

## ENCLOSURE R.1 - REQUEST SPECIFICATIONS

### Enclosed to Procurement Procedure N° EMSA/CPNEG/3/2021 for Equipment Assistance Service - Black Sea

#### Phase I – Invitation to submit a Request to participate

#### 1. Introduction

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council<sup>1</sup> for the purpose of ensuring a high, uniform and effective level of maritime safety.

Among its tasks, the Agency shall work with the Member States to support on request with additional means, in a cost-efficient way, the pollution response actions in case of pollution caused by ships as well as marine pollution caused by oil and gas installations (Art. 2(3)(d) of Regulation (EC) No 1406/2002 as amended). The Agency may also provide assistance in case of pollution caused by ships as well as marine pollution caused by oil and gas installations affecting those third countries sharing a regional sea basin with the Union (Article 2.5 of Regulation (EC) No 1406/2002 as amended).

#### 2. Type of Procedure

This procedure consists of two phases: “Request to participate Phase” and “Tender Phase”.

In Phase I, referred to as the “Request to participate Phase”, economic entities are invited to submit Requests to participate to this Competitive Procedure with Negotiations in accordance with the rules set out in the Invitation to submit a Request to participate and its associated Enclosures. Following that, a list of pre-selected candidates shall be drawn up according to the criteria set out in the Contract Notice, in the Invitation to submit a Request to participate and in these Request Specifications. Pre-selected candidates shall be invited to submit a full tender in Phase II, referred to as the “Tender Phase”.

Inclusion on the list of pre-selected candidates does not entail any obligation on the part of the Agency concerning either the award of the Contract or concerning invitations to submit a tender.

It should be noted that in this document any mention of the terms ‘candidates’ or ‘requests’ is in reference to Phase I of the procedure and any mention of the terms ‘bid’, ‘tender’ or ‘tenderers’ is in reference to Phase II.

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<sup>1</sup> Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1) as amended.

## 2.1. Phase I – Request to participate Phase (current phase)

The Invitation to submit a Request to participate constitutes the start of the first phase “Request to participate Phase”.

Requests must be submitted in accordance with the requirements set in the Invitation to submit a Request to participate, these Request specifications and associated Enclosures. Requests that are not received by the deadline and/or not submitted in an encrypted manner as set in the Invitation to submit a Request will be rejected by EMSA from further evaluation.

In this Request to participate Phase, EMSA will then assess the fulfilment by the candidates of the requirements published in these Request Specifications:

1. Legal position of the candidate (see points 7, 8 and 10.1 below);
2. Exclusion criteria (please see under points 10.2 and 10.5 below);
3. Selection criteria: candidates must submit evidence of their capacity to perform the Contract, both from the financial (see point 10.3 below) and technical and professional (see point 10.4 below) points of view.

A candidate (company or grouping) that is found in one of the exclusion criteria or that does not fulfil the selection criteria will not be pre-selected for the Tender Phase.

## 2.2. Phase II - Tender Phase

Following completion of Phase I, **pre-selected candidates only** will be invited to submit a full Tender in accordance with the rules set out in the Invitation to Tender, Tender Specifications and associated Appendices and Annexes.

The Tender Specifications (Enclosure T.1) and Draft Framework Contract for Services (Enclosure T.2), as well as associated Appendices and Annexes, are herewith published for information purposes and contain the documentation that will be required in the Tender phase from the pre-selected candidates and the procedure for evaluation in the course of Phase II.

During the Tender Phase, the pre-selected candidates may request to attend virtual “information meetings” where different aspects of the services required will be reviewed.

Following the submission of the full tender, EMSA will provide feedback to the tenderers concerned, in accordance with the principles of equal treatment and non-discrimination, to adapt, if required, the tenders to the procurement requirements. No negotiation will be possible on the maximum budget available, on the minimum requirements referred hereunder in point 3.3 nor on any element that is considered as part of the exclusion or selection criteria.

This will ultimately result in the identification of the tender offering the best value for money (based on quality and price) for the Agency.

### **3. Contract objective and scope**

#### **3.1. Overall objective**

The Agency is tasked to provide additional response capacity to the Member States of the European Union (EU), Iceland and Norway. In addition, the Agency may also provide assistance in case of pollution to third countries sharing a regional sea basin with the European Union, in line with the EU Civil Protection Mechanism.

