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Award

## **Provision of Annual Upgrade Plan for WADER Software**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-034576

Procurement identifier (OCID): ocds-h6vhtk-041c0c

Published 22 November 2023, 3:17pm

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

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

Ministry of Defence

Portsmouth

#### **Email**

[Gary.Cornish100@mod.gov.uk](mailto:Gary.Cornish100@mod.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

#### **Internet address(es)**

Main address

<http://www.gov.uk>

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

Ministry or any other national or federal authority

## **I.5) Main activity**

Defence

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## **Section II: Object**

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

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

Provision of Annual Upgrade Plan for WADER Software

Reference number

709459453

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

- 72212781 - System management software development services

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

Services

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

Provision of annual upgrade plan for WADER sonar range prediction software

#### **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: £1,218,767

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

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

NUTS codes

- UK - United Kingdom

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

Provision of annual upgrade plan for WADER sonar range prediction software

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

Options: Yes

Description of options

Option to extend contract duration by 1 year

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

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

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## 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 restricted procedure
- 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 1 further year (total contract term 3 years), with a total contract value of £1,218,767.00 (excluding vat), 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 necessary source code, technical skills and expertise to deliver the ongoing support requirements under the Annual Upgrade Plan.

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

The procurement is covered by the Government Procurement Agreement: No

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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**

22 November 2023

#### **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

Bude

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: £1,218,767

#### **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**

Ministry of Defence

Portsmouth

Country

United Kingdom