



MLD&S/OUT/2021/17
OBJ ID: BM24563429

To whom it may concern

INVITATION TO PARTICIPATE IN A REQUEST FOR SUBMISSION (RFS) FOR THE POSSIBLE COMMERCIAL SALE OF S-70A-9 BLACK HAWK AIRCRAFT AND ASSOCIATED UNIQUE INVENTORY.

1. The Australian Army fleet of S-70A-9 Black Hawk Aircraft and associated unique inventory are scheduled to be withdrawn from service by December 2022. Up to 27 of those aircraft (**Aircraft**), and available related unique inventory items (**Inventory**), (collectively, **Assets**), may become available for sale by the Commonwealth of Australia (**Commonwealth**).
2. Any such sale will be subject to various United States Government and Australian Department of Defence approvals. In particular, the Assets may be subject to the United States International Traffic in Arms Regulations (**ITAR**) and the Export Administration Regulations (**EAR**). Any sale will also be subject to terms and conditions acceptable to the Commonwealth.
3. The Commonwealth invites persons who are interested in purchasing the Assets to provide a response to the RFS subject to, and on the basis of, the terms set out in this RFS.
4. This invitation does not constitute an offer by the Commonwealth of any Assets. Furthermore, this invitation does not guarantee that any Assets will be offered for sale within a particular time or at all.
5. The Commonwealth's preference is to sell all of the Aircraft and the Inventory that is available to a single purchaser or as few purchasers as practicable, for management efficiency and to minimise the need to apportion Inventory to a range of purchasers. The Commonwealth does not currently intend to sell the Inventory independently of any Aircraft. Responses which only offer to purchase Inventory are unlikely to be successful.
6. Where practicable due to COVID-19 restrictions, the Commonwealth intends to organise Information Days for Respondents at Defence Bases in Meeandah, Brisbane QLD and Oakey QLD. Attendance is optional. The Commonwealth intends to provide certain Computer-Aided Maintenance Management System (CAMM2) data to Respondents, subject to receiving a signed Non Disclosure Deed Poll in the form set out in the RFS.
7. Respondents should return the Non Disclosure Deed Poll to disposal.tender@defence.gov.au as soon as possible and by no later than **9 April 2021** in order to receive additional information and to enable the Commonwealth to organise attendance for the Information Day. A delay in providing the Non Disclosure Deed Poll may delay provision of information to the Respondent and may mean that the Respondent is unable to attend the Information Days.

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8. Any sale will be subject to entry into a Deed of Transfer on terms satisfactory to the Commonwealth. A draft Deed of Transfer is attached to the Conditions of Submission. Respondents should note that the Commonwealth is likely to require a first-ranking security interest over the Assets, and this should be taken into account by Respondents in considering options for financing.
9. In addition, please note that the Commonwealth may not be able to provide log books and technical data to any purchaser, other than data from the Commonwealth's own CAMM2 system, but will endeavour to provide data where practicable. Respondents should take into account that they may need to obtain some technical data from an alternative source, such as a manufacturer, at their own cost. In addition, Aircraft will not necessarily be in a registrable or flyable condition at purchase.
10. All responses to the RFS must be submitted via AusTender in accordance with the Conditions of Submission.
11. Any questions regarding this RFS should be directed to the Contact Officers specified in the Conditions of Submission.

Yours sincerely,



John O'Loughlin

Director Single Disposal Organisation

25 March 2021

Enclosure:

Conditions of Submission
Annex A – Response Form
Annex B – Declaration by Respondent
Annex C – Draft Deed of Transfer
Annex D – Non Disclosure Deed Poll

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