

Procurement procedure N° EMSA/CPNEG/2/2017

Service contracts for stand-by oil spill recovery vessel(s) – Bay of Biscay

Questions/Answers

Questions received during the Information meeting held on 29 May 2017 in Paris (France)

QUESTION 01: Who has to contract the shipyard for the pre-fitting works and arrange the purchase of the pollution response equipment – is it EMSA or the contractor?

ANSWER TO QUESTION 01: It is the contractor who should arrange both shipyard for the pre-fitting works of the vessel and the purchase of the equipment. The contractor can choose which company to perform the pre-fitting works and deliver the equipment in line with the tender specifications. The relevant costs will be part of the price offer that will be submitted during the second (tender) phase.

QUESTION 02: Could the required minimum storage capacity for recovered oil (1,000 m³) be achieved through two vessels with smaller capacity (e.g. 2 vessels x 600 m³)?

ANSWER TO QUESTION 02: The proposed arrangement has to provide minimum net storage capacity for recovered oil of 1,000 m³ per vessel in line with EMSA minimum requirements as per point 3.6 (c) of Enclosure A.1.

Combining two vessels can only be considered if the tenderer propose a “pool” of vessels. The concept behind a “pool” of vessels is that two or more vessels can individually provide the minimum vessel net storage capacity and that one of the vessels (usually the best positioned at the moment) can be mobilised fully equipped with the oil pollution response equipment onboard.

QUESTION 03: Why is additional accommodation on board the vessel required? How many additional people will be present onboard the vessel?

ANSWER TO QUESTION 03: When an oil spill occurs, the requesting Member State usually transfers a liaison officer on board each mobilised vessel. In addition, EMSA may also decide to send an observer on board. Therefore, the vessel must be able to accommodate:

- the usual crew;
- additional people needed for 24/7 pollution response operation; and
- two extra persons (one from Member State and one from EMSA).

Temporary berth arrangements or accommodation of two persons in one cabin, if compliant with the ILO Maritime Labour Convention requirements and approved by Flag, could also be acceptable.

In addition, during drills or exercises EMSA may decide to invite some observers on board. This will be coordinated in advance with the contractor and will not require additional accommodation.

Please note that the lifesaving appliances should be accordingly foreseen for all possible persons on board the vessel.

QUESTION 04: Why is unrestricted sea-going service without any limitation a minimum requirement regarding the proposed vessel?

ANSWER TO QUESTION 04: As per point 3.3 of the Application Specification, following an advance notice the EMSA contracted vessel(s) must be within the area of operation, within the agreed mobilisation time, equipped and ready to respond to incidents. If needed and technically appropriate, they will assist elsewhere as well. Given the logistical and technical considerations, these other areas would probably be adjacent.

Vessels proposed by tenderers should be therefore certified permanently or temporally (e.g. waiver can be granted for the duration of the oil recovery operations) by the relevant authorities for unrestricted sea-going service in order to be able to provide the pollution response services as per contract in the area of operation or in the adjacent areas. Non-compliance with these requirements may be a ground for rejection of the bid.

QUESTION 05: What is the daily hire rate to be paid to the contractor during oil spill recovery operations?

ANSWER TO QUESTION 05: The reference daily rate (charter rate) paid will be the one that the tenderers will include in their offer during the second (tender) phase. During recovery operation, including the time for sailing to port for discharging recovered oil and the time for the discharge operation, the contractor is entitled to receive 100% of the daily rate. In case the vessel is on stand-by and cannot perform recovery (e.g. due to bad weather conditions) and during cleaning of the vessel after the operation the contractor is entitled to receive 75% of the daily rate. In addition to this the requesting State will cover the fuel, cleaning and any additional cost that may occur (e.g. port dues, agent fees, etc.). (ref. art. IV of the Incident Response Contract).

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Requests for additional information regarding this tender should be sent by e-mail to the following address CPNEG22017@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 **12 June 2017**.

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