The overall objective of the EMSA's Equipment Assistance Service (EAS) is the mobilisation and delivery on site, upon demand and at short notice, of oil pollution response assets, more particularly the availability on-site of specialised Oil Spill Response (OSR) equipment in order to respond to oil spills in the European regional sea basins. This is in accordance with the Agency's founding Regulation (EC) N°1406/2002 as amended. Dispersant will also be integrated in the EAS arrangement.

National authorities from an EU Member State, an EU Candidate Country, Iceland, Norway, the European Commission or a third country sharing a regional sea basin with the European Union can, through the European Emergency Response Coordination Centre, request Equipment Assistance Service. In addition, a third party not being a National authority but being involved in the marine incident such as the owner of the ship causing or threatening to cause a pollution by oil, the cargo owner or the oil and gas installation operator can also request Equipment Assistance Service.

The Agency intends to establish, for a period of 4 years, within the Black Sea area, additional response capacity to that of the pollution response mechanisms of the Member States in case of a major oil spill, by offering 24/7 stand-alone equipment suitable for use mainly on vessels of opportunity.

#### **3.2. Specific objective**

For the purpose of setting up the EAS arrangement in the selected area of the coastlines of EU Member States, the Agency intends to conclude a Framework Contract with service providers for the provision of equipment, dispersant, storage, maintenance, logistics, insurance, testing in water and 24/7 mobilisation services including transport and, if so requested by the user of the equipment, technical support personnel during equipment handover and deployment.

The EAS will be implemented through the conclusion of Specific Contracts on the basis of the conditions set in the Framework Contract. The Specific Contracts will cover the requirements and relevant services for each of the specific equipment sets or dispersant added to the stockpile.

The equipment and dispersant that will be utilised in the context of the service is provided to the EAS Contractor by EMSA and its purchase is not part of the Contract resulting from this procurement procedure. Equipment and dispersant ownership will remain with EMSA while their possession and care will be transferred to the Contractor.

The Contract can be concluded with public or private companies/groups drawn from any relevant industry including but not limited to spill response service providers, offshore and salvage services providers, equipment manufacturers, freight forwarders as well as any other relevant service providers.

Following a request for assistance, EMSA will notify the Contractor and will activate the EAS arrangement for OSR equipment and/or dispersant mobilisation services and, if so requested by the user of the equipment,

technical support personnel. Consequently, the equipment and dispersant shall be maintained in a state of constant readiness for transport by road and rapid mobilisation. The technical support personnel designated for assisting the Requesting Party during equipment handover and deployment shall remain available within maximum 400 kilometres from the equipment storage location in order to be rapidly mobilised and to be able to reach the designated place of handover in a timely manner before arrival of the equipment.

The performance of the Contract includes the provision of the following services:

- Readiness for mobilisation: 24/7 emergency contact point and associated personnel and logistics;
- Upon EMSA's request, supporting the import of the OSR equipment and dispersant into the country where the storage facilities will be established. This may imply acting as EMSA direct representative for the purposes of customs clearance and providing support related to customs procedures;
- Receive, check, store properly, label (labels and labelling instructions to be provided by EMSA) and inventorise equipment sets and dispersant IBCs;
- Oil Spill Response (OSR) Equipment maintenance;
- OSR Equipment and dispersant insurance cover during storage, testing, transportation, handling and to be extended to cover the equipment whilst engaged in operational activities if so requested by the State under an IRC-E or during an exercise;
- Performance of OSR equipment condition tests with deployment of equipment on water;
- Participate with all team members assigned to the EAS Contract to training sessions provided by the equipment manufacturers and supported by EMSA. These training sessions will involve equipment deployment and will be considered as an Equipment Condition Test;
- Co-operate with EMSA for the organisation of equipment familiarisation/training sessions for the benefit of stakeholders such as national pollution response authorities' personnel;
- Participate in notification exercises;
- Upon EMSA's request, provide transportation services. These transportation services would usually be from or to other EMSA contracted storage facilities;
- Delivery of equipment for international/national pollution response exercises including technical support personnel for handover, familiarisation of the entity organising the exercise with the equipment and, if so requested by EMSA, provision of assistance regarding the equipment deployment and its use by the Requesting Party during the exercise;
- Signature of an Incident Response Contract-Equipment (IRC-E) with a Requesting Party as indicated by EMSA in the Notice of Mobilisation;
- OSR Equipment and/or dispersant mobilisation and demobilisation services, transportation to the handover place and back from the place of redelivery and associated logistics under an IRC-E with a Requesting Party;
- Handover of the Equipment and/or dispersant to a Requesting Party within the framework of the IRC-E;
- If technical support personnel are also requested by the Requesting Party, the personnel will support the equipment handover including familiarisation of the Requesting Party with the equipment and, if so requested, assist the equipment deployment and use by the Requesting Party as part of the operational activities.

