

United Kingdom-Bristol: Ship chartering services

OJ S 153/2020 10/08/2020

Contract notice

Services

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

Official name: Ministry of Defence, Ships, Other

Postal address: Defence Equipment and Support, Ash 2B # 3212, Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

Contact person: Alison Lyne

E-mail: deshipscomrcl-Salmo-multiuser@mod.gov.uk

Telephone: +44 7971366602

Internet address(es):General address of the contracting authority/entity: www.bipsolutions.com**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/entities

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**

S&MOCB/3369 — Falkland Island Marine Services

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

Services

Service category No 26: Other services

Main site or place of performance: Not specified/other.

NUTS code 00 Other or Not Specified

II.1.3. Information about framework agreement**II.1.4. Information about framework agreement**

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

Ship chartering services. The Salvage and Marine Operations Team, part of UK MOD, seek to place a contract on behalf of Commander British Forces South Atlantic Islands (CBFSAI) to charter two Shallow Draft Anchor Handling Tugs (AHT), to cover the full range of marine service duties to be carried out in the Falkland Islands (FI) and an additional vessel or barge able to undertake coastal supply, heavy mooring tasks, heavy lifting and other general duties. The duration of the Contract will be three years plus two separate option years.

Crew provided to man these vessels must have passed a criminal reference check, counter terrorist check (CTC) and meet a baseline personnel security standard (BPSS) or provide evidence of already holding SC/DV clearance.

A bidders conference will be held at tender stage.

The contract will be drafted from Baltic International Maritime Council (BIMCO) supply time 2017 terms in conjunction with MOD Standard contracting terms.

TUPE may apply to this requirement.

II.1.6. CPV code(s)

63726400 Ship chartering services

II.1.7. Information about subcontracting

The tenderer has to indicate in the tender any share of the contract it may intend to subcontract to third parties and any proposed subcontractor, as well as the subject-matter of the subcontracts for which they are proposed

The tenderer has to indicate any change occurring at the level of subcontractors during the execution of the contract

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

Charter of two Shallow Draft Anchor Handling Tugs (AHT) and crew to cover the full range of marine service duties to be carried out in the Falkland Islands (FI) and an additional vessel or barge able to undertake coastal supply, heavy mooring tasks, heavy lifting and other general duties. The duration of the contract will be 3 years plus two separate option years. Harbour tug duties include push pull ops, personnel transfer and assisting in ship movements, coastal supply duties include movement of cargo to coastal locations, outlying islands and military outstations, crew provided to man these vessels must have passed a criminal reference check, counter terrorist check (CTC) and meet a baseline personnel security standard (BPSS) or provide evidence of already holding SC/DV clearance. Use of the UK Airbridge by crew will require a UK Visa.

The vessels and the providing shipping company including owner/operators/managers are to be United Kingdom (UK), Crown Dependency, British Overseas Territory or European Union (EU) flagged and based.

The vessels flag state must be a country identified as being on the Paris MoU white list for current flag performance

An bidders conference will be held at tender stage.

The contract will be drafted from Baltic International Maritime Council (BIMCO) supply time

2017 terms in conjunction with MOD standard contracting terms.

TUPE may apply to this requirement.

Estimated value excluding VAT: 24 093 000 GBP

II.2.2. Information about options

Options: yes

Description of options: Quantity 2 single option years.

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

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

The authority reserves the right to ask for an Indemnity, guarantee or Bank Bond if the required standard for economical and financial standing is not met.

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

The estimated annual contract value is GBP 24 093 million. If the estimated annual contract value is greater than 40% of the supplier's turnover, the authority reserves the right to exclude the supplier from being selected to tender except where the supplier provides, to the satisfaction of the authority, evidence showing it has sufficient economic and financial capability, for example such evidence may include:

- 1) any additional information proving it has sufficient economic and financial resources to deliver the requirement; and
- 2) stating whether the supplier is willing to provide the authority with an indemnity, guarantee or bank bond.

A financial assessment will be undertaken on the supplier's financial status. An overall pass /fail judgement will be made after considering areas such as turnover, profit, net assets, liquidity, gearing and capacity. This assessment will include the parent company where applicable. An independent financial assessment obtained from a reputable credit rating organisation may be utilised as part of this process.

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

If a group of economic operators submits a bid, the group must nominate a lead organisation to deal with the authority. The authority shall require the group to form a legal entity before entering into the contract.

