



## Modifications Contracting Form

V1.2a  
(09/08)

Contract No: 711769450		Contract Type: TASK B
Issue: 1	Date: 18 Feb 2025	Platform: Wildcat
JMS MRD Ref: LX20366		
Contract Title: Wildcat Avionic KY100 Double Mounting Tray Strengthening		
<p><b>Terms &amp; Conditions:</b>  The Contract is subject to the Terms and Conditions of the Joint Modification Contracting Arrangement (JMCA), Document Number 700630373 (Amendment 14) dated 11 May 2023.</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) <u>Note:</u> Contract 702414450 shall not be post costed, DEFCON 812 (Edn 04/15), DEFCON 813 (Edn 12/14), DEFCON 814 (Edn 12/14-02/19) &amp; DEFCON 815 (Edn 14/15 04/15)</p> <p>In accordance with Section 2 of the Joint Modification Contracting Arrangement (JMCA), Document Number 700630373 (Amendment 18) dated 3<sup>rd</sup> April 2024, 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 checked="" type="checkbox"/> DEFCON 127 (08/21) 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 type="checkbox"/> DEFCON 643 (12/21) Price Fixing Non-Qualifying Contracts</li> </ul> <p><u>Transport</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 621A (Edn 12/21) 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 (02/24) Security Measures</li> </ul> <p><u>Quality</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 602A (Edn 04/23) 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>Intellectual Property Rights</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 703 (06/21)- Intellectual Property Rights – Vested in the Authority</li> <li><input type="checkbox"/> DEFCON 705 (06/21) Intellectual Property Rights – Research and Technology</li> </ul> <p><u>Other</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFCON 697 (11/22) Contractor on Deployed Operations (CONDO)</li> <li><input type="checkbox"/> DEFCON 649 (Edn 12/21) Vesting</li> <li><input type="checkbox"/> DEFCON 661 (06/21) War Risk Indemnity</li> <li><input type="checkbox"/> DEFCON 656B (Edn 08/16) Termination For Convenience – Over £5M</li> <li><input checked="" type="checkbox"/> DEFCON 76 (11/22) Contractor's Personnel at Government Establishments</li> </ul> <p><u>DEFFORM</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> DEFFORM 177 (06/21) Design Rights and Patents (Subcontractor Agreement)</li> <li><input type="checkbox"/> DEFFORM 315 (04/24) Contract Data Requirement</li> </ul> <p>In accordance with Section 3 of the Joint Modification Contracting Arrangement (JMCA), Document Number 700630373 (Amendment 18 dated 3<sup>rd</sup> April 2024) 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>		
Specification/ Dependencies/ Deliverables	MRD LX20366 Issue 1.2 dated 21 May 2024 Leonardo UK Ltd Proposal UKGB/BM/JM/JMS/LYNX/025/024 dated 3 Dec 2024.	

Consignee: DES Wildcat-CapIns-PM3	Delivery / Completion Date: In accordance with Project Schedule at Annex B to Contract
Price: Item 1 - <b>Redacted Under FOIA 2000 Section 43</b> (Ex VAT) Total - <b>Redacted Under FOIA 2000 Section 43</b> (Ex VAT)	Category: Item 1 – Firm/Pegged Total: Firm/Pegged
Payment: Total payment on delivery of the Requirement	Further Info: See Other Terms and Conditions below
Attachments: Appendix 1 – Montreal Protocol Substances Annex A – GFA	Annex B – Project Schedule Annex C – Points of Clarification (POCs) FINAL Annex D – Milestone Payment Plan Annex E – SOW DEFFORM 111
For Ministry of Defence: Name: <b>Redacted Under FOIA 2000 Section 40</b> Signature:          Date: 18 Feb 2025	For Leonardo UK Ltd: Name: Signature:          Date:

Distribution:

DT PoC      DT Finance      DBS      MoD QA      GFA

## Further Information

### Other Terms and Conditions:

#### **ITEM 1 (TASK B):**

##### **Pricing**

The use of pegged rates in this Firm/Pegged Price has been priced using the following agreed labour rates for the calculation of the Leonardo UK Ltd labour element:

**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 2024, 2025, 2026 and 2027 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 2024, 2025, 2026 and 2027 labour rates, such adjustment by the parties to be made within 4 weeks of the promulgation of each agreed rate.

The costs of the Trays KY100 Double Assy as per the Revised Vendor Supplier (Supercraft) Price Quotations Ref SQ-001811 dated 22 Oct 2024.

The profit rate of **Redacted Under FOIA 2000 Section 43** used in calculating the contract price has been agreed as Firm and is not subject to any future change.

All firm/pegged pricing is agreed between the Authority and the Contractor on a without prejudice basis to any other price agreements between both parties.

##### **Payment**

Payment for Item 1 shall be made upon the completion of the work under Milestone No. 1 to the satisfaction of the Project Team Leader or his authorised delegated representative.

Following contractual agreement, the Authority shall issue a Purchase Order (PO) under CP&F/Exostar and shall advise the Contractor of the relevant PO number. The Contractor shall duly submit its invoice for the contracted total price and provide the Authority's Project Manager with a DEFFORM 129J – Electronic Business Delivery Form as extracted by the Contractor from the Exostar System.

On receipt of the DEFFORM 129J, the Authority's Project Manager shall confirm completion of the relevant PO requirement and then arranges for the receipting of PO on CP&F. If the PO, Invoice and Receipt value(s) match on CP&F then payment will be made to the Contractor electronically via the Authority's Bill Paying Authority at Liverpool.

#### **GENERAL:**

##### **Authorisation By The Crown For Use Of Third Party Intellectual Property Rights**

Notwithstanding any other provisions of the Contract and for the avoidance of doubt, award of the Contract by the Authority and placement of any contract task under it does not constitute an authorisation by the Crown under Sections 55 and 56 of the Patents Act 1977 or Section 12 of the Registered Designs Act 1949. The Contractor acknowledges that any such authorisation by the Authority under its statutory powers must be expressly provided in writing, with reference to the acts authorised and the specific intellectual property involved.

### Specification/ Dependencies/ Deliverables:

#### **Item 1 – Wildcat Requirement for Avionic KY100 Double Mounting Tray (Contract 711769450) shall be contracted against the following:**

- a) MRD LX20366 Issue 1.2 dated 21 May 2024
- b) Leonardo UK Ltd Proposal UKGB/BM/JM/JMS/LYNX/025/0008 dated 22 April 2024
- c) Leonardo UK Ltd Statement of Work PJT-599862 Issue 1 dated 23 August 2023
- d) Leonardo UK Ltd Project Schedule LX20366 Issue 1.0 dated 28 Nov 2024
- e) Points of Clarification (POCs) FINAL Version 5 dated 13 Feb 2025.
- f) Vendor Supplier (Supercraft) Price Quotations Ref SQ-001811 dated 22 Oct 2024.

**Item 1 – The Contract Deliverables for Wildcat Requirement for KY100 Double Mounting Tray (Contract 711769450):**

- a) Weight Statement/database update
- b) Stress Analysis Report
- c) Def Stan 00-970 compliance summary report
- d) System Safety Change Assessment Record (SSCAR)
- e) Certificate of Design (CofD) for the modification
- f) Modification Leaflet
- g) Updated CIETP
- h) Qty 68 KY100 Mounting Trays

Other: N/A

REDACTED