

UK-Bristol: oil spillage control services

OJ S 203/2012 20/10/2012

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Defence Fuel & Food Services, DE&S

Postal address: Elm 2C, #4231, NH4, Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

For the attention of: Rachel Dallimore

E-mail: DESCommodities-PCS@mod.uk

Telephone: +44 3067983539

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

Environment

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

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

Supply and Delivery of Pollution Control Sorbents and Minor Spill Containment Equipment.

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

Supplies

Purchase

NUTS code UK United Kingdom

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

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with a single operator

Duration of the framework agreement

Duration in years: 4

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT:

Range: between 7 000 000 and 9 000 000 GBP

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

Oil spillage control services. Environmental training services. Environmental management. Environmental protection. Supply and delivery of a range of Pollution Control Sorbents (PCS) and Minor Spill Containment Equipment (MSCE) to all MoD establishments in the UK and worldwide. The provision of product support, including technical advice on product suitability and familiarisation training at various UK locations will also be required.

II.1.6. CPV code(s)

90741200 Oil spillage control services, 80540000 Environmental training services, 90710000 Environmental management, 90720000 Environmental protection

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

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Description of Requirement: Supply and delivery of a range of Pollution Control Sorbents (PCS) and Minor Spill Containment Equipment (MSCE) to all MoD establishments in the UK and worldwide. The provision of product support, including technical advice on product suitability and familiarisation training at various UK locations will also be required. The Authority invites Expressions of Interest (Eofl) for its requirement and will issue a Pre-Qualification Questionnaire to all companies who submit an Eofl. Eofls are to be submitted by email only to DESCommodities-PCS(Multiuser)@mod.uk by 16 November 2012. This procurement will take place under the Public Contracts Regulations 2006 Restricted procedure. Please note that the requirement to which this notice relates comes under Logistic Commodities and Services (LCS), formed on 1 Aug 11. LCS is determining the future strategy for all commodities and services within its remit and may, in the future, place a contract for the supply of services which may include the provision of articles (or services) which are covered by this notice. In this event, the Authority may satisfy its requirements from the LCS service contract and no further orders will be placed against any framework arising from this notice. Pre Qualification Exercise: A Pre-Qualification Questionnaire (PQQ) will be issued both electronically and in hard copy to those companies or alliances who have submitted an Eofl by the deadline specified. It must be completed and returned to DF&FS in both electronic and hard copy format by the date indicated. The electronic copy shall be provided in Microsoft Word 2003 on a CD. Only those companies or alliances that can demonstrate a sufficient level of competence against the Authority's Pre-Qualification Questionnaire criteria will be invited to participate in the competition; it is envisaged that a maximum of 6 companies or alliances that meet the minimum qualifying standard will be invited to submit a tender for the requirement. The PQQ evaluation will be evaluated in two phases; the first phase will comprise a pass/fail evaluation, whereby any companies or