### 3.3. Scope of the work – minimum requirements

The minimum service requirements to be evaluated during Phase II (Tender Phase) are detailed in the Tender Specifications (Enclosure T.1) and its appendices. Although these requirements will be evaluated during Phase II (Tender Phase), **candidates are invited to consult the Tender documentation and more particularly the Tender Specifications (Enclosure T.1) and its appendices for a better understanding of the scope of the work covered by this public procurement procedure and the service minimum requirements.** More particularly, candidates are invited to consult the Tender Specifications (Enclosure T.1) and its appendices when developing the general description of the proposed EAS arrangement as detailed under point 11 of these Request Specifications.

The minimum requirements which will be evaluated during Phase II (Tender Phase) of this procurement procedure can be briefly summarised as follows:

- **“Top-up” principle** (see point 2.1 of the Tender Specifications - Enclosure T.1 to the Invitation to Tender):

In accordance with the Agency’s founding Regulation (EC) N°1406/2002 as amended, the mandate of EMSA is not to replace but to “top-up” the national pollution response resources. Consequently, **the contract cannot be awarded to a company offering resources for the performance of the EAS contract when these resources are already contracted for oil pollution response services by an EU Member State, Iceland, Norway or a third country sharing a regional sea basin with the EU. The resources offered shall be dedicated to the performance of the EAS agreement and shall remain available via EMSA to the affected coastal State requesting assistance.**

**Geographical scope:** (see point 2.2 of the Tender Specifications - Enclosure T.1 to the Invitation to Tender):

The arrangement shall be located within the Black Sea, on the coastline of Bulgaria or Romania.

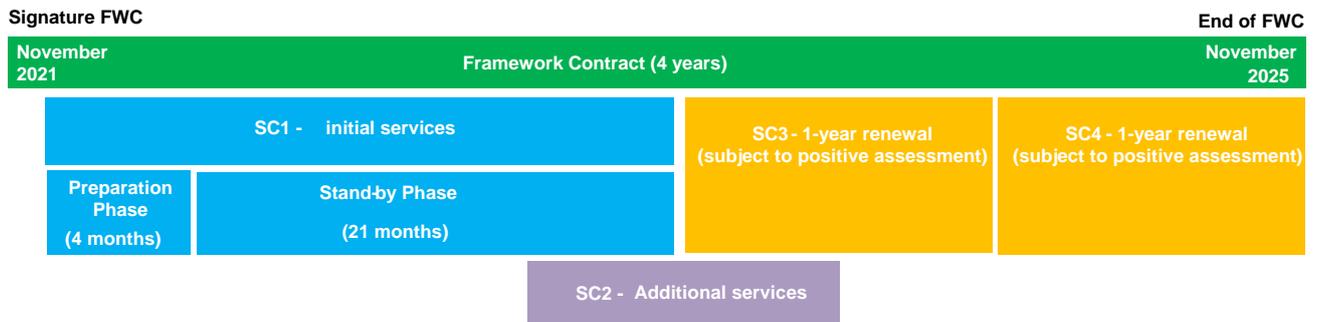
In order to minimise costs related to the Equipment Condition Tests, the arrangement must be located within 20 km from a commercial port area.

In order to ensure swift and smooth mobilisation of personnel to the designated handover place, the technical support personnel assigned the tasks of assisting the Requesting Party in equipment handover, deployment and use of equipment, shall be established within maximum 400 kilometres from the equipment storage. This is a key requirement to ensure quick readiness and easy travel arrangements to the designated handover place.

