

		Modifications Contracting Form		.2a (09/08)
Contract No: 70242751		Contract Type: Task B		
Issue: 1	Date: 27 January 2022	Platform: Wildcat		
JMS MRD Ref: LH21383				
Contract Title: Wildcat Tactical Data Link 16 Bowman Phase 1 Demonstration				
Terms & Conditions: <p>The Contract is subject to the Terms and Conditions of the Joint Modification Contracting Arrangement (JMCA), Document Number HELSS/0066, dated 22<sup>nd</sup> May 2018.</p> <p>The following DEFCONs / DEFSTANs are not applicable to the Contract:                      DEFCON 800 (Edn 12/14), DEFCON 801 (Edn 12/14), DEFCON 802 (Edn 12/14), DEFCON 804 (Edn 03/15), DEFCON 811 (Edn 12/14), DEFCON 813 (Edn 12/14)</p> <p>In accordance with Section 2 of the Joint Modification Contracting Arrangement (JMCA), Document Number HELSS/0066, dated 22<sup>nd</sup> May 2018 the following Defence Conditions (DEFCONs) and Defence Standards (DEFSTANS) shall apply:</p> <p><u>Price</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 127 (Edn 12/14) Price Fixing Condition for Contracts of Lesser Value</li> <li><input type="checkbox"/> DEFCON 605 (Edn 06/14) Financial Reports</li> <li><input type="checkbox"/> DEFCON 653 (Edn 12/14) Pricing on Ascertained costs</li> <li><input checked="" type="checkbox"/> DEFCON 643 (Edn 12/14) Price Fixing (Non-qualifying contracts)</li> <li><input type="checkbox"/> DEFCON 647 (Edn 09/13) Financial Management Information – <b>Please refer to Earned Value Management caveat detailed below</b></li> <li><input checked="" type="checkbox"/> DEFCON 695 (Edn 12/14) Contract Cost Statement Post Costing (Non-Qualifying Contract) – <b>The Authority agrees that Contract 700004264 shall not be post costed.</b></li> <li><input checked="" type="checkbox"/> DEFCON 812 (Edn 04/15) Single Source Open Book</li> <li><input checked="" type="checkbox"/> DEFCON 814 (Edn 12/14) Single Source Confidentiality of Open Book and Reporting Information</li> <li><input checked="" type="checkbox"/> DEFCON 815 (Edn 12/14) Single Source Non-Qualifying Contracts</li> </ul> <p><u>Transport</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 621A (Edn 06/97) Transport (If The Authority Is Responsible For Transport)</li> <li><input checked="" type="checkbox"/> DEFCON 621B (Edn 10/04) Transport (If Contractor Is Responsible For Transport)</li> </ul> <p><u>Security</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 659A (Edn 11/14) Security Measures</li> </ul> <p><u>Quality</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 602A (Edn 12/06) Quality Assurance (with Quality Plan)</li> </ul> <p><u>Government Furnished Equipment</u></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> DEFSTAN 05-99 Issue 3 – Managing Government Furnished Equipment in Industry</li> </ul> <p><u>Other</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 697 (Edn 07/13) Contractor on Deployed Operations (CONDO)</li> <li><input checked="" type="checkbox"/> DEFCON 649 (Edn 07/99) Vesting</li> <li><input type="checkbox"/> DEFCON 661 (Edn 10/06) War Risk Indemnity</li> <li><input checked="" type="checkbox"/> DEF-STAN 00-055 Part 1 Issue - Requirements for Safety of Programmable Elements in Defence Systems</li> </ul> <p><u>DEFFORM</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFFORM 177 (Edn 03/80) Design Rights and Patents (Subcontractor Agreement)</li> <li><input type="checkbox"/> DEFFORM 315 (Edn 02/98) Contract Data Requirement</li> </ul> <p>In accordance with Section 3 of the Joint Modification Contracting Arrangement (JMCA), Document Number HELSS/0066, dated 22<sup>nd</sup> May 2018 the following Defence Conditions (DEFCONs) and Defence Standards (DEFSTANS) shall apply:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> No additional DEFCONs or DEFSTANs other than those specific within the Joint Modification Contracting Arrangement (JMCA) or Modification Contracting Form (MCF) shall apply</li> </ul>				