alliances who fail to meet, or submit a nil response to, one or more of the pass/fail criteria will be excluded from the process, meaning the PQQ will not be evaluated further or progress to the next phase. The pass/fail subjects in the PQQ are: Grounds for Mandatory Rejection: Conviction for any offence within the meaning of Article 45(1) of Directive 2004/18/EC (Regulation 23(1) of the Public Contracts Regulations 2006) as defined by the national law of any relevant State (paragraph III.2.1 of this notice refers) will fail this element of the PQQ and will not be evaluated further. Grounds for Discretionary Rejection: The authority may treat a company as ineligible or decide not to select a company on one or more of the grounds laid out in Article 45(2) of Directive 2004/18/EC (Regulation 23(4) of the Public Contract Regulations 2006) (paragraph III.2.1 of this notice refers). Economic and Financial Standing: The Applicant's (individual companies or members of potential alliances) financial ability to meet this requirement will be assessed on a risk basis and the Applicant's financial accounts will be evaluated by the Cost Assurance and Analysis Service's (CAAS) Financial Analysts. Factors that will be taken into consideration when evaluating the accounts include, but are not limited to: Turnover; Profitability; Liquidity and Working Capital; Debt; and Cash Flow. CAAS will also examine the financial health of any parent company where appropriate. When assessing the financial health of an organisation the Authority will also take into consideration any Auditor's opinion, for example Qualifications or Emphasis of Matter Statements. The Authority's opinion may be validated using financial credit agencies such as Company Watch and Dun and Bradstreet. If examination of the financial accounts exposes potential for an applicant to experience financial difficulty, then the Authority will determine the level of risk that it is willing to bear in fulfilling the requirement. Evaluation of the accounts will attract an acceptable or non-acceptable risk marking. A non-acceptable risk marking will constitute a fail of this element of the PQQ. Insurance: The Authority requires that companies hold Employers Liability Insurance of at least £5M. Failure to provide confirmation of this will constitute a failure of this element of the PQQ. Quality Accreditation: Companies are required to provide evidence of current BS EN ISO 9001 accreditation (or equivalent) issued by a UKAS recognised 3rd party certification body showing the scope of the certification or, where this cannot be provided, companies must demonstrate compliance with AQAP 2130 (or equivalent). Failure to meet this requirement will constitute a failure of this element of the PQQ. Ability to trade electronically: During the life of the Contract, the Authority intends to trade electronically. Details of the Authority's policy and guidance for electronic trading can be found at <http://www.d2btrade.com/decs-services>. Companies are required to provide confirmation of their willingness to participate in electronic trading as a supplier. Failure to comply with this requirement will constitute a failure of this element of the PQQ. Sample testing: As part of the tender evaluation, the Authority intends to conduct an independent testing of product samples by a 3rd party test house to a MoD specification. Therefore, all companies who are invited to tender will be required to provide samples of a pre-advised range of products on a free of charge basis to a MoD nominated test house. At PQQ stage, companies will be required to confirm that they are willing to submit samples of a selection of products with their tender response. The Authority will provide full details of the samples required and the test specification at the PQQ stage. Failure to comply with this requirement will constitute a failure of this element of the PQQ. The above criteria form the pass/fail phase of the PQQ evaluation and are mandatory requirements. Any unsatisfactory or incomplete response for one or more of the pass/fail elements will result in the company being excluded from the process, meaning that the PQQ will not be evaluated further and the company will not progress to the next phase, irrespective of its overall score. The second phase of the PQQ will include down selection criteria and questions will be scored and weighted in accordance with the evaluation methodology detailed in the PQQ. The

second phase will consider the applicant's Technical and Professional Ability to show that they have the capability and capacity to perform the requirement. The Authority will ask a series of questions on the following topics (please note the following criteria are not listed in any order of priority or weighting): evidence of previous relevant experience; facilities and resources available to perform the contract; evidence of technical ability to perform the contract; Supply Chain Management, Business Continuity Plans and Performance Management. The 6 top scoring companies will be invited to tender, providing they meet the minimum score, which will be detailed in the PQQ. Full details of the PQQ criteria and scoring methodology will be detailed in the PQQ.

Estimated value excluding VAT:

Range: between 7 000 000 and 9 000 000 GBP

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

Start 1.7.2013. Completion 30.6.2017

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Bank and/or Parent Company Guarantees and/or other guarantees of performance and financial liability may be required.

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

Conditions relating to financing and payment will be specified in the Pre Qualification Questionnaire or contract documentation.

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

If a contract is awarded to a grouping of economic operators, the Contracting Authority may require the grouping to form a legal entity (with appropriate financial guarantee from its parent companies) before entering into the contract, in accordance with Regulation 28 of the Public Contracts Regulations 2006.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: Specific conditions will be detailed in the Pre Qualification Questionnaire (PQQ) or contract documentation.

