



Modifications Contracting Form

V1.2a
(09/08)

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| Contract No: 701555414 | | Contract Type: Task B |
| Issue: 1 | Date: 11 May 2021 | Platform: Apache Mk1 |
| JMS MRD Ref: AH19170 | | |
| Contract Title: APACHE AH MK1 ALTERNATIVE CEP | | |
| <p>Terms & Conditions:</p> <p>The Contract is subject to the Terms and Conditions of the Joint Modification Contracting Arrangement (JMCA), Document Number 7000630373 Amdt 2, dated 13th January 2021.</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 812 (Edn 04/15), DEFCON 813 (Edn 12/14), DEFCON 814 (Edn 12/14), DEFCON 815 (Edn 14/15) & DEFSTAN 00-055 Part 1 Issue 4.</p> <p>In accordance with Section 2 of the Joint Modification Contracting Arrangement (JMCA), Document Number 7000630373, dated 13th January 2020 the following Defence Conditions (DEFCONs) and Defence Standards (DEFSTANs) shall apply:</p> <p><u>Price</u></p> <p><input checked="" type="checkbox"/> DEFCON 127 (Edn 12/14) Price Fixing Condition for Contracts of Lesser Value <input type="checkbox"/> DEFCON 605 (Edn 06/14) Financial Reports <input checked="" type="checkbox"/> DEFCON 811 (Edn 12/14) Profit and Loss Sharing on Firm/Fixed Price Contracts <input type="checkbox"/> DEFCON 653 (Edn 12/14) Pricing on Ascertained costs</p> <p><u>Transport</u></p> <p><input type="checkbox"/> DEFCON 621A (Edn 06/97) Transport (If the Authority Is Responsible for Transport) <input type="checkbox"/> DEFCON 621B (Edn 10/04) Transport (If Contractor Is Responsible for Transport)</p> <p><u>Security</u></p> <p><input type="checkbox"/> DEFCON 659A (Edn 11/14) Security Measures</p> <p><u>Quality</u></p> <p><input type="checkbox"/> DEFCON 602A (Edn 12/06) Quality Assurance (with Quality Plan)</p> <p><u>Government Furnished Equipment</u></p> <p><input type="checkbox"/> DEFSTAN 05-99 Issue 3 – Managing Government Furnished Equipment in Industry</p> <p><u>Other</u></p> <p><input type="checkbox"/> DEFCON 697 (Edn 07/13) Contractor on Deployed Operations (CONDO) <input type="checkbox"/> DEFCON 649 (Edn 07/99) Vesting <input type="checkbox"/> DEFCON 661 (Edn 10/06) War Risk Indemnity</p> <p><u>DEFFORM</u></p> <p><input type="checkbox"/> DEFFORM 177 (Edn 03/80) Design Rights and Patents (Subcontractor Agreement) <input type="checkbox"/> DEFFORM 315 (Edn 02/98) Contract Data Requirement</p> <p>In accordance with Section 3 of the Joint Modification Contracting Arrangement (JMCA), Document Number 7000630373, dated 13th January 2021 the following Defence Conditions (DEFCONs) and Defence Standards (DEFSTANs) shall apply:</p> <p><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</p> | | |
| Specification/ Dependencies/ Deliverables | Modification Requirements Document (MRD) No.AH19170, Version 1.00 dated, 26th May 2020 Section 2, 3 & 6 – See also contract documents reference overleaf | |

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| Consignee: | <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> Apache DT | Delivery / Completion Date: 31/01/2023 |
| Price: | Item 1 – <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> (LUKL LofL) Item 2 - <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> (Boeing LofL) Item 3 - <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> (Task B LUKL) Total - £192,777.93 (Ex VAT) \$50,000 (Ex VAT) | Category: Item 1 – Provisional Item 2 – Provisional Item 3 – Firm/Pegged |
| Payment: | On completion of the Task | Further Info: See Overleaf |
| Annexes ** Attachments: DEFFORM 111 | | |
| For Ministry of Defence: Name: <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> Signature: <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> Date: 11/05/21 | | For Leonardo UK Ltd (LUKL): Name: <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> Signature: <i>This text has been redacted under exemptions set out by the Freedom of Information act</i> Date: 12/05/21 |
| <u>Distribution:</u> DT PoC DT Finance DBS MoD QA £ | | |
| Further Information | | |
| Other Terms and Conditions: | | |

Payment

Payment for Items 1,2 & 3 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 on completion of the task.

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:

- 2018 = FIRM
- 2019 = 2018 + 2.3% pegged
- 2020 = 2019 + 2.3% pegged
- 2021 = 2020 + 2.3% pegged
- 2022 = 2021 + 2.3% pegged

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.

Item 2, The pegged profit rate of *This text has been redacted under exemptions set out by the Freedom of Information act* is used in calculating the contract price has been agreed without prejudice and commitment to other price agreements. The profit rate is pegged only in the respect that the CSA element is at *This text has been redacted under exemptions set out by the Freedom of Information act*

Specification/ Dependencies/ Deliverables:

Item 3 –shall be contracted against the following:

- (1) Modification Requirements Document (MRD) No.AH19170, Version 1.00 dated, 26th May 2020
- (2) Statement of Work (SOW) JMS Task Ref AH19170 Apache Alternative IECD dated 11th March 2021
- (3) Schedule – Document Number AH19170 - Schedule Version 1.02 dated 10th March 2021
- (4) ProPricer AH19170, 2020_0201 AH AEICD Version 3 (Inc. breakdown Version 3 dated 12th March 2021)
- (5) Type Certification Basis AM23N0002W Issue 1 AH Mini-CEP dated 12th March 2021
- (6) MTDC WAH 001 23 0006 Part 1 Mini-CEP Issue 01 dated 12th March 2021
- (7) MTDC WAH 001 23 0006 Classification Form Mini-CEP Issue 01 dated 12th March 2021
- (8) Type Certification Basis AM23N0001W Issue 1 - AH VAMP31 dated 12th March 2021
- (9) MTDC WAH 001 23 0005 Classification Form VAMP31 Issue 01 dated 12th March 2021
- (10) MTDC WAH 001 23 0005 Part 1 VAMP31 Issue 01 dated 12th March 2021

Item 3 – The Contract Deliverables

- a) Safety Statement
- b) Certificate of Design
- c) Update to drawings (series NB9300) to include both the IECD options VAMP31(Leonardo Mod No:A1155) and Mini-CEP (Leonardo Mod No: A1156)
- d) Inclusion into the next available scheduled CIETP amendment.
- e) Minutes of the In Service Review.

Other:

Cyber Risk Assessment –

This text has been redacted under exemptions set out by the Freedom of Information act

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.