<b>Specification/ Dependencies/ Deliverables</b> MRD LH18334CA1 - Issue 3.0 – Dated 24 <sup>th</sup> April 2019 MRD Section 2, 3 & 6 – See also contract documents reference overleaf Technical Proposal – PJT-485702 – Issue 2 – Dated 5 <sup>th</sup> March 2019	
<b>Consignee:</b> DES Wildcat-CapInsPM4 DES Wildcat-CapInsLd	<b>Delivery / Completion Date:</b> 29 Sept 2022
<b>Price:</b> Item 2 - [REDACTED] Under FOIA 2000 Section 43 (Task A & B) <b>Total -</b> [REDACTED] Under FOIA 2000 Section 43 (Ex VAT)	<b>Category:</b> Item 2 – Firm/Pegged/Provisional
<b>Payment:</b> As detailed at Annex A - Milestone Payment Plan	<b>Further Info:</b>
<b>Attachments:</b> Appendix 1 – Montreal Protocol Substances	<b>Annexes **</b> Annex A – Milestone Payment Plan Annex B – Flight Demo Schedule dated 17 Jan 22 Annex C – Points of Clarification V7 27/1/22 Annex D – GFA DEFFORM 111
<b>For Ministry of Defence:</b> <b>Name:</b> [REDACTED] Under FOIA 2000 Section 40 <b>Signature:</b> (signed by email) <b>Date:</b> 27 January 2022	<b>For Leonardo Ltd:</b> <b>Name:</b> [REDACTED] Under FOIA 2000 Section 40 <b>Signature:</b> (signed by email) <b>Date:</b> 27 January 2022

Distribution:

DT PoC

DT Finance

DBS

MoD QA

GFA

## Further Information

### Other Terms and Conditions:

#### **Payment**

Payment for Item 2 shall be made upon the completion of the work to the satisfaction of the Project Team Leader or his authorised delegated representative. Payment shall be made in accordance with the Milestone Payment Plan as detailed at Annex A to the Contract.

#### **Pricing**

Item 2 - The use of pegged rates in this Firm Price has been priced using the following agreed labour rates for the calculation of the LMWL labour element:

Redacted Under FOIA 2000 Section 43  
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Redacted Under FOIA 2000 Section 43  
Redacted Under FOIA 2000 Section 43

The use of these pegged rates in this firm price is without prejudice or commitment to the agreement of the estimated 2019, 2020, 2021, 2022 rates, the actual rates, future rates or to other pricing proposals. This pegged firm price shall be adjusted ("unpegged") only to fully reflect the agreed final 2019, 2020, 2021, 2022 labour rates, such adjustment by the parties to be made within 4 weeks of the promulgation of each agreed rate.

The profit rate of Redacted Under FOIA 2000 Section 43 used in calculating the contract price has been agreed without prejudice and commitment to other price agreements. This is outside the streams of JMS as LH confirm that it is Fair and Reasonable for the work involved. LH accepted Redacted Under FOIA 2000 Section 43.

The GD Sub-contractor Price Breakdown of Redacted Under FOIA 2000 Section 43 is Provisionally Priced without prejudice to any future negotiation on this or any other Ministry of Defence contract.

### Specification/ Dependencies/ Deliverables:

#### **Item 2 – Wildcat Tactical Data Link 16 (702427451) shall be contracted against the following:**

- MRD Version 0.05 dated 27 July 2021
- Proposal Letter Ref: UKGBU/BM/HM/JMS/LYNX/VAR016/004 - Dated 16 Oct 2021 (as subsequently amended by Points of Clarification (POCs) at reference c below) and associated Sub Contractors Proposals, Breakdown of T&S Rates and Pro-Price.
- Point of Clarifications (POCs) – Final Version Issue 7 – 27 January 2022
- Schedule V1.0 dated 17 Jan 2022
- Price Breakdown from GD

#### **Item 2 – The Contract Deliverables for Wildcat Tactical Data Link 702427451 and shall be delivered in accordance with the contracted Schedule – Document Number LH18334CA1 - Version 1.03 - Dated 2<sup>nd</sup> April 2019:**

- Redacted Under FOIA 2000 Section 26
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#### **Item 2 – Government Furnished Items required for Wildcat Tactical Data Link 16 (702427451):**

- As detailed at Annex D to the Contract.

Other: