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Award

## **706153452 - Purchase of Beach Profiling Systems**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-034853

Procurement identifier (OCID): ocds-h6vhtk-038c11

Published 8 December 2022, 6:16pm

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

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

Ministry of Defence

Portsmouth

##### **Email**

[Hannah.Streatfield100@mod.gov.uk](mailto:Hannah.Streatfield100@mod.gov.uk)

##### **Country**

United Kingdom

##### **Region code**

UK - United Kingdom

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

Main address

<https://www.contracts.mod.uk/web/login.html>

#### **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**

706153452 - Purchase of Beach Profiling Systems

Reference number

706153452

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

- 35125100 - Sensors

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

Supplies

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

Purchase of 8 Beach Profiling Systems for the Royal Marines

#### **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: £300,000

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

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

NUTS codes

- UK - United Kingdom

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

Purchase of 8 replacement beach profiling systems

#### **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

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Negotiated without a prior call for competition

- 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 UK Ministry of Defence, intends to award a 3 month contract with a value of £300,000 to Shark Marine Technologies Inc for the purchase of 8 additional Beach Profiling Systems for Royal Navy.

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(5)(b) of the PCR 2015 (additional purchase of goods). This is because Royal Navy needs equipment which can perform with the inbuilt software which has already been specifically developed to meet their requirements and this can only be met by Shark Marine Technologies Inc as a partial replacement/extension of existing supplies. No alternative or substitutes can be provided as this would result in interoperability issues and disproportionate technical concerns in operation in an area of high risk where safety to life has already been identified through evidenced loss of life. The total duration of the original contract and this contract does not exceed 3 years.

#### 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**

8 December 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**

Shark Marine Technologies Inc

Ontario

Country

Canada

NUTS code

- CA - Canada

The contractor/concessionaire is an SME

No

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

Initial estimated total value of the contract/lot/concession: £300,000

Total value of the contract/lot/concession: £300,000

#### **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**

MOD

Portsmouth

Country

United Kingdom