

UK-Bristol: greases and lubricants

OJ S 204/2012 23/10/2012

Contract notice

Supplies

Directive 2004/18/EC

## Section I: Contracting authority

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### I.1. Name and addresses

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

Postal address: Elm 2C, Mailpoint #4233, MOD Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

For the attention of: Mark Shipway

E-mail: [DES-Commodities-Comrcl-Fuel1a@mod.uk](mailto:DES-Commodities-Comrcl-Fuel1a@mod.uk)

Telephone: +44 3067983559

**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

Procurement and Supply of Lubricants, Greases, Additives and Associated Products.

#### 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: 57 000 000 GBP

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

Greases and lubricants. Defence Fuel and Food Services (DFFS) has a requirement for the procurement and supply of a range of approximately 230 oils, lubricants, greases, additives and associated products for use in the Marine, Aviation and Ground environments. The product range will include, but will not be limited to; Engine Oils (Spark Ignition & Compression Ignition), Hydraulic Fluids, Transmission Fluids, Brake Fluids, Aviation Turbine Oils, Fuel Additives, De-icing Fluids, Coolants, Weapon Cleaning Fluids, Damping Fluids, Corrosion Preventatives, Automotive Greases, Aviation Greases, Multipurpose Greases and drums for waste product.

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

24951000 Greases and lubricants

**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**

Defence Fuel and Food Services (DFFS) has a requirement for the procurement and supply of a range of approximately 230 oils, lubricants, greases, additives and associated products for use in the Marine, Aviation and Ground environments. The product range will include, but will not be limited to; Engine Oils (Spark Ignition & Compression Ignition), Hydraulic Fluids, Transmission Fluids, Brake Fluids, Aviation Turbine Oils, Fuel Additives, De-icing Fluids, Coolants, Weapon Cleaning Fluids, Damping Fluids, Corrosion Preventatives, Automotive Greases, Aviation Greases, Multipurpose Greases and drums for waste product. Products will be supplied fully compliant with approved specifications, including some Defence Standards, and in accordance with MoD Technically Acceptable Product Lists (TAPL) where applicable. In addition some products are named proprietary products for which there is no substitute. For products requiring MoD approval, tenderers may submit alternative products to the Authority to be considered for inclusion in the relevant product TAPL. The products offered by tenderers must meet the relevant product specification and where appropriate any safety or technical approval before the tender deadline. In the case of aviation products, DFFS will not consider applications for MoD approval, therefore only pre-approved products will be accepted.

Defence Standards available from the internet [www.dstan.mod.uk](http://www.dstan.mod.uk).

The Contract(s) for this requirement will be awarded based on the most economically advantageous tender as detailed in the Invitation To Tender (ITT). DFFS intend to use an Electronic Reverse Auction (ERA) to select the winning tender. Only tenders that are deemed to provide a sufficiently high 'confidence level in their ability to fully meet the requirement at the ITT stage will proceed to the ERA. The requirement is based on the estimated number of products required to support operational deployments, peace time and training activities and routine maintenance for the Marine, Aviation and Ground environments on an annual basis and is not a guarantee of volume or value.

The requirement will be issued as approximately 230 individual items (a draft version of this list will be issued with Pre-Qualification Questionnaire). Tenderers will be invited to bid against each individual item at the ITT stage. Tenders who provide a sufficiently high 'confidence level' in their ability to fully meet the requirement at the ITT stage will proceed to the ERA whereby tenderers will bid against individual items and the tenderer that offers the lowest price at this stage will be awarded a Contract for the item under a framework agreement for a period of 2 years plus 2 option years. Exercising the option years will be dependant upon the Contractors performance and the Authority's requirement. Tenderers that submit a compliant bid and the lowest price at the ERA for multiple items will be awarded a single framework agreement for those items.

Objective criteria for choosing limited number of suppliers.

The Authority invites Expressions of Interest (EofI) by email only to [des-commodities-comrcl-fuel1a@mod.uk](mailto:des-commodities-comrcl-fuel1a@mod.uk) for this requirement. The closing date for receipt of EofIs is 23:59 hours on 19th November 2012.