- **Contractual framework of the EAS** (see point 2.3 of the Tender Specifications-Enclosure T.1 to the Invitation to Tender): the service is structured and specified in the following types of Contracts:
  - Draft Framework Contract for Services (Enclosure T.2 to the Invitation to Tender);
  - Draft Specific Contract (Annex IV to the draft Framework Contract for Services);
  - Incident Response Contract-Equipment (IRC-E). It shall be noted that there are two types of IRC-E:
    - one applicable for the public entities - EU Member States, Norway, Iceland and third countries (Annex III to Enclosure T. 2) and
    - the other one applicable for private entities - e.g. the owner of the polluting ship, oil and gas operators or their contractors (Annex VI to Enclosure T.2).

In both IRCs, the contractor's main obligations are similar.

- **Project planning, timetable and reporting** (see point 2.4 of the Tender Specifications-Enclosure T.1). The indicative timeline for the Framework Contract and Specific Contracts is as follows:



The first Specific Contract is expected to be signed in January 2022. However, depending on budget availability, the signature of the first Specific Contract No 1 could be advanced to November 2021.

- **Potential equipment to be stored, maintained and operated within the EAS** (point 2.5 of the Tender Specifications-Enclosure T.1).
- **Initial and additional EAS arrangement** (point 2.6 of the Tender Specifications-Enclosure T.1).

#### 4. Contract management responsible body

EMSA – Unit 1.1 - Sustainability will be responsible for managing the Contract.

#### 5. Procurement planning

The estimated date for signature of the Framework Contract is November 2021.

The following timetable summarises the tentative milestones and deadlines for the procurement procedure:

| Activity   | Tentative dates |
|--|-----------------|
| Invitation to Tender for pre-selected candidates<br>(Start of the procurement procedure Phase II (Tender Phase)) | July 2021       |
| Remote Information Meetings via videoconference with pre-selected candidates<br>(if requested)                   | July 2021       |
| Deadline for submission of tenders   | August 2021     |
| Evaluation phase   | September 2021  |

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|---|---|
| <b>Deadline for final improved tenders</b>                    | <b>End of September 2021</b>  |
| <b>Award decision and signature of the Framework Contract</b> | <b>November 2021</b>  |
| <b>Signature of the first Specific Contract</b>               | <b>January 2022</b><br><b>Depending on budget availability, the signature of the first Specific Contract could be advanced to November 2021</b> |

## 6. Maximum value of the Contract<sup>2</sup>

The maximum value of the Framework Contract is EUR 1.25 million excluding VAT (point 5 of the Tender Specifications-Enclosure T.1).

This maximum budget for the Framework Contract will cover the whole maximum period of 4 years and will include all costs related to the initial arrangement and potential additional services but excludes the reimbursement of costs related to exercises and actual pollution response operations.

Out of the EUR 1.25 million, the maximum budget available for the initial services for a maximum of 4 years (covering the Specific Contract No.1 and potential renewal(s)) is EUR 1 million excluding VAT. Would additional services be ordered by EMSA during the maximum period of 4 years, a maximum budget of EUR 250,000 excluding VAT is available.

EMSA is tasked to provide response capacity within a specific budgetary framework. Accordingly, **EMSA has assigned a maximum budget ceiling for the initial services for a maximum period of 4 years of EUR 1 million. During phase II of this procurement (Invitation to Tender Phase), if any tender includes a financial offer (P1) for the initial services above this maximum budget ceiling of EUR 1 million, this will be a ground for rejection of the tender from the procurement procedure.**

## 7. Subcontracting

If the tenderer/candidate intends to either subcontract part of the work or realise the work in co-operation with other partners he shall indicate in his offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. It should be noted that the overall responsibility for the work remains with the tenderer/candidate.

The tenderer/candidate must provide the required evidence under the exclusion and selection criteria on its own behalf and, when applicable, on behalf of its subcontractors. The evidence for the selection criteria on behalf of

<sup>2</sup> Please note that during the first phase of this procurement procedure (Request to participate Phase), no financial offer is to be presented as part of the request to participate to be submitted.

subcontractors must be provided where the tenderer/candidate relies on the capacities of subcontractors to fulfil selection criteria<sup>3</sup>. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided will be checked to ensure that the tenderer/candidate and its subcontractors as a whole fulfil the criteria. However, the selection criteria may apply individually where it is relevant in view of their nature.

