United Kingdom-Bristol: Fuels
OJ S 197/2013 10/10/2013
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, NH4 #4233, MoD AbbeyWood
Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
For the attention of: Becky Hazel
E-mail: descommodities-comrcl-fuel-2@mod.uk
Telephone: +44 3067983522
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

II.1. Description

II.1.1. Title attributed to the contract by the contracting authority
Provision of marine fuels at Marchwood Sea Mounting Centre

II.1.2. Type of contract and place of performance or delivery
Supplies
Purchase
NUTS code UKJ32 Southampton

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 months: 21

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

Estimated value excluding VAT: 18 127 000 GBP

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

Fuels. Delivery of Marine Gas Oil (MGO), Intermediate Fuel Oil 380 (IFO 380) and Low Sulphur Intermediate Fuel Oil 380 (LSIFO 380) to vessels at the Marchwood Sea Mounting Centre, the Solent Anchorages and the Port of Southampton.

II.1.6. CPV code(s)

09100000 Fuels

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

Delivery of Marine Gas Oil (MGO), Intermediate Fuel Oil 380 (IFO 380) and Low Sulphur Intermediate Fuel Oil 380 (LSIFO 380) to vessels at the Marchwood Sea Mounting Centre, the Solent Anchorages and the Port of Southampton. The estimate for demands IS 4,000m3 of MGO, 22,700m3 of IFO 380 and 8,100m3 of LSIFO 380 supplied during the life of the Contract. The MGO must meet specification ISO 8217:2012 Class F DMA max 0.1% sulphur; the IFO 380 must meet specification ISO 8217:2012 Class F RMG 380 max 4.5% sulphur and the LSIFO 380 must meet specification ISO 8217:2012 Class F RMG 380 max 1.5% sulphur. The quantity of fuel stated in this advert is only an estimate of the annual requirement. The Authority shall not be bound to order any quantities. The preferred method of delivery is by barge. In exceptional circumstances and for small quantities RTW maybe acceptable. A 24/7 out of hours contact list for emergencies and critical operation issues will be required.Lead time for routine deliveries will be 5 days. In the event of an urgent operational requirement (UOR) a minimum of 24 hours notification will be given. Management Information will be provided to the Authority on a 6 monthly basis. Review meetings will be held at least every 6 months.

Estimated value excluding VAT: 18 127 000 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

Duration in months: 21 (from the award of the contract)

Section III: Legal, economic, financial and technical information

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 priced in pounds sterling.

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 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, which will be detailled in the ITT

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.
The Authority will issue a letter requesting information of the suppliers Good Standing in relation to Regulation 23 of the Public Contracts Regulations 2006 (PCR 2006), to those companies for which a compliant EofI has been received by 10:00 hours on 14 November. The Statement Relating to Good Standing must be completed and returned to DFFS in both electronic and hard copy format by the date indicated on the letter.

III.2.2. Economic and financial ability

List and brief description of conditions: (b) The presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established
(c) A statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last 3 financial years available, depending

on the date on which the undertaking was set up or the economic operator started trading, as far as the information on these turnovers is available
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 and the company will not be Invited to Tender.
Minimum level(s) of standards possibly required: Any Economic Operator who fails this initial stage will not be invited to submit a tender for the requirement. Companies must submit all of the above requested evidence with their Expression of Interest.

III.2.3. Technical and professional ability

List and brief description of conditions:
(b) a list of the principal deliveries effected or the main services provided in the past 3 years, with the sums, dates and recipients, whether public or private, involved. Evidence of delivery and services provided shall be given: - where the recipient was a contracting authority, in the form of certificates issued or countersigned by the competent authority, - where the recipient was a private purchaser, by the purchaser's certification or, failing this, simply by a declaration by the economic operator
(c) an indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, those upon whom the contractor can call in order to carry out the work
(d) A description of the technical facilities and measures used by the supplier or service provider for ensuring quality and the undertaking's study and research facilities
(k) With regard to the products to be supplied: (i) samples, descriptions and/or photographs, the authenticity of which must be certified if the contracting authority so requests; (ii) certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of products clearly identified by references to specifications or standards
The above requested information is mandatory and will be assessed on a pass/fail basis. Any company who does not provide the information as requested or the information received is not deemed appropriate for the requirement will fail this element and will not be Invited To Tender. Companies must submit all of the above requested evidence with their Expression of Interest.
Minimum level(s) of standards possibly required:
Companies are required to provide evidence of current BS EN ISO 9001:2008 accreditation (or equivalent) issued by a UKAS recognized 3rd party certification body showing the scope of the certification or, where this cannot be provided, companies must demonstrate compliance with AQAP 2120 (or equivalent). The Contract shall be subject to the following Quality Assurance Regulations:DEF STAN 91-66 The Segregation, Handling and Quality Assurance of Petroleum, Fuels, Lubricants and Associated Products. AQAP 2105 - NATO Quality

Assurance Requirements for Deliverable Quality Plan and AQAP 2130 - NATO Quality Assurance Requirements for Inspection and Test

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 minimum number 2: and Maximum number 6

Objective criteria for choosing the limited number of candidates: Only those companies or alliances that can demonstrate a sufficient level of competence against the Authority's selection 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 by not failing any of the criteria.

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

DFFS/5054

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

14.11.2013 - 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

VI.2. Information about European Union funds

VI.3. Additional information

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

Please note that the requirement to which this notice relates comes under Logistic Commodities and Services (LCS), formed on 1.8.11. 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. GO Reference: GO-2013108-DCB-5182115

VI.4. Procedures for review

VI.4.1. Review body

Official name: Defence Fuel & Food Services, DE&S
Postal address: Elm 2C, NH4 #4233, MoD AbbeyWood
Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
E-mail: descommodities-comrcl-fuel-2@mod.uk
Telephone: +44 3067983522

Body responsible for mediation procedures

Official name: Defence Fuel & Food Services, DE&S
Postal address: Elm 2C, NH4 #4233, MoD AbbeyWood
Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
E-mail: descommodities-comrcl-fuel-2@mod.uk
Telephone: +44 3067983522

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
8.10.2013