this submission is acceptable although, if this contractor progresses, in-depth work would be required to gain further confidence in the contractor.</p> <p>The following outline areas that required further work:</p> <ul style="list-style-type: none"> <li>• Although the appended document outlines internal procedures involved with the project, more detail is required to ensure that all processes related specifically to the project are addressed and internal procedure document references would support each section of the Quality Plan.</li> <li>• Evidence of document approval and change record required.</li> <li>• Detail as to the Quality Plan amendment procedure should be highlighted specifically.</li> <li>• A description of the project scope covered by the Contractor and what is carried out by sub-contractors would ensure that it is clear that the Quality Plan is at the correct level. It has been assumed that the Contractor is outsourcing manufacture and the Plan marked as such. The reference to manufacture being outsourced is only clear on the core processes appendix which was omitted in the original submission.</li> <li>• Clarity as to control of outsourced goods is required i.e. what measurement and monitoring takes place when England's receives goods from a sub-contractor.</li> <li>• Incorrect contract number detailed on submission.</li> </ul>
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QA5	1	4	01/12/2017	Full scope	SGS	QA score indicates a good submission.  A comprehensive submission which clearly outlines the project outline and the contractor's role and responsibilities. Clear link to internal processes included as well as the procedures for control of sub-suppliers. Improvement could be made if frequency of Quality Plan review is stated as well as more specifics in terms of review of the Quality Plan.
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Further evidence of the company assessments are kept by STSP Quality MOSS site.



STSP QM1

26/05/2016

**ANNEX B TO FOI2018/09333, 09335 AND 09336**



LOOSE MINUTE

SSP/00135

26 October 2016



**MINUTES OF THE TENDER ASSESSMENT PANEL MEETING (TAP) HELD AT ABBEY WOOD  
ON 18 OCTOBER 2016 TO DISCUSS THE ASSESSMENT OF TENDER SSP/00135**

Those present:



DCC-SURV-TLM (Chair)  
DCC-SURV-PM3a-Prot  
DCC-ComrcI3  
DCC-ComrcIGrad (Secretary)



1. Apologies were presented by DCC-SURV-PM3a-Prot on behalf of DCC-SURV-RM2 (Major ) who was away on business, and STSP-PgMO-QM () who was on a contractor visit at the time the meeting took place.
2. DCC-SURV-PM3a-Prot had summarised the findings of the various assessors in a presentation (attached as Annex A) and the TAP proceeded to review each element of this in turn. No problems were identified with the findings as summarised in the presentation.
3. As shown within Annex A, no bidders were successful in completing the Phase 3 ballistic trials for Level 2, leading DCC-SURV-PM3a-Prot to suggest that the most likely reason was that the suppliers had been non-compliant in their specifications, potentially as a consequence of the suppliers testing their solution using the more commercially available equivalent, rather than the exact configuration of round specified in the ITT.
4. DCC-SURV-PM3a-Prot noted how it was important in the meanwhile to award the contract for Levels 0, 1 and 3 as the requirement was already delayed and the money budgeted needed to be spent this year. It was therefore, based on the results of the presentation and the associated level discounts, recommended that Morgan be awarded the contract for these levels.

5. DCC-SURV-TLM challenged the recommendation to award the contract for all Levels to the Preferred Supplier, as their closest competitor in the final Phase had scored higher for Level 0. DCC-ComrcI3 echoed these concerns as there was a potential risk of a challenge if the multi-level discount was ignored, especially if upon a revise and confirm exercise the closest competitor achieved a winning score on Level 2. It was noted that this would potentially reverse the multi-discount calculations, but it was recognised that the preferred supplier for Levels 0, 1 and 3 had scored significantly higher leading into Phase 3. DCC-ComrcI3 accepted this precise scenario had not been subject to legal discussions, so the exact risk of this could not be known, but it was felt to be low, and advised that the revise and confirm exercise would be unable to cater for such an eventuality unless it was completed before any contract award. Such an approach would introduce significant delays to address a low risk.
6. Having considered the position, DCC-SURV-TLM was content that the evaluation process had been followed and that the TAP should therefore endorse the proposal to identify Morgans as the preferred supplier for Levels 0, 1 and 3, and record that there was no compliant bid for Level 2. To address the latter outstanding requirement, DCC Survivability would construct a formal Revise and Confirm exercise between all five bidders, which recognised that the evaluators had no assurance that any supplier had submitted a solution to defeat the exact threat round specified. DCC-SURV-TLM recognised that this approach came with a risk of a challenge, but supported it as the best way forward.
7. DCC-ComrcI3 raised some queries about best options to proceed with a Revise and Confirm exercise given the nature of numerous complaints made by Englands Safety Equipment during the evaluation process following their unsuccessful tender. DCC-ComrcI3 advised that the wording for the Revise and Confirm exercise would need to be done carefully in order to justify our position and minimise any such possibility.
8. It was decided by DCC-ComrcI3 that DCC-ComrcI3 would provide standstill letters and would extract a benchmark against the Preferred Supplier using data provided by DCC-SURV-PM3a-Prot. Revise and Confirm letters would be issued at the same time, and to reflect DCC-ComrcI3's discussions with DES-LE-ComrcI-MCO2 ( ) this would take the form of a reissue of the ITT, but just covering the Level 2 requirement.
9. DCC-SURV-PM3a-Prot also suggested for LFE that the evaluation model would need to be reviewed, particularly in relation to the mass evaluation and the timing of the commercial evaluation within the Phases. DCC-ComrcI3 also suggested for LFE that, given the nature of this particular tender process, the debriefing may have been better completed in stages as opposed to entirely at the end of the evaluation, although further thought would have to

**C** be, given to the constraints that the DSPCR 2011 requirement, to benchmark against the preferred bidder, would impose on this.



DCC-ComrcIGrad





**Project JITRO**  
**Tender Assessment Panel (TAP)**  
  
 DE&S Abbey Wood  
 18 Oct 2016

**Project JITRO Tender Assessment Panel - Agenda**

SER	ITEM	LEAD
1	Welcome & Opening Remarks - Commercial sensitivities	[REDACTED]
2	Presentation of Assessment Outcome	
	JITRO PM to present top level Technical and Commercial findings for both bidders, including MEAT outcome	[REDACTED]
3	Phase 3 Down select - Evidence Justification	
	JITRO PM to present evidence for leading bidders based on totality of assessments provided	[REDACTED]
4	Authorising Authority to agree Preferred Supplier	
	Commercial Authority and Technical Authority to confirm agreement of Preferred Supplier.	[REDACTED]
5	Summary and Close	[REDACTED]



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## Commercial Sensitivities

- To maintain integrity of competition, **NO** indication is to be given to the Companies regarding the outcome of this TAP, as this may potentially lead to legal challenges and failure of the competition.
- You are now subject to commercially sensitive information which is **NOT** to be discussed with anyone post-TAP to protect the integrity of the competition. Any disclosure of information will carry serious consequences.
- No pricing information regarding the ITT can be released to any parties at this point.



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de:s

## Competition Background

- The Project JITRO requirement was advertised in the OJEU in Jul 2015, for initial purchase and a 5 Year Support Contract
- 8 Pre-Qualification Questionnaires (PQQs) were submitted, 1 company could not meet the Security requirements so were withdrawn at this stage:
  - ██████████ WITHDRAWN
- The subsequent Invitation to Tender (ITT) was released on 14 Sep 2015.
- Of the 7 ITTs issued, 5 returns were received by the Authority on 18 May 2016; 2 companies withdrew from the competition at this stage:
  - Morgan Advanced Materials
  - Level Peaks
  - Edgar Brothers
  - Cooneen
  - Englands
  - Viking Arms – WITHDREW
  - Syntex- No Submission



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de:s

## ITT Assessment – Phase 1

- From the 5 companies submitting an ITT response there were a total of 9 solutions offered.
- All companies have been assessed as being Fully Compliant (FC) against the Commercial and Mandatory requirements; One solution has been assessed as being technically non-compliant in two scales of protection, the remainder of solutions have been assessed as being technically compliant.



