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Award

Provision of WADER Software Upgrade Plan

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-015281

Procurement identifier (OCID): ocds-h6vhtk-034257

Published 31 May 2022, 7:07pm

Section I: Contracting authority/entity

I.1) Name and addresses

Ministry of Defence

Portsmouth

Email

Tsz.Liu100@mod.gov.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

National registration number

<https://contracts.mod.uk>

Internet address(es)

Main address

<https://contracts.mod.uk>

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Defence

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Provision of WADER Software Upgrade Plan

Reference number

704091454

II.1.2) Main CPV code

- 48218000 - License management software package

II.1.3) Type of contract

Supplies

II.1.4) Short description

The Royal Navy, part of the Ministry of Defence, intends to award a 2-year initial contract with contractual options for 2 further years, with a value of £1,380,399.00 (excluding vat and option years), to Ocean Acoustic Developments Ltd for the provision of an Annual Upgrade Plan for WADER sonar range prediction software to MOD. In accordance with the provisions of The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 SI No.

2020/1319, this procurement falls to be regulated under the provisions of the Public Contracts Regulations 2015 (PCR 2015) as amended (in particular by SI 2020/1319). Prior publication of a contract notice in the Official Journal of the European Union is no longer appropriate.

It is considered that the award of the contract without prior publication of a contract notice in the UK e-notification service (in accordance with the relevant legislation) is lawful in accordance with regulation 32(2)(b)(ii) of the PCR 2015 because competition is absent for technical reasons. The MOD needs to be able to access software upgrades, updates, software development, and technical support and training for the WADER software, which can only be met by Ocean Acoustic Developments Ltd who, as the developer and owner of the source code in the software, is the only supplier with the IPR, technical skills and expertise to deliver the ongoing support requirements under the Annual Upgrade Plan.

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: £1,380,399

II.2) Description

II.2.2) Additional CPV code(s)

- 72212100 - Industry specific software development services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

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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

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- No tenders or no suitable tenders/requests to participate in response to open procedure
- The products involved are manufactured purely for the purpose of research, experiment, study or development
- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

The Royal Navy, part of the Ministry of Defence, intends to award a 2-year initial contract with contractual options for 2 further years, with a value of £1,380,399.00 (excluding vat and option years), to Ocean Acoustic Developments Ltd for the provision of an Annual Upgrade Plan for WADER sonar range prediction software to MOD. In accordance with the provisions of The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 SI No. 2020/1319, this procurement falls to be regulated under the provisions of the Public Contracts Regulations 2015 (PCR 2015) as amended (in particular by SI 2020/1319). Prior publication of a contract notice in the Official Journal of the European Union is no longer appropriate.

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

The procurement is covered by the Government Procurement Agreement: No

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

31 May 2022

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

Ocean Acoustic Developments Ltd

Cornwall

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £1,380,399

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Ministry of Defence

Portsmouth

Country

United Kingdom