

United Kingdom-Kirkwall: Tug boats
OJ S 201/2017 19/10/2017
Contract notice – utilities
Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Orkney Islands Council (Harbour Authority)

Postal address: Council Offices, School Place

Town: Kirkwall

NUTS code: UKM65 Orkney Islands

Postal code: KW15 1NY

Country: United Kingdom

Contact person: Rosemary Colsell

E-mail: rosemary.colsell@orkney.gov.uk

Telephone: +44 1856873535

Internet address(es):

Main address: <http://www.orkneyharbours.com>

Address of the buyer profile: http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11522

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: www.publiccontractsscotland.gov.uk

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: www.publiccontractsscotland.gov.uk

I.6. Main activity

Port-related activities

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Supply of Two New Towage Boats (Design and Build).

Reference number: OIC/PROC/06467

II.1.2. Main CPV code

34513200 Tug boats

II.1.3. Type of contract

Supplies

II.1.4. Short description

The Council, as Statutory Harbour Authority has a requirement for the supply of one tug boat and/or design and build of up to two new tug boats which meet the Council's specification, which are required to provide a safe and reliable towage service in the Scapa Flow (including Flotta Oil Terminal) and Kirkwall harbour areas and elsewhere. The existing fleet of three (3) tug boats (built 1989 and 1992) requires to be replaced as part of a planned programme in order to provide towage to the Flotta Oil Terminal, Scapa Flow and Kirkwall and to meet increasing demands and specification requirements within and beyond Orkney for towage. With a modern design vessel it is expected that greater operational safety margins, flexibility and efficiencies will be achieved.

II.1.5. Estimated total value

Value excluding VAT: 16 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: yes

Tenders may be submitted for maximum number of lots: 2

II.2. Description

II.2.1. Title

Supply of One New Tug Boat

Lot No: 1

II.2.2. Additional CPV code(s)

34513200 Tug boats, 34521000 Specialised boats, 34520000 Boats

II.2.3. Place of performance

NUTS code: UKM65 Orkney Islands

Main site or place of performance: On completion of successful sea trials the vessel is required to be delivered to the Orkney Islands, however the location of the ship yard is not stipulated.

II.2.4. Description of the procurement

Lot 1 The provision (design and build contract) of one new build tug to meet the Council's specification, this may include a new build tug that is currently under construction/constructed but unused with a Contract duration and delivery timescale following successful sea trials, of between 6 months and 12 months with an option to extend for a further 6 months.

The Vessel is to be designed primarily to carry out complex harbour towage duties but must meet all of the details as indicated in the principle dimensions and specifications stated below.

The Owner of the vessel will be Orkney Islands Council, operated through Marine Services based in the Harbour Authority Building, Scapa, Orkney KW15 1SD, Scotland.

The Specification is given as a guide as to the specific requirements of the Owner.

Principle dimensions and specifications.

Length Overall in the region of 32 metres.

Breadth Extreme 12 to 14 metres.

Operating Draught maximum of 5.50 metres (navigational draft) when fully loaded with fuel and fresh water.

Fuel Capacity minimum of 120 cubic metres.

Fresh Water Capacity minimum of 14 cubic metres.

Class Constructed to Lloyds Register survey, delivered in Class (LR) at least to the following;
+100A1

Escort Tug

UMS +LMC

Firefighting 1, with water spray

*IWS

GRT Should be less than 500

These principle dimensions and specifications can vary to suit the Ship Builder's final design as long as the requirements of the specification are met — although it is not expected that there will be large differences to the details stated.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

II.2.6. Estimated value

Value excluding VAT: 8 000 000,00 GBP

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 18

This contract is subject to renewal: yes

Description of renewals:

There is an option to extend the initial 12 months duration of the contract by a maximum period of 6 months which will be at the sole discretion of the Council.

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 5
Objective criteria for choosing the limited number of candidates:

The candidates that achieve the top 5 highest scores in the scored and weighted sections of the ESPD will be issued with invitation to tender documentation.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 78 of the utilities Contracts (Scotland) Regulations 2016.

II.2. Description

II.2.1. Title

Supply of Two New Towage Boats (Design and Build)

Lot No: 2

II.2.2. Additional CPV code(s)

34521000 Specialised boats, 34520000 Boats, 34513200 Tug boats

II.2.3. Place of performance

NUTS code: UKM65 Orkney Islands

Main site or place of performance: On completion of successful sea trials the vessel is required to be delivered to the Orkney Islands, however the location of the shipyard is not stipulated.