Changes in subcontractors between the “Request to participate Phase” and the “Tender Phase” will be acceptable but:

- a) The candidate shall remain the same;
- b) A new statement of “Statement of Subcontracting / Joint Offer” must be completed and submitted together with the tender;
- c) In case the change involves a subcontractor the pre-selected candidate was relying on to fulfil selection criteria as specified in point 11.3 (Economic and Financial capacity) or 11.4 (Technical and Professional capacity) of the Request to Participate, then the check on the evidence for the exclusion and selection criteria in question performed in the “Request Phase” will be performed again in the “Tender Phase”.

## 8. Joint Offer

Groupings, irrespective of their legal form, may submit joint requests to participate. Candidates may, after forming a grouping, submit a joint request to participate on condition that it complies with the rules of competition. Such groupings (or consortia) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit the request to participate. Candidates from consortia or groups must specify the role, qualifications and experience of each member or group.

Each member of the group must provide the required evidence for the exclusion and selection criteria. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided by each member of the group will be checked to ensure that the group as a whole fulfils the criteria. However, the selection criteria may apply individually where it is relevant in view of their nature.

If awarded, the Contract will be signed by the person authorised by all members of the group.

## 9. Requirements as to the Request to participate

Requests can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, requests should preferably be submitted in English and should in particular include an English version of the documents requested under points 10.4 and 11 of the present Request Specifications.

The Request to participate must be presented as follows and must include:

- **Candidate’s checklist** (Enclosure R.4 to the Invitation to submit a request to participate) completed, dated and signed;

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<sup>3</sup> To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

**Part A:** All the information and documents required by EMSA for the shortlisting of candidates on the basis of the points **7 and 8 and 10.1, 10.2 and 10.6** of these Request specifications (part of the Identification information and exclusion criteria):

1. **A Cover letter duly signed by the candidate representative** indicating the name of the company submitting the request, the name, position and contact details of the person heading the project at the procurement procedure stage as well as the name and position of the person who is authorised to individually sign the Contract in case of award.

In the case of joint offer/grouping, the cover letter shall in addition be signed by the representative of each of the companies of the grouping and shall specify the companies part of the grouping (including roles, qualifications and experience of each member) and shall indicate the company and the person heading the project on behalf of the grouping.

2. **Document** (e.g. resolution of the Board of Directors, Power of Attorney or articles of incorporation) authorising the person to individually represent the company/grouping or consortium for the purpose of this procurement procedure and to sign the contract on behalf of the company/grouping or consortium in case of award.
3. **The “Statement of subcontracting/Joint offer”** completed dated and signed when applicable: if the candidate intends to either subcontract part of the work or realise the work in co-operation with other partners (Joint Offers) he/she shall indicate it in his/her request by completing the form “Statement of subcontracting/Joint offer” (Enclosure R.2 to the Invitation to submit a Request to participate).
4. **For the candidate and each company involved in the grouping in case of joint offer: Legal Entity Form** completed, signed and stamped. This document is available on the Procurement Section (Legal Entity Form) of EMSA’s website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

The Legal Entity Form shall be accompanied by the following documents:

- A copy of the VAT Registration Document, if applicable, and if the VAT number does not appear on the Official Document referred to the point below;
  - A copy of an Official Document (Official Gazette, Company Register, etc.) showing the name of the Company and the Registration Number given to it by the relevant National Authorities.
5. **For the candidate and, in case of joint offer, for the company heading the request only: Financial Identification Form** completed, signed and stamped by the account holder and the bank (or accompanied by a recent bank statement). This document is available on the Procurement Section (Financial Identification Form) of EMSA’s website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

Candidates are exempt from submitting the Legal Entity Form and Financial Identification Form requested if such a form has already previously been completed and sent either to EMSA or any EU Institution. In this case the candidate shall simply indicate on the cover letter the bank account number to be used for any payment in case of award.

#### **Part B:**

6. **Declaration of Honour** (available on the Procurement Section of EMSA’s website ([www.emsa.europa.eu](http://www.emsa.europa.eu)) and associated supporting evidence. For more details see points 10.2 and 10.5 below.
7. **Supporting evidence** related to exclusion grounds as listed in the Declaration of Honour and under point 10.2 below.

