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Award

## Single Source Procurement

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-035477

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

Published 15 December 2022, 11:17am

### Section I: Contracting authority/entity

#### I.1) Name and addresses

Ministry of Defence

Portsmouth

##### Email

[Lynne.Nazer100@mod.gov.uk](mailto:Lynne.Nazer100@mod.gov.uk)

##### Country

United Kingdom

##### Region code

UK - United Kingdom

##### Internet address(es)

Main address

[www.contracts.mod.uk](http://www.contracts.mod.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**

Single Source Procurement

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

- 35512400 - Unmanned underwater vehicles

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

Supplies

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

The Secretary of State for Defence (the Authority) intends to award a 3 year contract with a value of approx. £3,165,000 to Teledyne for the purchase of an additional two Gavia Autonomous Underwater Vessels (AUVs). In accordance with regulation 4 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019 (SI 2019/697) this procurement falls to be regulated under the provisions of the Defence and Security Public Contracts Regulations 2011 as amended (in particular by SI 2019/697 and SI 2020/1450). 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 (as required by in accordance with the relevant legislation) is lawful in accordance with regulations 16(1)(b)(i) (technical reasons) and 16(1)(a)(ii) (additional supplies) of the DSPCR 2011 because the AUVs to be purchased are required by the Secretary of State for Defence in addition to existing AUVs supplied by Teledyne and to purchase similar autonomous vehicles from another supplier would oblige the Authority to acquire autonomous vehicles having different technical characteristics which would result in incompatibility between the existing AUVs and any other third party autonomous vehicles and would result in disproportionate difficulties in the operation and maintenance of the existing AUVs. Furthermore the Authority does not have sufficient

rights in, or access to, the data in the AUVs to allow a third party to manufacture the AUVs or for a third party to certify compatibility or provide an acceptable safety case to the reasonable satisfaction of the Authority.

#### **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: £3,165,523

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

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

NUTS codes

- UK - United Kingdom

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

1000m Autonomous Underwater Vessels (AUVs), modules and sensors

#### **II.2.5) Award criteria**

Criterion: Price 50

Criterion: Technical 50

#### **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

Award of a contract without prior publication of a call for competition in the cases listed below

- The contract has its object services listed in Annex II B

Explanation:

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#### 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**

14 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**

Teledyne

California

Country

United States

NUTS code

- US - United States

The contractor/concessionaire is an SME

No

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

Lowest offer: £3,165,523 / Highest offer: £3,165,523 taken into consideration

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

The contract/lot/concession is likely to be subcontracted

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## **Section VI. Complementary information**

### **VI.3) Additional information**

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It is considered that the award of the contract without prior publication of a contract notice in the UK e-notification service (as required by in accordance with the relevant legislation) is lawful in accordance with regulations 16(1)(b)(i) (technical reasons) and 16(1)(a)(ii) (additional supplies) of the DSPCR 2011 because the AUVs to be purchased are required by the Secretary of State for Defence in addition to existing AUVs supplied by Teledyne and to purchase similar autonomous vehicles from another supplier would oblige the Authority to acquire autonomous vehicles having different technical characteristics which would result in incompatibility between the existing AUVs and any other third party autonomous vehicles and would result in disproportionate difficulties in the operation and maintenance of the existing AUVs. Furthermore the Authority does not have sufficient rights in, or access to, the data in the AUVs to allow a third party to manufacture the AUVs or for a third party to certify compatibility or provide an acceptable safety case to the reasonable satisfaction of the Authority.

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

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

Ministry of Defence

Portsmouth

Country

United Kingdom