

Ireland: Radar

Phase 2 Radar Upgrade

Contract or concession award notice – standard regime

1 Buyer

1.1 Buyer

Official name: The Irish Air Navigation Service

Legal type of the buyer: Body governed by public law

Activity of the contracting authority: General public services

2 Procedure

2.1 Procedure

Title: Phase 2 Radar Upgrade

Description: AirNav Ireland intends to rely on Article 32(b) of Directive 2014/24 of the European Parliament and the Council of 26 February 2014 on public procurement (Directive 2014/24/EU) to utilise the negotiated procedure without prior publication to award a contract. Article 32 of the Directive 2014/24/EU allows the use of the negotiated procedure without prior publication where (b) the required works, suppliers or services can be supplied only by a particular economic operator for the reasons including where (ii) competition is absent for technical reasons, and (iii) the protection of exclusive rights, including intellectual property rights. This notice is to indicate that AirNav Ireland intends to use the negotiated procedure without prior publication to award the contract for Phase 2 of the National Radar Upgrade project to Thales LAS France SAS.

Procedure identifier: f41240eb-c5af-47a6-9a0c-731c6bc24f32

Internal identifier: Direct Contract Award 2025

Type of procedure: Negotiated without prior call for competition

Justification for the accelerated procedure:

Main features of the procedure:

2.1.1 Purpose

Main nature of the contract: Supplies

Additional nature of the contract: Services

Main classification (cpv): 35722000 Radar

2.1.2 Place of performance

Country: Ireland

Anywhere in the given country

2.1.3 Value

Estimated value excluding VAT: 20 770 636 Euro

2.1.4 General information

Legal basis:

Directive 2014/24/EU

5 Lot

5.1 Lot technical ID: LOT-0001

Title: Phase 2 of the Radar Upgrade

Description: AirNav Ireland gives notice to rely on Article 32 (b)(ii) and (iii) of Directive 2014/24/EU and award a contract by way of the negotiated procedure without prior publication as the required services can be supplied only by a particular economic operator as competition is absent for technical reasons and the protection of exclusive rights, including intellectual property rights. AirNav Ireland intends to award a contract for Phase 2 of the National Radar Upgrade project to Thales LAS France SAS for a period of five years at an estimated value of €20,770,636.00 The National Radar Upgrade project is a capital infrastructure upgrade targeting eight radar sites. Phase 1 of the National Radar Upgrade project includes the upgrade of four radar sites. The contract for Phase 1 was awarded through the use of the negotiated procedure without prior publication to Thales LAS France SAS and commenced on 15 December 2022. Phase 2 of the National Radar Upgrade project will include the upgrade of the remaining four radar sites including the upgrade of three primary radars and four secondary radars at these sites and the replacement of selected mechanical radar components. Phase 2 is scheduled to commence in 2025 with phased completion dates through to 2029. Thales LAS France SAS are the only economic operator that can supply the required services for Phase 2 of the National Radar Upgrade for the protection of exclusive rights, including intellectual property rights:

- The existing system hardware and software use patented Thales proprietary data which cannot be released by AirNav Ireland to any third party, and which will be not released by Thales to any third party; and
- AirNav Ireland only hold the rights to operate the existing system. AirNav does not have the right to modify the system pursuant to the terms of the original radar delivery contract entered between AirNav Ireland and Thales. Thales LAS France SAS ("Thales") are the only economic operator that can supply the required services for Phase 2 of the National Radar Upgrade for the following technical reasons:

- The rotary joint specific characteristics (number of signal lines) of existing radars are incompatible with non-Thales solutions, in particular the incompatibility of the weather data stream with other manufacturers solutions;
- The significant technical risk associated with integrating electrical bays from one manufacturer with the mechanical or energy bays of a different manufacturer;
- The necessity to maintain a uniformity of the controls of the radar, in particular from a safety point of view between rotation control and emission control leading to the impossibility to integrate two different control designs together;
- An increased risk in failing to achieve certification pursuant to Commission Delegated Regulation (EU) 2023/1768 and compliance with other mandated regulatory standards associated with the adoption of a new manufacturer who does not know the specificities of the site and the radar;
- Notwithstanding Thales' IPR and proprietary rights in the system, there would be significant familiarization time needed for another manufacturer to perform the upgrade of an existing Thales radar (where the new manufacturer has no knowledge of the existing systems); and
- If a manufacturer other than Thales was selected to provide services for Phase 2, Thales would not be responsible for the safety, performance and malfunctioning of the existing radar system, they would not be able to support the existing radar system and would not be able to provide certification of the existing system for the purposes of Commission Delegated Regulation (EU) 2023/1768.

