

Procurement procedure N° EMSA/CPNEG/17/2016
Service contracts for stand-by oil spill recovery vessel(s)

Questions/Answers

QUESTION 01 (dated 25/05/2016, 17:38):

I am writing with regard to the “Procurement Procedure No. EMSA/CPNEG/17/2016 concerning Service Contracts for stand-by oil spill recovery vessels”, because there are several points we don't quite understand regarding “Annex IV Technical specifications for the vessel”. Would you mind giving more details about it, concerning our vessel proposed that hereby attached we bring to knowledge.?

ANSWER TO QUESTION 01: (published on 31/05/2016):

This is a public procurement procedure and therefore the same information must be provided to all potential applicants. This information is contained in the set of documents published on the EMSA website. In addition, an Information Meeting is taking place on 1 June 2016 in Varna, Bulgaria where EMSA will explain the particularities of the tender procedure, including technical requirements to the vessel. This meeting is open to anyone to participate.

Please also note that the information provided about your vessel cannot be considered as valid application, as it is not in line with the procurement procedure rules set in the Invitation to Apply. Therefore, at this stage EMSA is not in position to evaluate if the vessel proposed is suitable for the intended service or not.

The requirements regarding the vessel to be contracted are contained in Annex IV to Enclosure T.2 – Vessel Availability Contract. In addition, the minimum requirements to the vessel are also specified in point 3.6. Minimum requirements regarding the proposed arrangement and the vessel(s), Enclosure A.1 – Application Specifications.

Among others, the most important requirements are:

- Vessel should not be engaged with to provide pollution response services at the time of award;
- The shipowner/operator must be part of the company/consortia submitting the tender;
- The minimum vessel net storage capacity for recovered oil must be:
 - For Lot 1 – Southern Black Sea - 1,250 m³
 - For Lot 2 – Northern Baltic Sea - 1,500 m³
- Vessel must be available for mobilisation at short notice;
- Vessel should be self-propelled;
- Vessel should not be subject to the single hull phase-out requirements;
- Vessel should be registered on either an EU Member State or a contracting party to European Free Trade Area (EFTA) or a non-EU white listed register as defined by the Paris MoU;
- Vessel(s) must be classified by an EU recognised organization;
- Vessel must be classed for unrestricted sea-going service and have all the certificates required for international voyages without any limitation. For Lot 2 – Northern Baltic Sea the vessel must

have at least Ice Class 1 or equivalent;

- In case the vessel is not built - it must be under construction by 15th September and finalised before the end of the Preparation Phase (June 2017);
- Vessel's should have a valid Safety Management Certificate (SMC).

Please also take into account the description of the oil spill response equipment (Annex V to EnclosureT.2 – Vessel Availability Contract) that must be installed onboard the proposed vessel.

Questions received during the Information meeting held on 01 June 2016 in Varna (Bulgaria) – published on 07/06/2016

Procurement procedure

QUESTION 02:

Is there a possibility for negotiation of the initial offer in this procurement procedure?

ANSWER TO QUESTION 02:

Yes it is a negotiated procedure but the negotiation can only take place in the second phase (tender phase) with those tenderers that have been preselected in the application phase and that have submitted tender that fulfils at least the minimum requirements, the exclusion and selection criteria. The negotiation aims only at improving the offer from the perspective of EMSA's requirements.

QUESTION 03:

The deadline for submission of the applications is 22 June 2016. Does it mean that the application has to be sent on the 22 June or that it has to arrive by 22 June to EMSA in Lisbon?

ANSWER TO QUESTION 03:

For all such formal requirements please refer to the "invitation to apply" letter as published under the "procurement" pages of the EMSA website (<http://emsa.europa.eu>) which states that:

- for submission by post, the application should be posted no later than 22 June 2016, the stamp of the post office serving as proof,
- for submission by private courier the application should be deposited with a private courier no later than 22 June 2016, the slip issued by the private courier service acting as proof.

Note that this is a strict requirement, applications posted or deposited with a private courier beyond that date will not even be opened by EMSA.

QUESTION 04:

You request an electronic version of the application by email or CD or USB key. What is the maximum size of an email not to be rejected by the EMSA server?

ANSWER TO QUESTION 04:

The maximum size is 12 Mb. If needed please send the application in several messages within the size limit or include an electronic copy on CD or USB key in the envelope together with the paper copy.

Equipment

QUESTION 05:

Most of the equipment for pollution response to be operated in the context of the resulting contract is 4-5 years old. EMSA in those cases foresees the possibility to include in the budget some money for servicing/overhauling of the equipment and upgrading/updating of the slick detection system. But the technology has evolved in particular regarding the oil slick detection systems. Would it be acceptable by EMSA if a tenderer instead of including the upgrading/updating of this system would include the replacement by a new system?

ANSWER TO QUESTION 05:

It would be acceptable by EMSA if it was presented as from the tender stage and if the budget for equipment was respected and the performance to be offered by the new equipment was equal or superior to the one to be serviced/overhauled or upgraded/updated. In addition, please note that the existing equipment will still be transferred to the new Contract. In awaiting for EMSA's decision on the final destination of the old equipment, the new Contractor will have to store, maintain and insure this equipment even if a new similar item has been purchased and is actually used within the framework of the Contract.

QUESTION 06:

Should the servicing or overhauling of the equipment be done by a local company or should be transported to the premises of the original manufacturer?

ANSWER TO QUESTION 06:

Both are possible as long as they remain within the maximum budget. The quality of those services will be evaluated in the tender phase.

Vessel

QUESTION 07:

Is it possible to propose a pool of vessels?

ANSWER TO QUESTION 07:

Yes, it is possible but the minimum vessel net storage capacity indicated as requirement for each Lot should be guaranteed at any time whatever vessel(s) is on stand-by.

QUESTION 08:

How should the tenderer prove the minimum speed of 12 Knots required for the vessel?

ANSWER TO QUESTION 08:

EMSA would accept results of sea trials or record of AIS positions that can be obtained from the VTS local centres.

QUESTION 09 (dated 06/06/2016, 13:52):

We are writing with regards to the "Procurement Procedure No. EMSA/CPNEG/17/2016 concerning Service Contracts for stand-by oil spill recovery vessels", because there are few points we don't quite understand. Please advise re enclosure A.5 - Declaration of Honour, page 3 and 4 - "only for legal persons other than Member States and local Authorities"

1. Should we complete this tables if the company applying is registered in Bulgaria or if NO
2. Should we delete them (as it is in PDF file format) or we could just not fill them in?

ANSWER TO QUESTION 09:

Yes you should complete it. As you represent a company (and not a Member State nor a Local Authority) you should fill in the point you refer to with regards to the natural person(s) that is/are in the administrative, management or supervisory bodies of the company, or have powers of representation, decision or control with regard to the Company (e.g. Directors, CEO).

Published on 09/06/2016

Requests for additional information regarding this tender should be sent by e-mail to the following address **CPNEG172016@emsa.europa.eu**. Requests for additional information received less than five working days before the closing date for submission of tenders will not be processed.

The deadline for submission of the bids of this tender is **22 June 2016**.

Responsibility for monitoring the Agency's website for replies to queries and/or further information remains with potential applicants.