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## ITT Assessment

- Most Economically Advantageous Tender (MEAT) - evaluating Technical, Price and Delivery using a pre-disclosed score.
- The successful bidders will be determined by the outcome of the MEAT assessment following a three Phase assessment.



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## Most Economically Advantageous Tender

- The Most Economically Advantageous Tender (MEAT) calculation has been utilised to determine the leading bids based on:

### Phase 1

Technical – Paper	6%
Technical – Mass	38%
Delivery	5%
QA	5%
Price	20%

### Phase 2

User Trials	6%
-------------	----

### Phase 3

Wet Mass	5%
Ballistic Testing	15%



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## Commercial Overview – Phase 1

- All Bidders provided a response to the Invitation to Tender (ITT).
- All Companies have been assessed as being Fully Compliant (FC) against the ITT Commercial requirements.
- No Non-Compliances were received – this would have resulted in exclusion from competition.



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## Phase 1 Assessment Scores – Technical

Supplier	Scale Score (Max 55)				Weighted Scale Score (Max 6)			
	0	1	2	3	0	1	2	3
Morgans								
Englands Option 1								
Englands Option 2								
Level Peaks Option 1								
Level Peaks Option 2								
Edgar Brothers Option A								
Edgar Brothers Option B								
Edgar Brothers Option C								
Cooneen								



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## Phase 1 Assessment Scores – Technical

- [REDACTED] level 1 failed one pass/fail criteria:
  - SAT 5 – only 4 of the sizes were provided for evaluation.
- [REDACTED] level 3 failed one pass/fail criteria:
  - SAT 5 – only 4 of the sizes were provided for evaluation.



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### Phase 1 Assessment Scores – Dry Mass

Supplier	Scale Score (Max 5)				Weighted Scale Score (Max 38)			
	0	1	2	3	0	1	2	3
Morgans								
Englands Option 1								
Englands Option 2								
Level Peaks Option 1								
Level Peaks Option 2								
Edgar Brothers Option A								
Edgar Brothers Option B								
Edgar Brothers Option C								
Cooneen								



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### Phase 1 Assessment Scores – Dry Mass

- [Redacted] level 1 failed one pass/fail criteria:
  - SAT 7 – medium plate exceeded 2 kg in mass.



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## Phase 1 Assessment Scores – QA

Supplier	Weighted Score (Max 5)
Morgans	
Englands Option 1	
Englands Option 2	
Level Peaks Option 1	
Level Peaks Option 2	
Edgar Brothers Option A	
Edgar Brothers Option B	
Edgar Brothers Option C	
Cooneen	



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## Phase 1 Assessment Scores – Delivery

Supplier	Weighted Scale Score (Max 5)			
	0	1	2	3
Morgans				
Englands Option 1				
Englands Option 2				
Level Peaks Option 1				
Level Peaks Option 2				
Edgar Brothers Option A				
Edgar Brothers Option B				
Edgar Brothers Option C				
Cooneen				



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## Phase 1 Assessment Scores – Price

Supplier	Weighted Scale Score (Max 20)			
	0	1	2	3
Morgans				
Englands Option 1				
Englands Option 2				
Level Peaks Option 1				
Level Peaks Option 2				
Edgar Brothers Option A				
Edgar Brothers Option B				
Edgar Brothers Option C				
Cooneen				



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## Overall JITRO Phase 1 MEAT Result

Supplier	Weighted Scale Score (Max 74)				Rank			
	0	1	2	3	0	1	2	3
Morgans					2	2	1	1
Englands Option 1							3	
Englands Option 2								
Level Peaks Option 1								3
Level Peaks Option 2								
Edgar Brothers Option A								
Edgar Brothers Option B					3	3		
Edgar Brothers Option C								
Cooneen					1	1	2	2



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## Project JITRO Phase 1 Down Select

- On completion of Phase 1 the following options were taken forward to Phase 2 User Trials:
  - Scale 0: Cooneen, Morgans, Edgar Brothers Option B
  - Scale 1: Cooneen, Morgans, Edgar Brothers Option B
  - Scale 2: Cooneen, Morgans, Englands Option 1
  - Scale 3: Cooneen, Morgans, Level Peaks Option 1



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## Phase 2 Assessment Scores – Scale 0

Supplier	Weighted Score (max 6)	Rank
Morgans		1
Edgar Brothers Option B		2
Cooneen		3



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## Phase 2 Assessment Scores – Scale 1

Supplier	Weighted Score (max 6)	Rank
Morgans		1
Edgar Brothers Option B		2
Cooneen		2



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## Phase 2 Assessment Scores – Scale 2

Supplier	Weighted Score (max 6)	Rank
Morgans		1
Englands Option1		2
Cooneen		3



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## Phase 2 Assessment Scores – Scale 3

Supplier	Weighted Score (max 6)	Rank
Level Peaks Option 1		1
Morgans		2
Cooneen		3



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## Project JITRO Phase 2 MEAT Result

Supplier	Weighted Scale Score (Max 80)				Rank			
	0	1	2	3	0	1	2	3
Morgans					2	2	1	1
Englands Option 1							3	
Level Peaks Option 1								3
Edgar Brothers Option B					3	3		
Cooneen					1	1	2	2



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## Project JITRO Phase 2 Down Select

- On completion of Phase 2 the following options were taken forward to Phase 3 Ballistic Trials:
  - Scale 0: Cooneen, Morgans
  - Scale 1: Cooneen, Morgans
  - Scale 2: Cooneen, Morgans
  - Scale 3: Cooneen, Morgans



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## Phase 3 Assessment Scores – Wet Mass

Supplier	Scale Score (Max 5)				Combined (Max 5)
	0	1	2	3	
Morgans					
Cooneen					



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## Phase 3 Assessment Scores – Ballistic Testing

Supplier	Scale Score				Weighted Scale Score (Max 15)			
	0	1	2	3	0	1	2	3
Morgans								
Cooneen								

No complaint solution was therefore found for the Tier 2 requirement.



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## Project JITRO Phase 3 MEAT Result No Discount applied to pricing score

Supplier	Weighted Scale Score (Max 100)				Rank			
	0	1	2	3	0	1	2	3
Morgans					2			
Cooneen								



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Phase 3 MEAT Result with 3 level discount applied to both bidders' pricing score

Supplier	Weighted Scale Score (Max 100)				Rank			
	0	1	2	3	0	1	2	3
Morgans					2			
Cooneen								



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Phase 3 MEAT Result with appropriate level discount apply (3 to Morgan, 1 for Cooneen)

Supplier	Weighted Scale Score (Max 100)				Rank			
	0	1	2	3	0	1	2	3
Morgans								
Cooneen					2			

Note in adjusting this comparison to reflect permissible Contractual structures (i.e. three tiers to Morgan or only one to Cooneen) as well as using the appropriate multiple discount, the phase 1 MEAT score for Commercial has been adjusted to benchmark Morgan's price on this basis against Cooneen's price on this basis. While Cooneen's MEAT score for price remains at [redacted], Morgans' score in comparison has risen slightly to reflect the greater level of discount applicable to their price.



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From the assessment results it is recommended that:

- (1) Morgans be awarded preferred supplier status for a contract to cover Project JITRO for Scales 0, 1 & 3
- (2) A Revise & Confirm Exercise commences between all five Bidders for Scale 2



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## Next Steps

- Secure approval of Main Gate Business Case to allow initiation of contract action – 30 Oct 2016.
- Tender de-brief letters issued to Industry – 31 Oct 2016
- 10 Day stand still to commence - 31 Oct 2016
- Target Contract Award – 14 Nov 2016
- Commence Revise & Confirm exercise for Tier 2, target date for letters – 31 Oct 2016



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# Questions?