II.2.4. Description of the procurement

Lot 2 The provision (design and build) of two new-build tug boats to meet the Council's specification as detailed in Lot 1. The first tug is to be delivered subject to successful sea trials in the initial 14 months period of the Contract with the second tug delivered in the second 12 month extension period subject to the Council taking up the option, subject to availability of funding for the supply of a second tug boat. A break point in the Contract will be established at which point the decision will be made by the Council to take up the option to extend the Contract by a further 1 x 12 months, there will be a further option to extend the contract by 1 x 6 months to take account of any unforeseen delays.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

II.2.6. Estimated value

Value excluding VAT: 16 000 000,00 GBP

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 32

This contract is subject to renewal: yes

Description of renewals:

There is an option to extend the initial 14 months duration of this contract by a maximum of 6 months which will be at the sole discretion of the Council.

II.2.9. Information about the limits on the number of candidates to be invited

Maximum number: 5 Objective criteria for choosing the limited number of candidates:

The candidates that achieve the top highest scores in the scored and weighted sections of the ESPD will be issued with invitation to tender documentation.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 78 of the Utilities Contracts (Scotland) Regulations 2016.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1.

Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

As stated in the Appendix A to the Contract Notice for the Supply of Two New Towage Boats (Design and Build) bidders are required to be enrolled in the relevant professional or trade registers of the Country in which they are established. For the UK — Register of Companies.

III.1.2. Economic and financial standing

List and brief description of selection criteria:

As stated in the ESPD and the Appendix A to the Contract Notice for the Supply of Two New Towage Boats (Design and Build).

Minimum level(s) of standards possibly required:

Question 4B.1.1 Bidders should provide their general yearly turnover for the most recent two years (as per their audited accounts).

Question 4B.2.1 Bidders should provide their 'specific' yearly turnover in the business area(s) covered by the contract for the most recent two years (as per their audited accounts)

Question 4B.3 Where turnover information is not available for the time period requested, the bidder will be required to state the date which they were set up / started trading.

Question 4B.4 Bidders will be required to state the values for the following financial ratios for the most recent two years and it is a minimum requirement that the ratios are within the acceptable range:

Liquidity Ratio of the Company (current assets divided by current liabilities — found on Balance Sheet)

The acceptable range for this ratio is: 1:2 or more

Ratio value (Year:.....):

Ratio value (Year:.....):

Net Profit Margin of the Company (net profits divided by revenue x 100)

The acceptable range for this ratio is: >0 (i.e. Positive)

Ratio value (Year:.....):

Ratio value (Year:.....):

Annualised Contract value to Turnover (Annualised Contract value: Contract Value divided by Contract Duration as per Contract Notice)

The acceptable range for this ratio is: 1:2 or more

Annualised Contract value:

Ratio value (Year:.....):

Ratio value (Year:.....):

Question 4B.5.1 It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded contract, the types and levels of insurance indicated below:

Employer's (Compulsory) Liability Insurance = 10 000 000 GBP.

Bidders are required to provide copies of the certificates of insurance to the Authority.

Question 4B.5.2 It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded contract, the types and levels of insurance indicated below:

Public Liability Insurance = 10 000 000 GBP.

Contractor's All Risk Insurance must be in place for all risks up to and including the minimum value of the Contract.

Marine Insurance must be in place to fully insure the vessel for sea trials and delivery as a minimum, this will include Protection and Indemnity and Hull and Machinery. The Marine Insurance is required to be placed with an International Club Company, with values suitable for the risks involved.

Question 4B.6 Bidders shall include copies of the audited accounts for the most recent two years and, where appropriate, shall provide additional supporting information including eg. details of any significant differences since the last set of audited accounts.

The following additional supporting information can also be provided in respect of your organisation:

- i. A statement of your turnover, profit and loss account and cashflow for the most recent year of trading; and/or
- ii. A statement of your cashflow forecast for the current year and a bank letter outlining the current cash and credit position; and/or
- iii. An alternative means of demonstrating financial status.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

Question 4C.1.2 Bidders will be required to provide examples that demonstrate that they have the relevant experience to deliver the services/supplies as described in the Contract Notice One example (Tug Boat or similar) within the last 3 years required.

(Scored and Weighted Section = 30 %.)

Question 4C.5 Bidders will be required to confirm that they will allow checks to be conducted on their production and technical capacities and where necessary on the means of study and research facilities available to it and on the quality control measures employed.

1: Bidders to supply reference(s) from owner(s) of vessel(s) stated in 4C.1.2 with confirmation of the owners details.

2: Bidders to supply details of shipyard(s) that may be used for this contract — to include but not limited to location, previous builds (last 5 years) and possible capacity for this contract.

(Scored and Weighted Section = 25 %.)

Question 4C.6.1 Bidders will be required to confirm that their managerial staff have the following relevant educational and professional qualifications:

Educational and professional qualifications relevant to the subject matter of the Contract.

(Scored and Weighted Section = 5 %.)

Question 4C.7 Bidders are required to confirm that they will employ environmental management measures that meet the following requirements:

Relevant Port Authority Environmental Management Procedures

(Scored and Weighted Section = 5 %.)