III.1.4. Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information

The authority reserves the right to amend any condition related to security of information to reflect any changes in national law or government policy. If any contract documents are accompanied by a Security Aspects Letter, the authority reserves the right to amend the terms of the Security Aspects Letter to reflect any changes in national law or government policy whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise crew provided to man

the charter vessels must have passed a criminal reference check, counter terrorist check (CTC) and meet a baseline personnel security standard (BPSS) or provide evidence of already holding SC/DV clearance. Crew using the UK Airbridge Flights will require a UK Visa. TUPE considerations may apply.

III.1.5. Information about security clearance

Candidates which do not yet hold security clearance may obtain such clearance until:
31.10.2021

III.2. Conditions for participation

III.2.1. Personal situation

Criteria regarding the personal situation of economic operators (that may lead to their exclusion) 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 39(1) of Directive 2009/81/EC (implemented as Regulation 23(1) of the Defence and Security Public Contract Regulations (DSPCR) 2011 in the UK) and all of the professional misconducts listed at Article 39(2) of Directive 2009/81/EC (see also Regulation 23(2) in the DSPCR 2011) 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.

Candidates who have been convicted of any of the offences under Article 39(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest (including defence and security factors) for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 39 (2) may be excluded from being selected to bid at the discretion of the authority.

A statement of good standing will be required.

III.2.2. Economic and financial ability

III.2.3. Technical and/or professional capacity

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: yes

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Negotiated

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

Envisaged minimum number 3 and Maximum number 6

Objective criteria for choosing the limited number of candidates: A DPQQ is carried out to ensure suppliers taken through to tender stage have the necessary capability.

The minimum number will allow effective competition.

The maximum number will be a manageable number of tenders to evaluate with the resource available.

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

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

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 has been used: no

IV.3. Administrative information

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

S&MOCB/3369 - Falkland Island Marine Services

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2019/S 198-481215](#) of 18.11.2019

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

9.9.2020 - 12:00

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.

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. The authority reserves the right to

amend any condition related to security of information to reflect any changes in national law or government policy. If any contract documents are accompanied by instructions on safeguarding classified information (e.g. a Security Aspects Letter), the authority reserves the right to amend the terms of these instructions to reflect any changes in national law or government policy, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise. The link below to the Gov.uk website provides information on the Government Security Classification.

<https://www.gov.uk/government/publications/government-security-classifications>

Electronic Trading

A3 of 3

Version 4.1 dated 1 February 2020

Source: the Commercial Toolkit

Available via: <http://aof.uwh.diif.r.mil.uk> or <https://www.gov.uk/guidance/knowledge-in-defence-kid>

Section

Guidance

Potential suppliers must note the mandatory requirement for electronic trading using the contracting, purchasing and finance (CP&F) electronic procurement tool. All payments for contractor deliverables under the contract shall be made via CP&F. You can find details on CP&F at <https://www.gov.uk/government/publications/mod-contracting-purchasing-and-finance-e-procurement-system>

The Cyber level of this requirement is 'Low'. A Cyber assessment will be carried out at tender stage.

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 Suppliers must read through this set of instructions and follow the process to respond to this opportunity.

The information and/or documents for this opportunity are available on <http://www.contracts.mod.uk>

You must register on this site to respond, if you are already registered you will not need to register again, simply use your existing username and password. Please note there is a password reminder link on the homepage.

Suppliers must log in, go to your response manager and add the following access code: 27G2D3S29R.

Please ensure you follow any instruction provided to you here.

The deadline for submitting your response(s) is detailed within this contract notice, you will also have visibility of the deadline date, once you have added the access code via DCO as the opening and closing date is visible within the opportunity.

Please ensure that you allow yourself plenty of time when responding to this opportunity prior to the closing date and time, especially if you have been asked to upload documents.

If you experience any difficulties please refer to the online frequently asked questions (FAQ's) or the user guides or contact the MOD DCO Helpdesk by emailing support@contracts.mod.uk or Telephone 0800 282 324.

Go reference: GO-202085-DCB-16917265

VI.4. Procedures for review

VI.4.1. Review body

Official name: Ministry of Defence, Ships, Other

Town: Bristol

Country: United Kingdom

VI.4.2. Review procedure

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

VI.5. Date of dispatch of this notice

5.8.2020