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**ANNEX C TO FOI2018/09333, 09335 AND 09336**



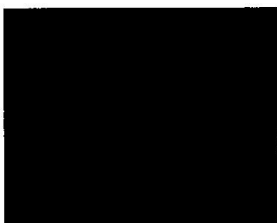
LOOSE MINUTE

SSP/00193

31 January 2017

**MINUTES OF THE TENDER ASSESSMENT PANEL MEETING (TAP) HELD AT ABBEY WOOD  
ON 31 JANUARY 2017 TO DISCUSS THE ASSESSMENT OF TENDER SSP/00193**

Those present:



DCC-SURV-TLM (Chair)  
DES LE STSP-DCC-LETH-PM  
DCC-ComrcI3  
DCC-ComrcIGrad (Secretary)



1. DCC-ComrcIGrad had summarised the findings of the various assessors in a presentation (attached as Annex A) and the TAP proceeded to review each element of this in turn. No problems were identified with the findings as summarised in the presentation.
2. As shown within Annex A, following the unsuccessful previous competition for Tier 2, a new Revise and Confirm exercise was issued for this scale of protection and the purpose of this TAP was to evaluate the outcome of Phase 1 and Phase 2 of the new competition.
3. Due to time and resource constraints, DES LE STSP-DCC-LETH-PM conducted the Phase 2 trials in parallel with the Phase 1 evaluation, and so all plates were submitted for User Trials (including the unaltered bids of Edgar Bros.) It was however understood that the scores would only count for those who passed Phase 1, and that the PM was unaware of the Phase 1 scores at this point.
4. At the conclusion of the Phase 1 evaluation, the lower scoring bids were eliminated from the competition, and the highest scoring 3 bids were taken through. These were found to be Morgan, Cooneen and Englands Option 2. In combination with the Phase 2 results, the highest three scoring were evaluated and at the conclusion of Phase 2, Englands were eliminated from the competition.

5. DCC-Comrc13 enquired if the ITEAP had still been followed to the letter. DES LE STSP-DCC-LETH-PM advised that in the absence of any clear instruction from his predecessors, he used his own interpretation of how to measure the plates, but that he had vigorously applied the prescribed ITEAP marking scheme to the output. The TAP meeting was therefore content that no significant alterations to the procedure had been made, and that everything was done in accordance with the plan laid out in the ITEAP. DCC-Comrc1Grad echoed this and explained how the commercial scores were compiled fairly and accurately.
6. DCC-Comrc13 stated that they would contact the Legal Team for advice on the best way to organise debriefing of bidders who did not progress beyond Phase 2.
7. Having considered the position, DCC-SURV-TLM was content that the evaluation process had been followed and that the TAP should therefore endorse the proposal to advance Morgan and Cooneen to the ballistic trials on Phase 3 of the evaluation. DES LE STSP-DCC-LETH-PM would contact the ballistic trials team and DCC-Comrc13 would organise the procurement of samples for the Phase 3 process.
8. DCC-Comrc1Grad would aim to begin initial drafting of debriefing letters for eliminated suppliers in order to save time as the competition continued forward.



  
DCC-Comrc1Grad


**Annex A to SSP/00193**  
**Dated 31 January 2017**

**Project JITRO**  
**Tender Assessment Panel (TAP)**  
 DE&S Abbey Wood  
 31 Jan 2016

**Project JITRO Tender Assessment Panel - Agenda**

SER	ITEM	LEAD
1	Welcome & Opening Remarks – Commercial Sensitivities	[REDACTED]
2	Presentation of Assessment Outcome (Phase 1)	
	Phase 1 assessment detailed and findings for all bidders presented, including MEAT scores	
3	Phase 1 Down select – Evidence Justification	
	Evidence presented for leading bidders based on totality of assessments provided	
4	Presentation of Assessment Outcome (Phase 2)	
	Phase 2 assessment detailed and findings for all bidders presented, including MEAT scores	
5	Phase 2 Down select – Evidence Justification	
	Evidence presented for leading bidders based on totality of assessments provided	
6	Summary and Close	



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## Commercial Sensitivities

- To maintain integrity of competition, **NO** indication is to be given to the Companies regarding the outcome of this TAP, as this may potentially lead to legal challenges and failure of the competition.
- You are now subject to commercially sensitive information which is **NOT** to be discussed with anyone post-TAP to protect the integrity of the competition. Any disclosure of information will carry serious consequences.
- No pricing information regarding the ITT can be released to any parties at this point.



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## Original Competition Background

- The Original Project JITRO requirement was advertised in the OJEU in Jul 2015, for initial purchase and a 5 Year Support Contract
- 8 Pre-Qualification Questionnaires (PQQs) were submitted. 1 company could not meet the Security requirements so were withdrawn at this stage:
  - ██████████ **WITHDRAWN**
- The subsequent Invitation to Tender (ITT) was released on 14 Sep 2015.
- Of the 7 ITTs issued, 5 returns were received by the Authority on 18 May 2016; 2 companies withdrew from the competition at this stage:
  - Morgan Advanced Materials
  - Level Peaks
  - Edgar Brothers
  - Cooneen
  - Englands
  - Viking Arms - **WITHDREW**
  - Syntex- No Submission



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## Current Competition Background

- The original competition ended with Levels 0, 1 and 3 awarded to Morgan Advanced Materials
- Although Cooneen and Morgan both advanced to Phase 3 for Level 2, they both failed the final ballistic test
- It was decided to re-run the Level 2 competition using the same method as the previous iteration
- Level Peaks did not enter a Revise and Confirm bid
- The four companies that submitted bids therefore are:
  - Morgan Advanced Materials
  - Englands Safety Ltd
  - Cooneen
  - Edgar Brothers



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## Revise and Confirm Assessment – Phase 1

- From the 4 companies submitting an ITT response there were a total of 7 solutions offered.
- All companies have been assessed as being Fully Compliant (FC) against the Commercial and Mandatory requirements; all solutions have also been assessed as being technically compliant.



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## Revise and Confirm Assessment

- Most Economically Advantageous Tender (MEAT) - evaluating Technical, Price and Delivery using a pre-disclosed score.
- The successful bidders will be determined by the outcome of the MEAT assessment following a three Phase assessment.



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## Most Economically Advantageous Tender

- The Most Economically Advantageous Tender (MEAT) calculation has been utilised to determine the leading bids based on:

### Phase 1

Technical – Paper	6%
Technical – Mass	38%
Delivery	5%
QA	5%
Price	20%

### Phase 2

User Trials	6%
-------------	----

### Phase 3

Wet Mass	5%
Ballistic Testing	15%



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### Commercial Overview – Phase 1

- All Bidders provided a response to the Revise and Confirm ITT.
- All Companies have been assessed as being **Fully Compliant (FC)** against the ITT Commercial requirements.
- **No Non-Compliances** were received – this would have resulted in exclusion from competition.



