

UK-Bristol: fuels
OJ S 237/2012 08/12/2012
Contract notice
Supplies

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

Official name: Defence Fuel & Food Services, DE&S
National registration number: GB
Postal address: Elm 2c #4233, MOD Abbey Wood
Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
Contact person: Lorna Phillips
E-mail: DESCommodities-Comrcl-Fuel@mod.uk
Telephone: +44 3067983561
Fax: +44 1179138972

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

Supply of Aviation Fuel to HMS Gannet.

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

Supplies

Purchase

NUTS code UKM33 East Ayrshire and North Ayrshire mainland

II.1.3. Information about framework agreement

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: 34

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

Estimated value excluding VAT: 2 000 000 GBP

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

Fuels. Delivery of F-34 AVTUR FSII into Authority-owned bowsers at HMS Gannett, in response to periodic demands made by the consuming Unit. The fuel must meet Defence Standard 91-87 (latest edition) with the exception of Annexes C and G and Table 1 Serial 10.1. With respect to Annex C, the MOD must receive fuel that is certified synthetics free. With respect to Annex G and Table 1 Serial 10.1, the Authority must receive fuel into storage with a conductivity which is between 100-600 pS/m. The Authority will conduct a pre-qualification exercise and a Pre-Qualification Questionnaire will be issued as described in para III.2 Conditions for Participation. The Contract for this requirement will be awarded based on the most economically advantageous tender as detailed in the Invitation To Tender (ITT). The Authority may use an Electronic Reverse Auction (ERA) to select the winning tender. Only 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 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 34 months.

II.1.6. CPV code(s)

09100000 Fuels

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

Delivery of F-34 AVTUR FSII into Authority-owned bowsers at HMS Gannett, in response to periodic demands made by the consuming Unit. The awarding authority estimates that the projected demand will be for 3,000m³ of product, supplied continuously over the period 1.6.2013 – 31.3.2016.

Estimated value excluding VAT: 2 000 000 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

Duration in months: 34 (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

No.

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. 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 is progressively moving towards electronic purchasing using the Purchase to Payment (P2P) system. 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.1.5. Information about security clearance

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.

The Authority will conduct a pre-qualification exercise and a Pre-Qualification Questionnaire (PQQ) will be issued electronically to those companies for which an Eofl has been received by 23:59 hours on 6th January 2013. The PQQ must be completed and returned to the Authority 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 10 companies or alliances that meet the minimum qualifying standard by not failing any of the criteria 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.

Financial Evaluation.

The Authority will assess the supplier's financial ability to meet this requirement as detailed at III.2.2 Economic and Financial capacity.

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).

Quality Accreditation:

Potential Providers are required to provide evidence of their current ISO 9001:2008 accreditation. Such accreditation must be of a scope related to the supply and distribution of the relevant fuel, and issued by a UKAS recognised 3rd party certification body. Alternatively, where this cannot be evidenced, Potential Providers are required to demonstrate compliance with AQAP 2130, which includes submission of a Quality Plan in accordance with AQAP 2105, for evaluation by a Government Quality Assurance Representative. Full details of acceptable Quality Management requirements will be provided in the PQQ. Failure to meet the Authority's requirement as stated in the PQQ will constitute a fail and the Potential Provider will not be invited to tender.

AQAPs can be obtained from the internet at 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 and risk management. Subject to all the requirements of the PQQ being met only the highest scoring 10 suppliers 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 Authority 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.

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. Companies are required to provide their willingness to participate in electronic trading as a supplier.

III.2.2. Economic and financial ability

Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)

List and brief description of conditions: (a) appropriate statements from the economic operator's bankers or where appropriate, evidence of relevant professional risk indemnity insurance;

(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) where appropriate, a statement, covering the three previous financial years of the economic operator, of:(i) the overall turnover of the business of the economic operator; and (ii) where appropriate, the turnover in respect of the work, works, goods or services which are of a similar type to the subject matter of the contract.

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 Financial Analysts. Full details of information required will be detailed in the PQQ. The Authority reserves the right to request further information. Information and formalities necessary for evaluating if requirements are met.

The Economic Operator is required to provide one of the following with their completed 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.

This is a mandatory pass/fail element of the PQQ. Any Economic Operator who fails this element of the PQQ will not be invited to submit a tender for the requirement.

Factors that will be taken into consideration when evaluating the accounts include: Turnover; Profitability; Liquidity and Working Capital; Debt; and Cashflow. The Financial Analysts 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.

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

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 1 and Maximum number 10

Objective criteria for choosing the limited number of candidates: As outlined in para. III.2 Conditions for Participation, 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 10 companies or alliances that meet the minimum qualifying standard by not failing any of the criteria 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 has been 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/5016

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

6.1.2013 - 23:59

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

21.2.2013

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

With regard to III.2.3 Technical Capacity - Companies must demonstrate that they have the capability to supply the fuel type at the volumes required and by the delivery method specified in the PQQ to the satisfaction of the Authority. Failure to meet this requirement will constitute a failure of this element of the PQQ.

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-2012125-DCB-4433713.

VI.4. Procedures for review

VI.4.1. Review body

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

Postal address: Elm 2c #4233, MOD Abbey Wood

Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
E-mail: DESCommodities-Comrcl-Fuel@mod.uk
Telephone: +44 3067983561
Fax: +44 1179138972

Body responsible for mediation procedures

Official name: Defence Fuel & Food Services, DE&S
Postal address: Elm 2c #4233, MOD Abbey Wood
Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
E-mail: DESCommodities-Comrcl-Fuel@mod.uk
Telephone: +44 3067983561
Fax: +44 1179138972

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
Postal address: Elm 2c #4233, MOD Abbey Wood
Town: Bristol
Postal code: BS34 8JH
Country: United Kingdom
E-mail: DESCommodities-Comrcl-Fuel@mod.uk
Telephone: +44 3067983561
Fax: +44 1179138972

VI.5. Date of dispatch of this notice

5.12.2012