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: The Authority will apply all the offences listed in Article 45(1) of Directive 2004/18/EC (implemented as Regulation 23(1) of the Public Contract Regulations (PCR) 2006 in the UK) and all of the professional misconducts listed at Article 45

(2) of Directive 2004/18/EC (see also Regulation 23(2) in the PCR 2006) to the decision of whether a Candidate is eligible to be invited to tender.

A full list of the Regulation 23(1) and 23(2) criteria are at <http://www.contracts.mod.uk/delta/project/reasonsForExclusion.html#dspr>.

Candidates will be required to sign a declaration confirming whether they do or do not have any of the listed criteria as part of the pre-qualification process. For candidates who are registered overseas, you will need to declare if you have any offences/misconduct under your own countries laws, where these laws are equivalent to the Regulation 23 lists.

Candidates who have been convicted of any of the offences under Article 45(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 45 (2) may be excluded from being selected to bid at the discretion of the Authority.

Full details will be provided in the Pre Qualification Questionnaire (PQQ).

III.2.2. Economic and financial ability

List and brief description of conditions: The Economic Operator is required to provide one of the following with their completed Pre Qualification Questionnaire (PQQ) to satisfy the Authority that they have the economic and financial capacity to perform the contract:

1. A copy of audited accounts for the most recent 2 years.
2. A statement of turnover, profit & loss account and cash flow for the most recent year of trading.
3. A statement of cash flow forecast for the current year and a bank letter outlining the current cash and credit position.
4. Alternative means of demonstrating financial status if trading for less than a year.

Full details of information required will be detailed in the Pre Qualification Questionnaire. The Authority reserves the right to request further information. The economic and financial capacity of Economic Operators will be evaluated as detailed in Para II.2 - Quantity or Scope of the Contract and in the Pre Qualification Questionnaire.

Minimum level(s) of standards possibly required: This is a mandatory pass/fail element of the Pre Qualification Questionnaire. Any Economic Operator who fails this element of the Pre Qualification Questionnaire will not be invited to submit a tender for the requirement.

III.2.3. Technical and professional ability

List and brief description of conditions:

As outlined in Para II.2 - Quantity or Scope of the Contract. Full details will be provided in the Pre Qualification Questionnaire.

Minimum level(s) of standards possibly required:

Any applicable minimum standards will be detailed in the Pre Qualification Questionnaire.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

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

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Restricted

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

Envisaged number of candidates: 6

Objective criteria for choosing the limited number of candidates: The 6 top scoring companies, providing they meet the minimum criteria and achieve the minimum score as detailed in the Pre Qualification Questionnaire, will be invited to tender.

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: yes

Additional information about electronic auction: Yes. A Reverse Auction, conducted using electronic means, may be used as part of the procurement process for this requirement.

Specific relevant information on Reverse Auction usage will be given in the Invitation to Tender.

IV.3. Administrative information

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

DFFS/5014

IV.3.2. Previous publication concerning this procedure

no

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

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

16.11.2012 - 10:00

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

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

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

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

VI.3. Additional information

The contracting authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender. Suppliers interested in working with the Ministry of Defence should register on the MOD Supplier Information Database (SID) Register, available at www.contracts.mod.uk. The MOD SID is a database of active and potential suppliers available to all MOD and UK Defence procurement personnel, and is the main supplier database of MOD Procurement organisations. Please note: the registration and publication of a company profile on the MOD SID does not mean or imply that the supplier has in any way been vetted or approved by the MOD. Suppliers wishing to compete for advertised MOD contracts must respond to any specific call for competition by submitting a separate expression of interest in accordance with the instructions of the purchasing organisation.

Advertising Regime OJEU:- This contract opportunity is published in the Official Journal of the European Union (OJEU), the MoD Defence Contracts Bulletin and www.contracts.mod.uk GO Reference: GO-20121015-DCB-4319035.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Defence Fuel & Food Services, DE&S

Body responsible for mediation procedures

Official name: Defence Fuel & Food Services, DE&S

VI.4.2. Review procedure

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

Official name: Defence Fuel & Food Services, DE&S

VI.5. Date of dispatch of this notice

15.10.2012