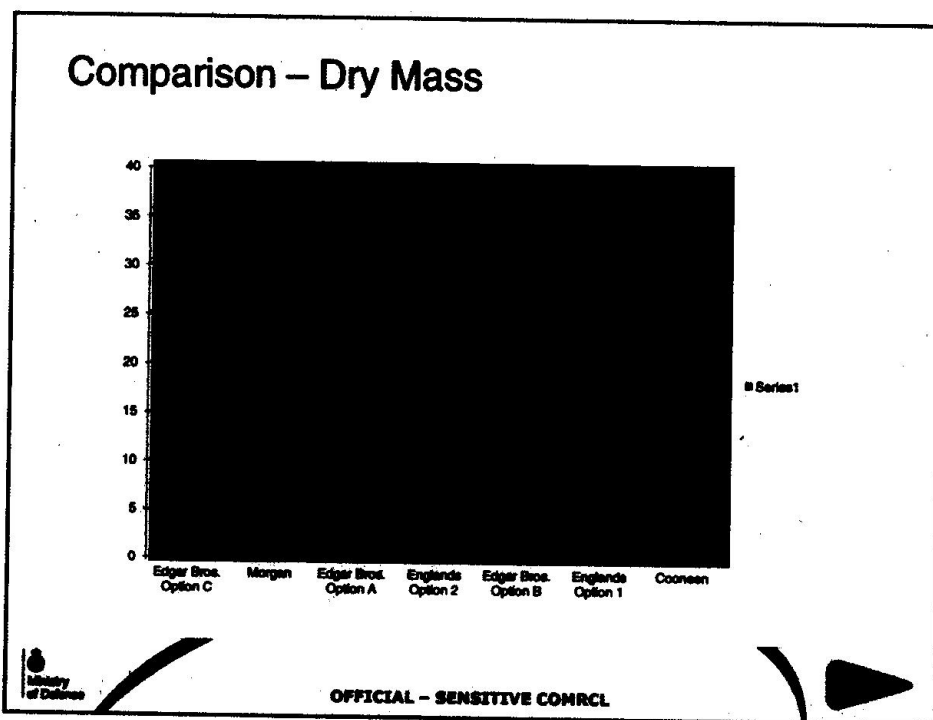
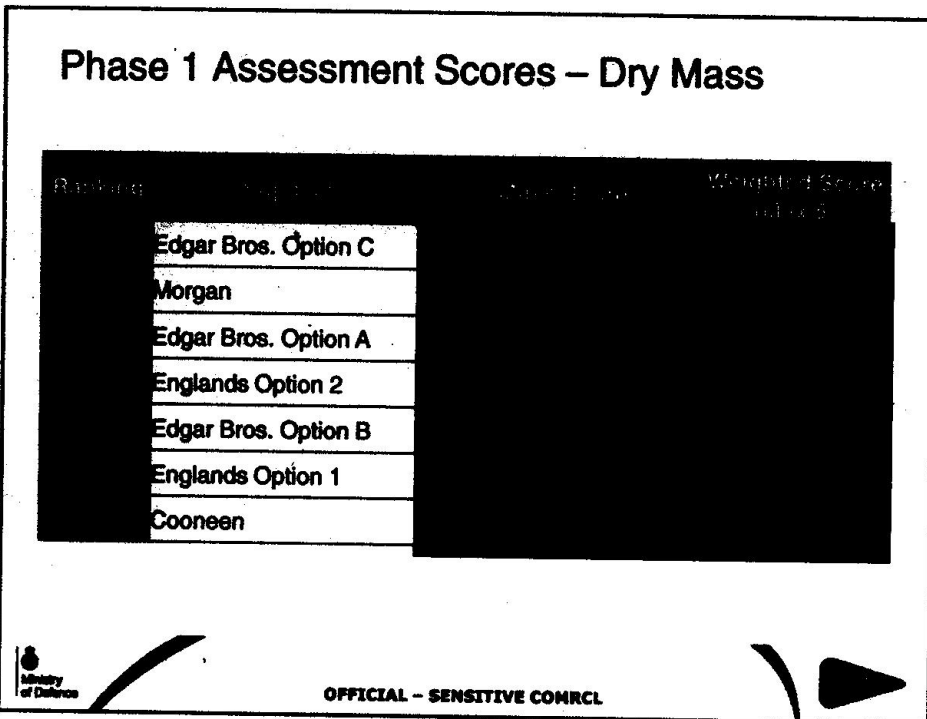
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### Phase 1 Assessment Scores – Technical

Ranking	Supplier	Technical Score	Weighted Score (Max 6)
	Morgans		
	Englands Option 2		
	Edgar Bros. B		
	Cooneen		
5	Englands Option 1		
	Edgar Bros. C		
	Edgar Bros. A		



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### Phase 1 Assessment Scores – QA

Ranking	Supplier	Weighted Score (Max 5)
	Morgans	
	Cooneen	
	Englands Option1	
	Englands Option 2	
	Edgar Brothers Option A	
	Edgar Brothers Option B	
	Edgar Brothers Option C	



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### Phase 1 Assessment Scores – Delivery

Ranking	Company	MEAT Score (Max 5)
	Englands Option 1	
	Englands Option 2	
	Cooneen	
	Morgan	
	Edgar Bros. C	
	Edgar Bros. A	
	Edgar Bros. B	

**Delivery Scores Key**

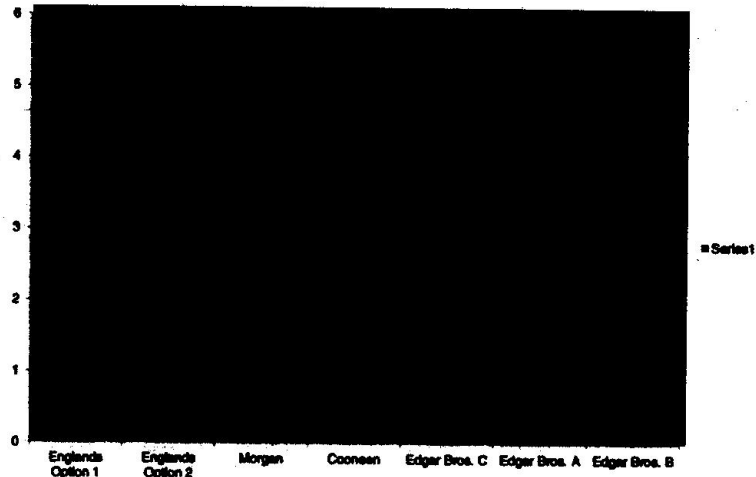
Time Period	MEAT Score
Within 4 Weeks	5
4-6 Weeks	4
6-8 Weeks	3
8-10 Weeks	2
Over 10 Weeks	1



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### Comparison – Delivery



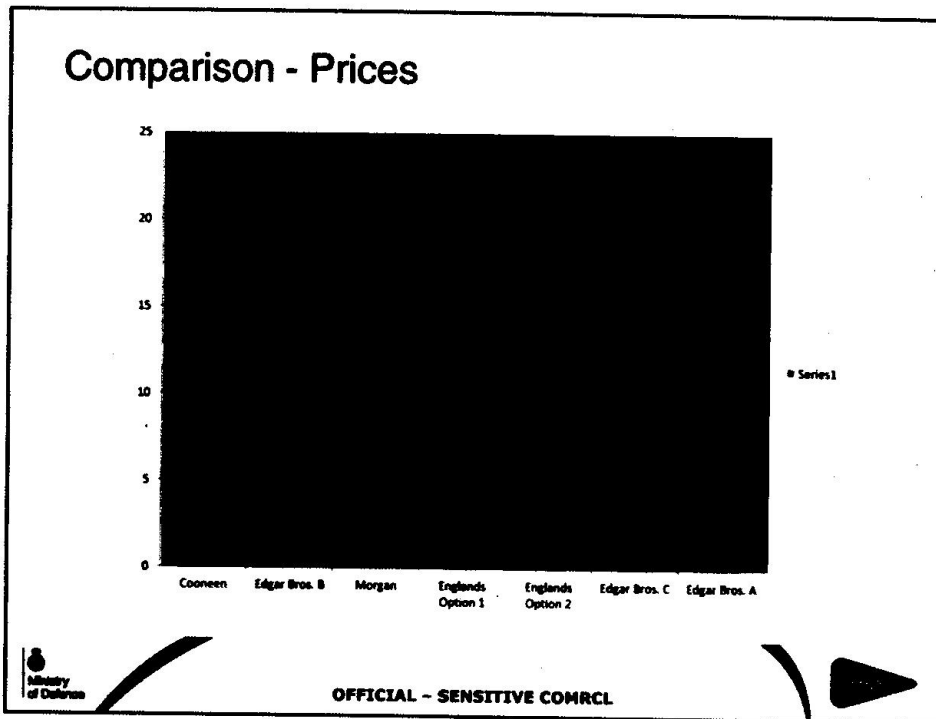
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### Phase 1 Assessment Scores – Price