Question 4C.9 Bidders will be required to demonstrate that they have (or have access to) the relevant tools, plant or technical equipment to deliver the types of requirements detailed in II. 2.4 in the OJEU Contract Notice or the relevant section of the Site Notice.

(Scored and Weighted Section = 10 %.)

Question 4C.10 Please provide details of the proportion (i.e. percentage) of the contract that you intend to subcontract: (For information Only).

Question 4C.12 Bidders will be required to confirm that they have the required quality control institute certificates (or from agencies of recognised competence) confirming that products meet the following technical specifications or standards:

1: Confirmation that bidders will use equipment to the Marine Equipment Directive (MED) standard in force at the time of award of contract — and where applicable for the type of vessel being constructed.

2: Confirmation that Lloyds Register (LR) classification for this contract is acceptable complete with details of proposed LR office(s) to be used for this vessel.

(Scored and Weighted Section = 25 %.)

Question 4D.1 — Quality Management Procedures and Health and Safety Procedures Pass /Fail.

Question 4D.2 — Environmental Management Systems or Standards Pass/Fail.

Minimum level(s) of standards possibly required:

As stated within the ESPD and the Appendix A to the Contract Notice for the Supply of Two New Towage Boats (Design and Build).

Questions 4C.1.2, Question 4C.5, Question 4C.6.1, Question 4C.7, Question 4C.9 and Question 4C.12 shall be marked 0-4 in accordance with the following markings scheme:

Score = 0 Unacceptable — Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.

Score = 1 Poor — Response is partially relevant and poor. The response addresses some elements of the requirement but contains insufficient detail or explanation to demonstrate how the requirement will be fulfilled.

Score = 2 Acceptable — Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.

Score = 3 Good — Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

Score = 4 Excellent — Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

The weighting to be applied to each question is as follows:

Question 4C.1.2 30 %.

Question 4C.5 25 %.

Question 4C.6.1 5 %.

Question 4C.7 5 %.

Question 4C.9 10 %.

Question 4C.12 25 %.

Tenderers must achieve a minimum score of 2 'acceptable' against each of the scored and weighted questions. Failure to achieve an acceptable score will result in a tenderers exclusion from the procurement exercise.

III.1.4. Objective rules and criteria for participation

List and brief description of rules and criteria:

As stated in the ESPD and the Appendix A to the Contract Notice for the Supply of Two New Towage Boats (Design and Build).

III.1.6. Deposits and guarantees required

A financial guarantee will be required from the shipyard to the value of the contract to be in place from the day of award of contract to completion of the contract.

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Interim/Installments and stage payments to be as detailed in the invitation to tender documentation.

III.1.8.

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

In the instance of a consortium submitting a bid and is awarded the Contract, the Consortium must form a legal entity before entering into the contract which is recognised in Scots Law.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

As detailed in the Invitation to Tender Documentation.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Restricted procedure

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

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 17/11/2017 Local time: 12:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 24/11/2017

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 3 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic payment will be used

VI.3. Additional information

The Council reserves the right to cancel the procurement at any time and not award a Contract. The expenditure, work or effort undertaken by bidders prior to the award of Contract is accordingly a matter solely for the commercial judgement of bidders.

Late tenders will not be considered by the Council.

An economic operator that suffers, or risks suffering damage or loss attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 may bring proceedings in the Sheriff Court or the Court of Session.

Tenderers should complete the ESPD (Scotland) referring to this Contract Notice and in the Appendix A to the Contract Notice for the Supply of One New Pilot Boat (Design and Build). Note: to register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at http://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=512691

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at http://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx.

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems. Community benefits are included in this requirement. For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

A summary of the expected community benefits has been provided as follows:

Employment in Orkney — indirect community benefit to the local community in Orkney is the continued provision of twenty directly employed seafarer posts within the Towage Services provided by the Harbour Authority.

In the medium term and dependant on business there is the possibility of increasing the number of towage seafarers.

Training of sea and shore staff in use of new equipment and maintenance. As a consequence there will be an increase in the knowledge base of local suppliers due to new vessel/s having modern technology and therefore a requirement for a higher level of shore side backup for these vessels — both directly employed and via contractors.

Running costs and whole life cycle costs incorporated into specification.

Employment and welfare considerations with a requirement to meet the Health and Safety and Employment legislation and minimum/living wage or equivalent requirements of the Country of construction. Evidence of compliance with these requirements to be incorporated into stage payments regime where appropriate.

(SC Ref:512691).

VI.4. Procedures for review

VI.4.1. Review body

Official name: Orkney Islands Council (Harbour Authority)

Postal address: Council Offices, School Place

Town: Kirkwall

Postal code: KW15 1NY

Country: United Kingdom

Telephone: +44 1856873535

Internet address: <http://www.orkneyharbours.com>

VI.5. Date of dispatch of this notice

16/10/2017