Internal identifier: 1

5.1.1 Purpose

Main nature of the contract: Supplies

Main classification (cpv): 35722000 Radar

Quantity: 1

5.1.2 Place of performance

Country: Ireland

Anywhere in the given country

Additional information:

5.1.5 Value

Estimated value excluding VAT: 20 770 636 Euro

5.1.6 General information

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA): no

5.1.7 Strategic procurement

Aim of strategic procurement: No strategic procurement

5.1.10 Award criteria

Criterion:

Type: Cost

Name:

Description: Upgrade of Radar

Description of the method to be used if weighting cannot be expressed by criteria: Sole source

Justification for not indicating the weighting of the award criteria:

5.1.12 Terms of procurement

Information about review deadlines: Nil

5.1.15 Techniques

Framework agreement:

No framework agreement

Information about the dynamic purchasing system:

No dynamic purchase system

5.1.16 Further information, mediation and review

Review organisation: The High Court of Ireland -

Information about review deadlines: Nil

Organisation signing the contract: The High Court of Ireland

6 Results

Value of all contracts awarded in this notice: 20 770 636 Euro

Direct award:

Justification for direct award: Activities directly exposed to competition and contracts subject to special arrangements

Other justification: this is an Upgrade of existing Radars Stations

6.1 Result lot Identifier: LOT-0001

At least one winner was chosen.

6.1.2 Information about winners

Winner:

Official name: THALES LAS FRANCE SAS

Tender:

Tender identifier: Upgrade of Radars

Identifier of lot or group of lots: LOT-0001

Value of the tender: 20 776 000 Euro

Subcontracting: No

Contract information:

Identifier of the contract: Upgrade of Radars

Organisation signing the contract: The High Court of Ireland

6.1.4 Statistical information

Received tenders or requests to participate:

Type of received submissions: Requests to participate

Number of tenders or requests to participate received: 1

8 Organisations

8.1 ORG-0001

Official name: The Irish Air Navigation Service

Registration number: 734291

Postal address: The Times Building, 11-12 D'Olier Street

Town: Dublin 2

Postcode: D02 T449

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

Email: tenders@airnav.ie

Telephone: 3531 6031486

Internet address: www.airnav.ie

Buyer profile: www.airnav.ie

Roles of this organisation:

Buyer

8.1 ORG-0002

Official name: The High Court of Ireland

Registration number: The High Court of Ireland

Department: The High Court of Ireland

Postal address: Four Courts, Inns Quay, Dublin 7

Town: Dublin

Postcode: D07 WDX8

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

Email: HighCourtCentralOffice@courts.ie

Telephone: +353 1 8886000

Roles of this organisation:

Review organisation

Organisation signing the contract

8.1 ORG-0003

Official name: European Dynamics S.A.

Registration number: 002024901000

Department: European Dynamics S.A.

Town: Athens

Postcode: 15125

Country subdivision (NUTS): Βόρειος Τομέας Αθηνών (EL301)

Country: Greece

Email: eproc-esender@eurodyn.com

Telephone: +30 2108094500

Roles of this organisation:

TED eSender

8.1 ORG-0004

Official name: THALES LAS FRANCE SAS

Registration number: 153191598

Town: Parc Tertiaire Icade 3 AV. Charles Lindebergh

Postcode: BP20361-94628

Country subdivision (NUTS): Paris (FR101)

Country: France

Roles of this organisation:

Tenderer

Winner of these lots: LOT-0001

11 Notice information

11.1 Notice information

Notice identifier/version: d6defae3-c354-4f3a-9067-693fbce9b6b5 - 01

Form type: Result

Notice type: Contract or concession award notice – standard regime

Notice dispatch date: 28/03/2025 10:15 +00:00

Languages in which this notice is officially available: English

11.2 Publication information