Company	MEAT Score (Max 20)
Cooneen	
Edgar Bros. B	
Morgan	
Englands Option 1	
Englands Option 2	
Edgar Bros. C	
Edgar Bros. A	



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### Overall JITRO Phase 1 MEAT Result

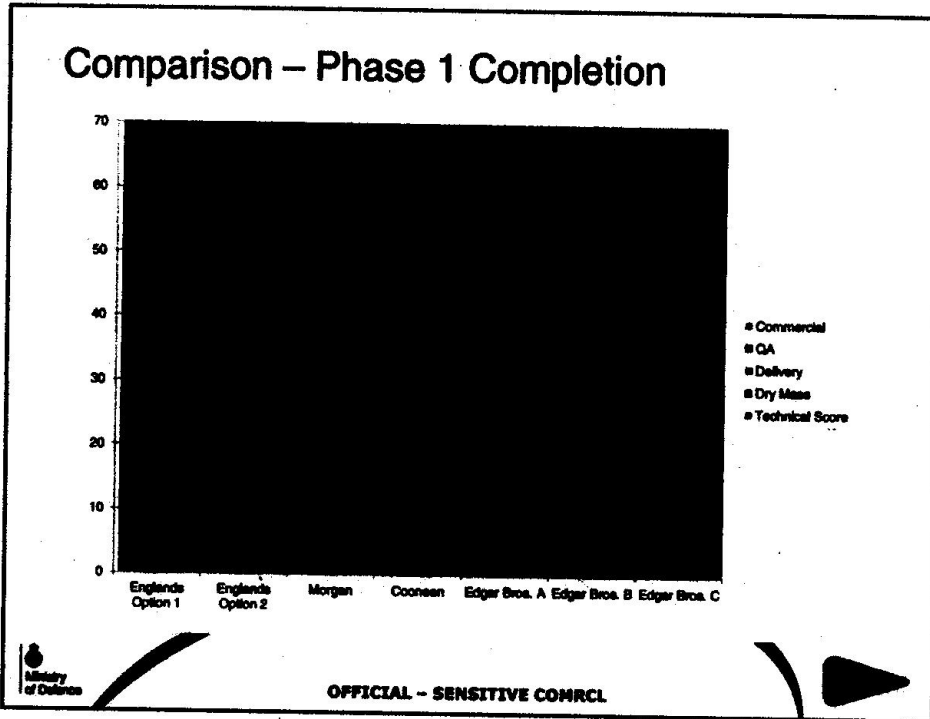
Technical Score	[REDACTED]
Dry Mass	[REDACTED]
Delivery	[REDACTED]
QA	[REDACTED]
Commercial	[REDACTED]
Phase 1 Sub-Total	[REDACTED]

Phase 1 Standing	
[REDACTED]	Cooneen
[REDACTED]	Morgan
[REDACTED]	Englands Option 2
[REDACTED]	Englands Option 1
5	Edgar Bros. B
[REDACTED]	Edgar Bros. C
[REDACTED]	Edgar Bros. A

Ministry of Defence

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- ### Project JITRO Phase 1 Down Select
- On completion of Phase 1 the following options were taken forward to Phase 2 User Trials:
    - Cooneen
    - Morgan
    - Englands Option 2
- Ministry of Defence
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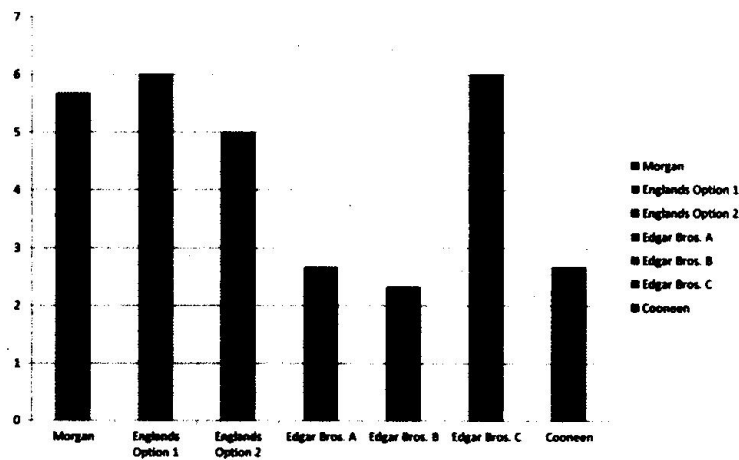
## Phase 2 Assessment Scores – Scale 2

Supplier	Weighted Score (max 5)	Rank
Morgans		
Englands Option 2		
Cooneen		



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## Comparison – User Trials



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## Project JITRO Phase 2 MEAT Result

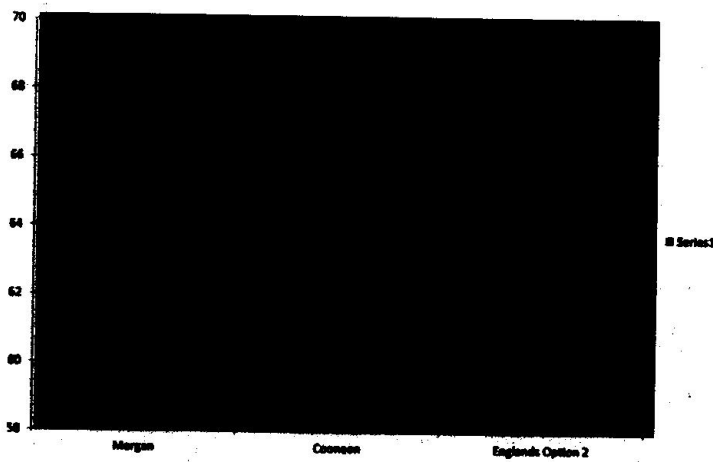
Technical Score	[REDACTED]
Dry Mass	[REDACTED]
Delivery	[REDACTED]
QA	[REDACTED]
Completion	[REDACTED]
Overall Score	[REDACTED]

Phase 2 Standing
[REDACTED]



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## Comparison - Phase 2 Completion



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## Project JITRO Phase 2 Down Select

- On completion of Phase 2 the following options were taken forward to Phase 3 Ballistic Trials:
  - Morgan
  - Cooneen



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From the assessment results it is recommended that:  
Morgan and Cooneen be taken forward to the Phase 3 evaluations



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## Next Steps

- Move onto Phase 3 evaluations
- Engage with Legal over what the recommended course of action should be regarding de-brief letters and when they should be issued
- Could commence preliminary work for de-brief letters to save time upon project completion



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# Questions?