**Part C:** All the information and documents required by EMSA for the pre-selected candidates on the basis of the **Economic and Financial capacity** (part of the Selection criteria) set out under point **10.3** of these Specifications.

**Part D:** All the information and documents required by EMSA for the pre-selected candidates on the basis of the **Technical and professional capacity** (part of the Selection criteria) set out under point **10.4** of these Specifications.

**Part E: General description of the proposed arrangement (for information purposes only)** as set out under point **11** of these Specifications.

## **10. Information concerning the personal situation of the candidate and information and formalities necessary for the evaluation of the minimum economic, financial and technical capacity required**

### **10.1. Legal position – means of proof required**

When submitting their request, candidates are requested to complete and enclose the **Legal Entity Form** and requested accompanying documentation, available in the Procurement Section (Legal Entity Form) of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

### **10.2. Grounds for exclusion - exclusion criteria**

To be eligible to participate in this contract award procedure, a candidate must not be in any of the following exclusion situations listed in the Declaration of Honour.

For this purpose, the Declaration of Honour available on the Procurement Section of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)) shall be completed and signed by the candidate.

In addition, the following supporting evidence has to be provided. This requirement applies to each member of the group in case of joint tender and declared subcontractors.

For the exclusion situations described in (a), (c), (d), (f), (g) and (h) of the Declaration of Honour, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the tenderer showing that those requirements are satisfied.

For the exclusion situation described in (a) and (b) of the Declaration of Honour, production of recent certificates issued by the competent authorities of country of establishment is required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

If the candidate already submitted such evidence for the purpose of another procedure, provided its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

Upon request and within the time limit set by EMSA, the candidate shall provide the supporting evidence concerning the natural or legal persons as listed under the first paragraph and concerning the natural or legal persons which assume unlimited liability for the debt of the candidate.

### **10.3. Economic and financial capacity – Selection criteria**

#### 10.3.1 Requirement:

The candidate must be in a stable financial position and must have the economic and financial capacity to perform the contract.

#### 10.3.2. Evidence:

To prove their economic and financial capacity, candidates must provide with their Request:

- a) Financial statements or their extracts for the last three years for which accounts have been closed;
- b) Statements of the overall turnover and, where appropriate, turnover relating to the relevant services for the last three financial years available.

Candidates are exempt from submitting the documentary evidence if such evidence has already previously been sent either to EMSA for the purpose of another procurement procedure. In this case the candidate shall simply indicate on the cover letter the procurement procedure where the evidence has been provided.

If, for some exceptional reason which EMSA considers justified, a candidate is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which EMSA considers appropriate. In any case, EMSA must at least be notified of the exceptional reason and its justification in the request to participate. EMSA reserves the right to request at any moment during the procedure any other document enabling it to verify the candidate-economic and financial capacity.

In case the Request to participate is submitted by a consortium, then each member of the consortium must submit the abovementioned documents. The documentation may be evaluated according to international rating practice.

### **10.4. Technical and professional capacity – Selection criteria**

#### 10.4.1. Requirements:

- a) The candidate must have a minimum of two years of experience gained in the past five years providing services in at least two of the following fields:
  - Storage and handling of Oil Spill Response equipment or heavy machinery;
  - Maintenance of Oil Spill Response equipment or heavy machinery;
  - Transport and logistics of Oil Spill Response equipment or heavy machinery.

- b) Two staff members proposed to act as technical support personnel<sup>4</sup> part of the project team must have at least two years of work experience in the fields of oil pollution response services or oil pollution response equipment training as trainers, including hands-on experience in deployment and use of oil pollution response equipment, e.g. booms, skimmers, integrated containment and recovery systems. They shall have the capacity to draft reports and to communicate in English for the purpose of supporting oil pollution response operations. They shall have at least a B2 level self-assessment (spoken, understood and written) in English.