The Authority will conduct a pre-qualification exercise and a Pre-Qualification Questionnaire (PQQ) will be issued electronically together with a current product list, to those companies for which an EofI has been received by 23:59 hours on 19.11.2012. The PQQ must be completed and returned to DFFS in both electronic and hard copy format by the date indicated. The electronic copy should 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 PQQ criteria will be invited to participate in the competition; it is envisaged that a maximum of 20 companies or alliances that meet the minimum qualifying standard by not failing any of the criteria and by achieving an overall score of 70 % or more will be invited to tender. Should more than 20 companies or alliances achieve an overall score of 70 % or more in their PQQ response only the 20 companies with the highest scores will be invited to tender.

The PQQ evaluation will comprise 2 elements; the first element 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 and not be evaluated further.

The pass/fail subjects in the PQQ are:

Grounds for Mandatory Rejection:

Convictions.

Conviction for any offence within the meaning of Article 45(1) of Directive 2004/18/EC (Regulation 231 of the Defence and Security Public Contracts Regulations 2011) as defined by the national law of any relevant State will fail this element of the PQQ and will not be evaluated further.

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.

Ability to Trade Electronically:

During the life of the Contract the Authority plans to trade electronically. Details of the MOD's policy and the technological specification can be found at [www.d2btrade.com/help/index.cfm](http://www.d2btrade.com/help/index.cfm). Companies are required to provide their willingness to participate in electronic trading as a supplier.

Grounds for Discretionary Rejection:

Ineligibility.

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 of the Defence and Security Public Contract Regulations 2011).

#### 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: Turnover; Profitability; Liquidity and Working Capital; Debt; and Cashflow. 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.

#### Quality Accreditation:

Companies will be 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. Failure to meet this requirement will constitute a failure of this element of the PQQ. AQAPs can be obtained from the internet at [www.dstan.mod.uk](http://www.dstan.mod.uk).

The second element of the PQQ will be used as down selection criteria and questions will be scored and weighted in accordance with the evaluation methodology detailed in the PQQ. Applicants who submit a nil response to one or more questions may be excluded from the process and not evaluated further. Applicants will be required to provide details of their 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 based 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 ability to meet quality and specification requirements; evidence of ability to deliver to time; supply chain management; risk management. Subject to all the requirements of the PQQ being met only the highest scoring 20 suppliers that achieve an overall score of 70 % or more in their PQQ response will be invited to tender.

This procurement will take place under the Defence Security Public Contract Regulations 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.

The announcement of a future requirement is not to be construed as confirmation that a tender /contract will subsequently be issued; announcements are for information only. Thus the issue of a possible future purchase notice, or the issue of an invitation to tender, is not to be construed as a commitment by the MOD to place an order as a result of the tendering exercise or at a later stage. Any expenditure, work or effort undertaken prior to contract award is a matter solely for the commercial judgement of potential suppliers.

Expressions of interest received after 23:59 on 19.11.2012 will not be considered.

Estimated value excluding VAT: 57 000 000 GBP

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

Options: yes

Description of options: Contract(s) for the item under a framework agreement for a period of 2 years plus 2 option years. Exercising the option years will be dependant upon the Contractors performance and the Authority's requirement.

### **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**

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

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

Parent Company Guarantee or Bankers Guarantee may be required.

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

Tenders to be priced in pounds sterling Payment will be made in pounds sterling or any other currency to be adopted by the UK.

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

The group will be required to nominate a lead partner with whom the authority can lawfully contract or form themselves into a single legal entity before the contract is awarded.

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

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

Description of particular conditions: The MOD is progressively moving towards electronic purchasing using the Purchase to Payment (P2P) system operated over the Defence Electronic Commerce Service (DECS). Any resultant contract may also require the supplier to trade via the P2P system The performance of the contract will be subject to monitoring and management through key performance indicators.

### **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.

### **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 two 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.

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

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### **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 minimum number 3: and Maximum number 20

Objective criteria for choosing the limited number of candidates: As outlined in para. II.2 Quantity or Scope of the contract. Only those companies or alliances that can demonstrate a sufficient level of competence against the Authority's PQQ criteria will be invited to participate in the competition; it is envisaged that a maximum of 20 companies or alliances that meet the minimum qualifying standard by not failing any of the criteria and by achieving an overall score

of 70 % or more will be invited to tender. Should more than 20 companies or alliances achieve an overall score of 70 % or more in their PQQ response only the 20 companies with the highest scores 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/5002

##### **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**

19.11.2012 - 23:59

##### **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**

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##### **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](http://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](http://www.contracts.mod.uk) GO Reference: GO-20121017-DCB-4324633.

#### **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**

17.10.2012