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**Price Comparison**

Rank	[REDACTED]
Price	[REDACTED]
MEAT Score	[REDACTED]

**League Table (Prices)**

Ranking	Company	MEAT Score
[REDACTED]	[REDACTED]	[REDACTED]

**Overall Table**

Technical Score	[REDACTED]
Dry Mass	[REDACTED]
Delivery	[REDACTED]
QA	[REDACTED]
Commercial	[REDACTED]
User Trials	[REDACTED]
Wet Mass	[REDACTED]
Ballistic Testing	[REDACTED]

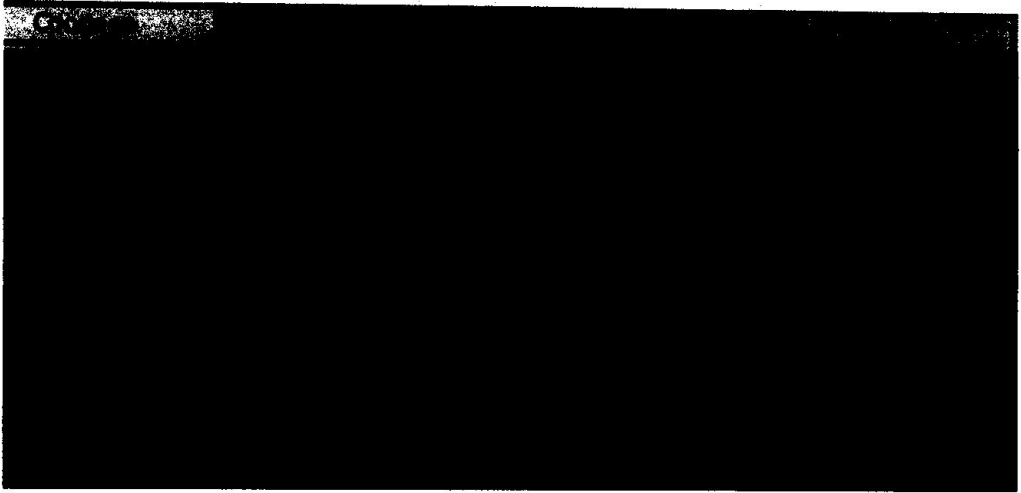
**Mass Score**

Edgar Bros. Option C	[REDACTED]
Morgan	[REDACTED]
Edgar Bros. Option A	[REDACTED]



**Summary Table**

Ranking	Company	MEAT Score	Tech Ranking
			5
			1
			1
			4
			6
			3



Englands  
Option 2

Edgar Bros.  
Option B

Englands  
Option 1

Cooneen

**Lowest Price**

**Delivery Scores Key**

Time Period	MEAT Score
Within 4 Weeks	
4-6 Weeks	
6-8 Weeks	
8-10 Weeks	
Over 10 Weeks	

**Phase 1 Standing**

**Phase 2 Standing**

**Final Standing**

**User Trials**

Fit (3)		
Re-fitting (5)	5	
Bulk (5)	5	
Discomfort (5)	5	
Total (18)	18	1

Company	User Trials Score
Morgan	5.6
Englands Option 1	
Englands Option 2	4.9
Edgar Bros. A	2.6
Edgar Bros. B	2.3
Edgar Bros. C	
Cooneen	2.6

[REDACTED]				
5	5	5	5	5
4	1	1	1	5
5	1	1	0	5
17	8	8	7	18

**ANNEX D TO FOI2018/09333, 09335 AND 09336**





LOOSE MINUTE

SSP/00135

24 May 2017

**MINUTES OF THE TENDER ASSESSMENT PANEL (TAP) MEETING HELD AT ABBEY WOOD ON 10 MAY 2017 TO DISCUSS THE ASSESSEMENT OF TENDER SSP/00135 REVISE AND CONFIRM FOR LEVEL 2 - PHASE 3**

Attendees:



STSP-DCC-LETH-PM  
STSP-DCC-SURV-TLM  
STSP-ComrcI-Offr3  
STSP-DCC-ComrcIGrad  
MAB2-ECC-SOLDIER-SYSTEMS

1. STSP-DCC-LETH-PM summarised the findings from the previous TAP covering the Phase 1 and 2 evaluations, and then reviewed each stage of the Phase 3 scoring. He gave the presentation as per Annex A outlining the findings of the Phase 3 trials for Level 2. During this phase both [REDACTED] and [REDACTED] received full marks based on the ballistic trials and wet mass trial results.
2. The completion of the evaluation process across all three Phases had identified Morgans as the bidder with the highest score. STSP-DCC-SURV-TLM, STSP-DCC-LETH-PM and STSP-ComrcI-Offr3 confirmed that they were content with this finding, and that the methodology process had been correctly observed. The TAP therefore concluded that Morgans should be selected as the preferred bidder.
3. MAB2-ECC-SOLDIER-SYSTEMS raised a question surrounding the mass of [REDACTED] option C in comparison to the [REDACTED] solution. STSP-DCC-SURV-TLM and STSP-DCC-LETH-PM explained there was very little weight difference, but the [REDACTED] option was significantly more expensive, which resulted in other suppliers scoring higher overall marks following the Phase 1/2 evaluation. In accordance with the published methodology the two highest scoring solutions were taken forward to Phase 3 and [REDACTED] were therefore eliminated.
4. MAB2-ECC-SOLDIER-SYSTEMS advised that he would debrief his team of the TAP results to support the submission of the Main Gate business case. MAB2-ECC-SOLDIER-SYSTEMS also queried whether it would be a possibility to reduce the mass of the solution post contract award, STSP-DCC-LETH-PM and STSP-ComrcI-Offr3 explained that any change would only be permissible if it did not alter the proposed contractual requirements. They advised that this change would have a

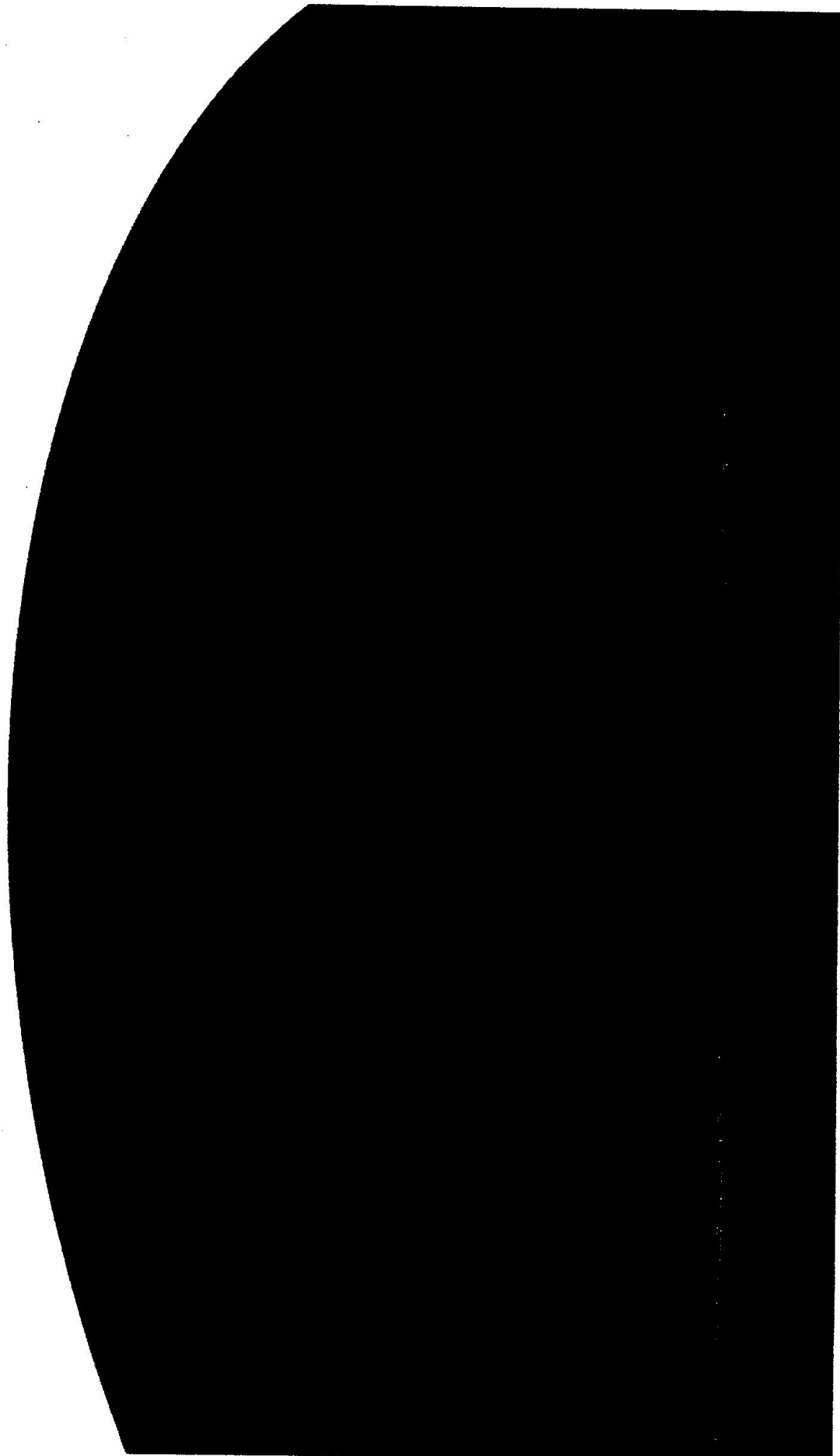
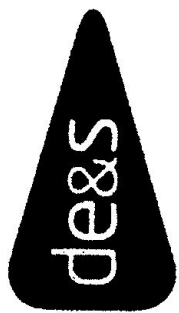
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major impact on the contractual position, as it would effectively invalidate the assurance provided by the ballistic testing, and would therefore introduce significant risk into the contract; this risk had already been demonstrated by the failure of the previous lighter Level 2 solutions in the original ballistic trial. As a result this change couldn't be accommodated.

