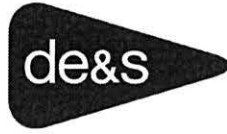




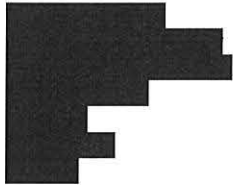
Ministry
of Defence



DE&S Policy Secretariat

DESSEC-PolSecLE-JSC-WPNS@mod.gov.uk

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



Reference: FOI2024/13303

13 August 2024

Dear [REDACTED]

Thank you for your email of 19 July 2024, requesting the following information:

Pursuant to the provisions of the Freedom of Information Act (FOIA), we formally request the disclosure of specific information pertaining to the UK Ministry of Defence – Defence Equipment Sales Authority Tender DESACOM/2250.

In accordance with the statutory rights conferred by FOIA, we request that you provide us with the following information:

- o Names and nationalities of persons and/or companies that submitted a tender offer*
- o If any of the received tender offers was disqualified & reason for disqualification*
- o Relative ranking order of the tender offers received*
- o Combined Price and Technical Score of each tender offer received*
- o Breakdown of Price Score and Technical Score of each tender offer received*
- o Which vessel(s) did each of the tenderers bid for*

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

A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm that information in scope of your request is held. The information identified relating to your questions is as follows:

- The companies that submitted tenders are Leyal Gemi Sokum Sanayi Ve Ticaret Ltd Sti.; and Sok Denizcilik Ve Tic. Ltd. Sti.
- The former HMS MONTROSE (Lot 1) was withdrawn from the project during the tender stage.
- The former HMS MONMOUTH (Lot 2) received 2 bids, from Leyal Gemi Sokum Sanayi Ve Ticaret Ltd Sti.; and Sok Denizcilik Ve Tic. Ltd. Sti.
- The former HMS BRISTOL (Lot 3) received 2 bids, Leyal Gemi Sokum Sanayi Ve Ticaret Ltd Sti.; and Sok Denizcilik Ve Tic. Ltd. Sti.
- The former HMS WALNEY (Lot 4) received no bids.

It has proved necessary to withhold some information in accordance with various exemptions of the FOI Act. Details of the individuals who submitted bids have been withheld under Sections 40(1) and 40(2) (Personal Information) of the FOI Act. S40(1) of the FOI Act provides that any information is exempt information if it constitutes personal data of which the applicant is the test subject. S40(2) of FOIA provides that personal data of another individual is exempt if its disclosure would breach any of the data protection principles in the Data Protection Act 1998. The MOD considers that the information withheld consists of personal data of the applicant and of a third party and that disclosure would constitute unfair and unlawful processing. This is an absolute exemption and does not require a public interest test.

Some of the information you have requested has been withheld in accordance with exemption S21(1) (Information Available by Other Means) of the FOI Act. Section 21(1) of the FOI Act provides that information is exempt if it is reasonably available by other means. I can confirm that information you have requested on the combined price and scoring for each successful bid and a breakdown of the scoring for those bids was issued to the winning bidder, Leyal Gemi Sokum Sanayi Ve Ticaret Ltd Sti, on 09 July 2024.

Some of the information you have requested has been withheld under Section 43(2) (Commercial Interests). Section 43 concerns information which if disclosed would or would likely prejudice the commercial interests of any person (including defence contractors and the public authority holding it). Information supplied by the bidders on their pricing and the technical details of their bids is considered to be commercially sensitive information supplied to the MOD in confidence, as is information held by the MOD on the scoring of those bids.

As Section 43 is a qualified exemption it was necessary to undertake a Public Interest Test to determine whether the balance for withholding the information outweighs that for disclosure. General arguments in favour of release were that full disclosure would demonstrate the MOD's commitment to openness and transparency; and make the UK Government more accountable to the electorate. The FOI Act also contains a presumption for release. However, disclosing information provided to the MOD in confidence would damage the reputation of the MOD and discourage companies from bidding for contracts in the future. Releasing information on the pricing and technical scoring of companies who bid for this project could allow competitors to undercut the bidders in bids for future work and adversely affect the ability of the bidders to subcontract work, reducing their ability to deliver best value for money to the UK taxpayer.

Given the arguments described above, on balance, it was determined that the information should be withheld under Section 43(2) (Commercial Interests). The level of prejudice against release of this exempted information has been set at the level of "would be likely to".

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). 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,

DE&S Policy Secretariat

[Faint, illegible text, likely bleed-through from the reverse side of the page]