#### 10.4.2. Evidence:

- a) A list identifying the provision of services for a minimum of two years in the past five years in at least two of the fields listed under point 10.4.1 (a) above. EMSA expects as a minimum a list of customers/projects with a brief description of the relevant works/services (i.e. storage and handling or maintenance or transport and logistics) carried out and the associated timeline/dates. For this purpose, the tenderer shall use, fill in, date and sign Enclosure R.5 to these Specifications;
- b) The Curriculum Vitae of the two staff members proposed to act as technical support personnel part of the project team. This refers to selection criterion 10.4.1 (b) above;
- c) For the two staff members proposed to act as technical support personnel part of the project team: evidence of the relevant hands-on experience with oil pollution response equipment such as deployment and use during sea trials/tests, operational drills/exercises and other operational activities, clearly demonstrating the work performed. This refers to selection criterion 10.4.1 (b) above;
- d) Filled in, dated and signed Language Passport (Enclosure R.3 to these Specifications) for the two staff members proposed to act as technical support personnel part of the project team. This refers to selection criterion 10.4.1 (b) above.

### 10.5. Declaration of Honour (DoH)

For the Selection criteria, the candidate shall provide information only with regards the selection criteria as required by EMSA in the procurement documents.

For the Exclusion criteria, the candidate shall provide information with regards its situation and on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control and beneficial owners.

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<sup>4</sup> For more information on the role of the technical support personnel please see point 2.6.1.3 of the Tender Specifications.

## 11. General description of the proposed arrangement for information purposes only

Candidates are invited to submit a first proposal indicating the arrangement envisaged to fulfil the objectives of the project. This description is for information purposes only. It is expected that the description includes the following points:

- General description of the proposed EAS arrangement including at least stockpile location, main dimensions, pictures and warehouse drawings and layout;
- Draft mobilisation plan: a brief description of the logistics proposed for equipment handling and transportation and the procedure by which the equipment would be made available for pollution response when requested at short notice.

## 12. Rejection from the procedure

Candidates that, during the procurement procedure, are in one of the following situations will be rejected from the procedure:

- a) are in an exclusion situation;
- b) have misrepresented the information required as a condition for participating in the procedure or have failed to supply that information;
- c) were previously involved in the preparation of procurement documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition that cannot be remedied otherwise.

## 13. Additional Information

Documents for the Phase II - Tender Phase (published together with the Invitation to submit a Request to participate)

- Enclosure T.1 – Tender Specifications:
  - Appendix 1 – Equipment list;
  - Appendix 2 - EAS Mobilisations procedures;
  - Appendix 3 – Guidelines for equipment condition tests and exercises;
  - Appendix 4 – Guidelines on equipment maintenance;
  - Appendix 5 – Dispersant quality assurance;
  - Appendix 6 – Dispersant information.
- Enclosure T.2 – Draft Framework Service Contract:
  - Annex III – Incident Response Contract-Equipment (IRC-E) Requesting State;
  - Annex IV – Draft Specific Contract;
  - Annex V – Expenses reimbursement for Contractor;
  - Annex VI - Incident Response Contract-Equipment (IRC-E) Private Entities.
- Enclosure T.3 – Bid template;
  - Appendix – Price Bid template;
- Enclosure T.4 – International\_National EAS Exercise Participation Agreement.

Other relevant EMSA documents regarding in particular the existing Equipment Assistance Service (EAS) arrangements:

EMSA website: [www.emsa.europa.eu](http://www.emsa.europa.eu) → “What we do” → “Sustainability” → “Operational Pollution Response Services” section with access to a range of “hyperlinks” and “documents” including:

- Pollution response services brochure;
- EAS Info-sheets;
- EMSA Pollution Response – FAQs;
- EMSA Action Plan for Oil Pollution Preparedness and Response (2004);
- EMSA Action Plan for Response to Marine Pollution from Oil and Gas Installations (2013).

Oil Spill Response Information Resources

Companies/groups can consult the websites and documents listed below for further information on oil spill response operations and technical aspects to be considered. The list is not exhaustive.

- European Commission (DG Humanitarian Aid and Civil Protection)  
<http://ec.europa.eu/echo/en>
- Bonn Agreement Counter Pollution Manual  
<http://www.bonnagreement.org/eng/html/welcome.html>
- HelCom Response Manual  
<http://www.helcom.fi/action-areas/response-to-spills/manuals-and-guidelines/>
- REMPEC (Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea)  
<http://www.rempec.org/>
- IMO Combat Manual  
<http://www.imo.org/> → Publications section