5. Following the TAP the next stage is to gain approval of the associated Main Gate Business Case and for JFC to authorise funding. Once this has been approved, the standstill letters would be issued notifying all of the bidders of the outcome of the evaluation, and starting the mandatory 10 day standstill period for challenges prior to contract award.



STSP-DCC-ComrcIGrad



# Commercial Sensitivities

- To maintain integrity of competition, **NO** indication is to be given to the Companies regarding the outcome of this TAP, as this may potentially lead to legal challenges and failure of the competition.
- You are now subject to commercially sensitive information which is **NOT** to be discussed with anyone post-TAP to protect the integrity of the competition. Any disclosure of information will carry serious consequences.
- No pricing information regarding the ITT can be released to any parties at this point.

# Original Competition Background

- The Original Project JITRO requirement was advertised in the OJEU in Jul 2015, for initial purchase and a 5 Year Support Contract
- 8 Pre-Qualification Questionnaires (PQQs) were submitted. 1 company could not meet the Security requirements so were withdrawn at this stage:
  - [REDACTED] **WITHDRAWN**
- The subsequent Invitation to Tender (ITT) was released on 14 Sep 2015.
- Of the 7 ITTs issued, 5 returns were received by the Authority on 18 May 2016; 2 companies withdrew from the competition at this stage:
  - Morgan Advanced Materials
  - Level Peaks
  - Edgar Brothers
  - Cooneen
  - Englands
  - Viking Arms – **WITHDREW**
  - Syntex- **No Submission**

# Competition Background

- The original competition ended with Levels 0, 1 and 3 awarded to Morgan Advanced Materials
- Cooneen and Morgan both advanced to Phase 3 for Level 2, however both systems failed the final ballistic test
- Level 2 competition was re-run using the same methodology as the previous competition
- Level Peaks did not enter a Revise and Confirm bid
- The four companies that submitted bids therefore are:
  - Morgan Advanced Materials
  - Englands Safety Ltd
  - Cooneen
  - Edgar Brothers

# Revise and Confirm Assessment – Phase 1

- 4 companies submitted an ITT response, a total of 7 solutions were offered.
- All companies were re-assessed as being Fully Compliant (FC) against the Commercial and Mandatory requirements; all solutions were also assessed as being technically compliant.
- Most Economically Advantageous Tender (MEAT) - evaluating Technical, Price and Delivery using a pre-disclosed score.
- The successful bidders will be determined by the outcome of the MEAT assessment following a three Phase assessment.

# Most Economically Advantageous Tender

- The Most Economically Advantageous Tender (MEAT) calculation has been utilised to determine the leading bids based on:

## Phase 1

Technical – Paper	6%
Technical – Mass	38%
Delivery	5%
QA	5%
Price	20%

## Phase 2

User Trials	6%
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## Phase 3

Wet Mass	5%
Ballistic Testing	15%





# Phase 1 Assessment Scores – Technical

Ranking	Supplier	Technical Score	Weighted Score (Max 6)
1	Morgans		
1	Englands Option 2		
3	Edgar Bros. B		
4	Cooneen		
5	Englands Option 1		
6	Edgar Bros. C		
7	Edgar Bros. A		

# Phase 1 Assessment Scores – Dry Mass

Ranking	Supplier	Mass Score	Weighted Score (Max 5)
1	Edgar Bros. Option C		
2	Morgan		
3	Edgar Bros. Option A		
4	Englands Option 2		
4	Edgar Bros. Option B		
6	Englands Option 1		
7	Cooneen		

# Phase 1 Assessment Scores – QA

Ranking	Supplier	Weighted Score (Max 5)
1	Morgans	
1	Cooneen	
3	Englands Option1	
3	Englands Option 2	
3	Edgar Brothers Option A	
3	Edgar Brothers Option B	
3	Edgar Brothers Option C	

# Phase 1 Assessment Scores – Delivery

Ranking	Company	MEAT Score (Max 5)
1	Englands Option 1	
1	Englands Option 2	
4	Cooneen	
4	Morgan	
6	Edgar Bros. C	
7	Edgar Bros. A	
7	Edgar Bros. B	

## Delivery Scores Key

Time Period	MEAT Score
Within 4 Weeks	5
4-6 Weeks	4
6-8 Weeks	3
8-10 Weeks	2
Over 10 Weeks	1

# Phase 1 Assessment Scores – Price

Ranking	Company	MEAT Score (Max 20)
1	Cooneen	
2	Edgar Bros. B	
3	Morgan	
4	Englands Option 1	
5	Englands Option 2	
6	Edgar Bros. C	
7	Edgar Bros. A	

# Phase 1 MEAT Results

Technical Score	Englands Option 1	Cooneen	Edgar Bros. B	Edgar Bros. A
Dry Mass				
Delivery				
QA				
Commercial				
Phase 1 Sub-Total				

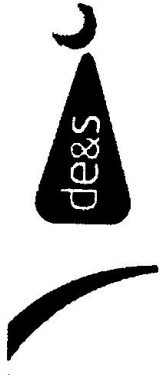
Phase 1 Standing	
1	Cooneen
2	Morgan
3	Englands Option 2
4	Englands Option 1
5	Edgar Bros. B
6	Edgar Bros. C
7	Edgar Bros. A

# Phase 1 Down Select

- On completion of Phase 1 the following options were taken forward to Phase 2 User Trials:
  - Cooneen
  - Morgan
  - Englands Option 2

# Phase 2 – User Assessment

Supplier	Weighted Score (max 6)	Rank
Morgans		1
Englands Option 2		2
Cooneen		3





# Phase 2 MEAT Result

Technical Score	Coorden	Edgar Bros. S	Edgar Bros. S
Dry Mass			
Delivery			
QA			
Commercial			
Phase 1 Sub-Total			
User Trials			

Phase 2 Standing	
1	Morgan
2	Cooneen
3	Englands Option 2



OFFICIAL - SENSITIVE COMRCL



## Phase 3 Ballistics & Water Immersion

- Following completion of Phase 2, the top 2 plates were subject to ballistic and water immersion tests through Blastech

### Ballistic Results:

No penetration of plates observed

Depth of intent consistent on both samples [REDACTED]

### Water Immersion:

Based on average percentage weight for water absorbed [REDACTED]

# Final MEAT Result

	Englands Option 1	Englands Option 2	Morgan	Cooneen	Edgar Bros. A	Edgar Bros. B	Edgar Bros. C
Technical Score (6%)							
Dry Mass (38%)							
Delivery (5%)							
QA (5%)							
Commercial (20%)							
Phase 1 Sub-Total							
User Trials (6%)							
Phase 2 Sub-Total							
Ballistic Test (15%)							
Water Immersion (5%)							
Final Score							

Final Standing	
1	Morgan
2	Cooneen

## Next Steps

- Main Gate Business Case (MGBC) requires Sponsor approval by 31<sup>st</sup> May 17 (STSP Milestone)
- Letters to be issued to Industry informing them of the outcome – on Main Gate approval
- 10 day Standstill period required
- Anticipated Contract Award – end June 17

## Industry Engagement

- STSP Commercial will update the preferred bidder with the anticipated contract award timeline.
- Under no circumstances, will pricing information be discussed or released.

