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Award

## **Modelling of Ambient Air Quality**

Defra Network eTendering Portal

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-007858

Procurement identifier (OCID): ocds-h6vhtk-02a623

Published 14 April 2021, 10:55pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Defra Network eTendering Portal

17 Nobel House

London

SW1P 3JR

#### **Email**

[penny.hebden@defra.gov.uk](mailto:penny.hebden@defra.gov.uk)

#### **Telephone**

+44 2072385921

#### **Country**

United Kingdom

#### **NUTS code**

UK - United Kingdom

**Internet address(es)**

Main address

[www.defra.gov.uk](http://www.defra.gov.uk)

**I.4) Type of the contracting authority**

Ministry or any other national or federal authority

**I.5) Main activity**

Environment

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Modelling of Ambient Air Quality

#### **II.1.2) Main CPV code**

- 90731100 - Air quality management

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

A contract to develop and apply air quality models and other methods of assessment to:

- \* Map ambient air pollutant concentrations across the UK for 13 pollutants;
- \* Carry out an annual assessment of compliance with air quality limit values and target values for reporting;
- \* Support the investigation and development of policy initiatives.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £3,800,000

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

#### **II.2.4) Description of the procurement**

Defra intends to award a contract for the Modelling of Ambient Air Quality.

The services required under this contract include:

- \* Mapping ambient air pollutant concentrations across the UK for 13 pollutants;
- \* Carrying out an annual assessment of compliance with air quality limit values and target values for reporting;
- \* Supporting the investigation and development of policy initiatives.

The contract is planned to start on 01/05/2021 and to run for two (2) years. There is a possibility that the contract will be extended for a period of up to twelve (12) months. (The value covers the full three-year period).

This notice advises that Defra has decided to award the contract with the named provider on a direct award basis and is published for reasons of transparency.

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

#### **II.2.14) Additional information**

If you have any concerns regarding this decision, please ensure that you contact Penny Hebden, Defra Group Commercial, at [penny.hebden@defra.gov.uk](mailto:penny.hebden@defra.gov.uk), clearly detailing the basis of your concerns, within 10 calendar days of the publication of this notice.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

- New works/services, constituting a repetition of existing works/services

Explanation:

This contract uses the PCM model, developed under previous contracts with Ricardo Energy & Environment, and they own the intellectual property rights (IPR) for elements that feed into the model, such as the Stack Characterisation Database and associated tools. Any new supplier would need to buy a licence to use the Stack Characterisation or develop a replacement option that would not infringe on their IPR.

There is no other model in the market at this time that can take the place of the PCM model and meet the requirements of the Air Quality Standards Regulations 2010 in time for the 2020 compliance assessment. The PCM model is specifically designed to provide outputs which form the majority of the scientific base that enables Defra to fulfil its legal obligations.

The current situation with Covid-19 has had a significant impact on air quality, so the modelling required for the 2020 compliance assessment (carried out between March and August 2021) will be much more complex than usual. A new contractor would not be able to complete this work and meet the reporting deadline, thus creating a further risk of failure to meet statutory obligations.

The justification for the direct award of this contract is that there is currently only one supplier who can fulfil the requirements of the contract, which is justified under Regulation 32 of the Public Contracts regulations (PCR) 2015:

(b) Where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:

(ii) Competition is absent for technical reasons, and

(iii) The protection of exclusive rights, including intellectual property rights.

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

12 April 2021

#### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

Ricardo Energy & Environment

London

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession: £3,800,000

#### **V.2.5) Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Defra Group Commercial

17 Nobel House

London

SW1P 3JR

Country

United Kingdom

Internet address

<http://defra.bravosolution.co.uk/web/login.html>

#### **VI.4.2) Body responsible for mediation procedures**

Royal Courts of Justice

London

WC2A 2LL

Country

United Kingdom