

**DK-Ballerup: vessel-salvaging services**

OJ S 137/2012 19/07/2012

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Forsvarets Materieltjeneste (Danish Defence Acquisition and Logistics Organization)

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Contact person: Legal

For the attention of: Asger T.M. Nielsen

E-mail: [FMT-M-JA12@mil.dk](mailto:FMT-M-JA12@mil.dk)

Telephone: +45 72572104

**Internet address(es):**

General address of the contracting authority: <http://forsvaret.dk/fmt/>

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address

**I.2. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.3. Main activity**

Defence

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description****II.1.1. Title attributed to the contract by the contracting authority**

Removal and disposal of remaining oil and fuel onboard the sunken vessel FU SHAN HAI.

**II.1.2. Type of contract and place of performance or delivery**

Services

NUTS code DK014 Bornholm

**II.1.3. Information about a framework agreement or a dynamic purchasing system**

The notice involves a public contract

#### **II.1.4. Information about framework agreement**

#### **II.1.5. Short description of the contract or purchase(s)**

Objective.

The objective is to recover and dispose the remaining amount of oil and fuel from the designated three tanks in the ship wreck. The objective is considered completed when a flushing/suction of the three tanks indicates intact tanks, no fuel/oil left in the ship wreck, and the recovered oil/fuel has been delivered to a waste and treatment facility approved by Danish or EU official authorities. In case fuel/oil has spread to other tanks, this fuel/oil must also be recovered.

Background.

The Chinese bulk carrier FU SHAN HAI (70.000 brt., length 225 m, width 33 m, draft 13 m) sank on the 31.5.2003 after a collision with the Cypriot bulk carrier GDYNIA. FU SHAN HAI is located in a position approx. 2.5 miles north northwest of Hammerodde on Bornholm (55 20 '76N-014 45' 27E) of approx. 68 m depth. The position is in a normally busy sea traffic route. There are no other known dangerous objects, eg. sea bottom cables or underwater installation within 2 nm of the wreck.

The ship has heeled to starboard 10-15 degrees. Pictures of the ship both before the collision and after having sunk are available on the Internet.

At the time of the collision FU SHAN HAI carried approximately 1 680 tons of fuel oil, 110 tons of diesel oil and 35 tons of lubricating oil in the tanks. Much of the fuel and oil was recovered after the sinking, but due to the ship's main cargo of fertilizer in the holds, access to some of the fuel tanks was not possible at that time. Approx. 249 m3 oil and fuel are left in tanks under cargo hold 3 and 7 and the forepeak tank.

A diving survey of the ship on 14.5.2010 revealed that holds 3 and 7 are now empty, so access is now possible to the tanks.

Estimated quantity of oil in the wreck:

- 92 cubic meters of IFO 380 CST in double bottom tank 7 starboard,
- 110 cubic meters of IFO 380 CST in double bottom tanks 3 port,
- 16.8 cubic meters of IFO 380 CST in double bottom tank 3 starboard,
- 30 cubic meters of lubricating oil in forepeak tank.

There is a risk that some damage to the three tanks has occurred, and that the fuel/oil might have spread to other tanks, but still encapsulated in the wreck.

The contractor must provide by himself all equipment, personnel, support, licenses and approvals necessary for the whole task.

The Danish Navy will support the operation by naval ships and Vessel Traffic Service in order to re-direct ships away from the area of operation.

The task must be completed before 1.10.2012.

Danish Defence Acquisition and Logistics Organization considers the service of oil and fuel removal and disposal to be subject to Annex IIB, thus directive 2004/18/EC does not apply in full.

#### **II.1.6. CPV code(s)**

63725100 Vessel-salvaging services

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

#### **II.1.8. Lots**

This contract is divided into lots: no

#### **II.1.9. Information about variants**

Variants will be accepted: no

## **II.2. Scope of the procurement**

### **II.2.1. Total quantity or scope**

The task of the contractor is to recover and dispose the remaining amount of oil and fuel from the designated three tanks in the ship wreck. The task has been completed when a flushing /suction of the three tanks indicates intact tank and no fuel/oil left, and the recovered oil/fuel has been delivered to a waste and treatment facility approved by Danish or EU official authorities. In case fuel/oil has spread to other tanks, this fuel/oil must also be recovered.