ANNEX E TO FOI2018/09333, 09335 AND 09336

**DEFFORM 49B (EU DSPCR STATS)**  
**(Edn 02/18)**

**Ministry of Defence**

**EC DIRECTIVES - STATISTICS RETURN**  
**(to be used for contracts placed under DSPCR 2011)**

This form must be completed by the Commercial Officer and e-mailed to [DefComrcl-Trans-EU>Returns@mod.gov.uk](mailto:DefComrcl-Trans-EU>Returns@mod.gov.uk) within 15 working days of the date of the award of contract.

1.	Contract Number: SSP/00135																																
2.	Type of Contract: (tick the appropriate box) Supply Contract <input checked="" type="checkbox"/> Service Contract <input type="checkbox"/> Works Contract <input type="checkbox"/>																																
3.	Date of Contract Award: 23/05/2017 (date format dd/mm/yyyy)																																
4.	OJEU Contract Award Notice Reference: 2017/S 101-2013164																																
5.	Date of OJEU Contract Award Notice: 23/05/2017 (date format dd/mm/yyyy)																																
6.	Procedure Used: (tick one box only) Negotiated without prior publication of a contract notice (Regulation 16) <input type="checkbox"/> Restricted (Regulation 17) <input checked="" type="checkbox"/> Negotiated with prior publication of a contract notice (Regulation 18) <input type="checkbox"/> Competitive Dialogue (Regulation 19) <input type="checkbox"/>																																
7.	Justification for using the Negotiated Procedure in accordance with Regulation 16. (Insert one code. See the DEFFORM 49B (EU DSPCR List of Codes.) <table style="width: 100%; border: none;"><tr><td>16 (1)(a) i</td><td><input type="checkbox"/></td><td>16 (1)(b) i</td><td><input type="checkbox"/></td><td>16 (1)(c) ii</td><td><input type="checkbox"/></td><td>16(1)(f) i</td><td><input type="checkbox"/></td></tr><tr><td>16 (1)(a) ii</td><td><input type="checkbox"/></td><td>16 (1)(b) ii</td><td><input type="checkbox"/></td><td>16 (1)(d) i</td><td><input type="checkbox"/></td><td>16(1)(f) ii</td><td><input type="checkbox"/></td></tr><tr><td>16 (1)(a) iii</td><td><input type="checkbox"/></td><td>16 (1)(b) iii</td><td><input type="checkbox"/></td><td>16 (1)(d) ii</td><td><input type="checkbox"/></td><td></td><td></td></tr><tr><td>16 (1)(a) iv</td><td><input type="checkbox"/></td><td>16 (1)(c) i</td><td><input type="checkbox"/></td><td>16 (1)(e)</td><td><input type="checkbox"/></td><td></td><td></td></tr></table>	16 (1)(a) i	<input type="checkbox"/>	16 (1)(b) i	<input type="checkbox"/>	16 (1)(c) ii	<input type="checkbox"/>	16(1)(f) i	<input type="checkbox"/>	16 (1)(a) ii	<input type="checkbox"/>	16 (1)(b) ii	<input type="checkbox"/>	16 (1)(d) i	<input type="checkbox"/>	16(1)(f) ii	<input type="checkbox"/>	16 (1)(a) iii	<input type="checkbox"/>	16 (1)(b) iii	<input type="checkbox"/>	16 (1)(d) ii	<input type="checkbox"/>			16 (1)(a) iv	<input type="checkbox"/>	16 (1)(c) i	<input type="checkbox"/>	16 (1)(e)	<input type="checkbox"/>		
16 (1)(a) i	<input type="checkbox"/>	16 (1)(b) i	<input type="checkbox"/>	16 (1)(c) ii	<input type="checkbox"/>	16(1)(f) i	<input type="checkbox"/>																										
16 (1)(a) ii	<input type="checkbox"/>	16 (1)(b) ii	<input type="checkbox"/>	16 (1)(d) i	<input type="checkbox"/>	16(1)(f) ii	<input type="checkbox"/>																										
16 (1)(a) iii	<input type="checkbox"/>	16 (1)(b) iii	<input type="checkbox"/>	16 (1)(d) ii	<input type="checkbox"/>																												
16 (1)(a) iv	<input type="checkbox"/>	16 (1)(c) i	<input type="checkbox"/>	16 (1)(e)	<input type="checkbox"/>																												
8.	Brief description of requirement: (Complete only if awarded under Regulation 16 Negotiated without prior publication of a contract notice.)																																
9.	CPV Code: (This is a Mandatory Field. Insert the appropriate nine digit code.) 18143000																																

10.	A Country (inserting in each line details of <b>only</b> that particular Country	B Number of Responses to OJ Notice	C Number of Responses resulting in Invitations to Tender	D Number of Tenders received following Invitations under Column C	E Number of Invitations other than those under Column C	F Number of Tenders received following Invitations under Column E
(i) EU	Austria					
	Belgium					
	Bulgaria					
	Croatia					
	Cyprus					
	Czech Republic					
	Denmark					
	Estonia					
	Finland					
	France					
	Germany					
	Greece					
	Hungary					
	Ireland					
	Italy					
	Latvia					
	Lithuania					
	Luxembourg					
	Malta					
	Netherlands					
Poland						
Portugal						
Romania						
Slovenia						
Slovakia						
Spain						
Sweden						
United Kingdom			6	5		
(ii) 3rd country	Armenia					
	Aruba					
	Canada					
	China					
	Hong Kong					
	Israel					
	Japan					
	Moldova					
	Montenegro					
	New Zealand					
	Republic of Korea					
	Singapore					
	Switzerland					
Taiwan						

10. (continued)	A Country (inserting in each line details of <b>only</b> that particular Country	B Number of Responses to OJ Notice	C Number of Responses resulting in Invitations to Tender	D Number of Tenders received following Invitations under Column C	E Number of Invitations other than those under Column C	F Number of Tenders received following Invitations under Column E
	Ukraine					
	USA					
	Iceland					
	Liechtenstein					
	Norway					

11 Country of Supplier awarded Contract: United Kingdom, England

12 Value of Contract: (ex VAT) £4491411.00

13 Criteria for award of Contract: (tick appropriate box)

Most economically advantageous offer (Regulation 31(1)(a))

Lowest priced offer (Regulation 31(1)(b))

14. I confirm that all unsuccessful tenderers were notified according to the Defence and Security Public Contracts Regulations.

Name:  
(Capitals)

[Redacted]

Title:

Commercial Officer

Date:  
(format dd/mm/yyyy)

Signature:

[Redacted]

Director Commercial:

[Redacted]

PT Name and Address: Soldier Training Special Programmes,  
Dismounted Close Combat, MOD Abbey Wood, NH4 Elm 3C #4325, Stoke Gifford,  
Bristol, BS34 8JH

Senior Commercial Officer's Details:

[Redacted]

[Redacted]