### **II.2.2. Information about options**

Options: no

### **II.2.3. Information about renewals**

This contract is subject to renewal: no

## **II.3. Duration of the contract or time limit for completion**

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

If prepayments are made, an on-demand guarantee from a recognized financial institution must be presented.

The financial institution has to be approved by DALO.

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Reference is made to the tender documents with regard to the payment terms. Invoicing must for domestic tenderers be done in accordance with the at any time applicable Danish legislation on public payments. At present this is the Danish consolidation act. no. 798 of June 2007 which demands that invoicing must be done electronically.

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

No special legal form is required. If the order is awarded to a group of suppliers (e.g. a consortium) the participants are required to undertake joint and several liabilities and to appoint one supplier to represent the group.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

### **III.2. Conditions for participation**

#### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: A solemn declaration stating to which degree the candidate has fulfilled his obligations relating to the payment of direct and indirect taxes and social security contributions in accordance with the legal provisions of the country in which the candidate is established and in Denmark in accordance with Consolidation Act No. 336 of 13.5.1997 regarding public payments. An outline of the declaration can be obtained by emailing a request for the outline to the contactpoint stated in I.1.

### **III.2.2. Economic and financial ability**

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

a) a list of the main services provided in the past three years, with the sums, dates and recipients, whether public or private, involved, b) a statement of the tools, plant or technical equipment available to the service provider for carrying out the contract

Minimum level(s) of standards possibly required:

The Contractor shall provide evidence that the Contractor previously has performed and successfully completed similar tasks.

### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

#### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

#### **III.3.2. Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

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

Accelerated restricted

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5

Objective criteria for choosing the limited number of candidates: The selection of the candidates that will be invited to submit tenders will be based on: a) the frequency and nature of the candidates' previous similar services, b) the tools and technical equipment available to the service provider for carrying out the Contract.

#### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

2012/004235

#### **IV.3.2. Previous publication concerning this procedure**

no

**IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

Payable documents: no

**IV.3.4. Time limit for receipt of tenders or requests to participate**

30.7.2012 - 13:00

**IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

**IV.3.6. Languages in which tenders or requests to participate may be submitted**

Danish. English.

**IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

**IV.3.8. Conditions for opening of tenders**

**Section VI: Complementary information**

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**VI.1. Information about recurrence**

This is a recurrent procurement: no

**VI.2. Information about European Union funds**

**VI.3. Additional information**

The complete tender material will only be made available to the pre-qualified candidates. All information required for pre-qualification are mentioned in this contract notice.

Re. section IV 3.4).

The application should preferably be submitted in 2 paper copies and 1 electronic copy on a CD-ROM or an equivalent medium. The application should preferably be marked "Removal and disposal of remaining oil and fuel", att.: Asger T.M. Nielsen, JA12 - må ikke åbnes ved intern postfordeling". The application must be delivered in a sealed envelope to the address stated in section I.1 and may not be forwarded by e-mail. Furthermore the candidate is requested to submit an e-mail address of a contact person to which relevant information may be forwarded.

**VI.4. Procedures for review**

**VI.4.1. Review body**

Official name: Klagenævnet for Udbud (The Complaints Board for Public Procurement)

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen East

Postal code: 2100

Country: Denmark

E-mail: [klfu@erst.dk](mailto:klfu@erst.dk)

Telephone: +45 35291000

Internet address: <http://klfu.dk>

**VI.4.2. Review procedure**

**VI.4.3. Service from which information about the review procedure may be obtained**

Official name: Konkurrence- og Forbrugerstyrelsen, Center for Tjenesteydelser, Udbud og Karteller (Danish Competition and Consumer Authority)

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500  
Country: Denmark  
E-mail: [kfst@kfst.dk](mailto:kfst@kfst.dk)  
Telephone: +45 41715000

**VI.5. Date of dispatch of this notice**  
16.7.2012