



# EMSA/CPNEG/5/2022

## Service contract for intermediate storage vessel

### Information Meeting

**25 January 2023**

<p>Introduction to EMSA oil spill recovery services</p> <ul style="list-style-type: none"><li>▪ European Maritime Safety Agency</li><li>▪ Framework of the oil pollution response services</li><li>▪ Current status</li><li>▪ Intermediate storage service</li></ul>	EMSA
<p>Scope of the procurement</p> <ul style="list-style-type: none"><li>▪ Geographical area</li><li>▪ Minimum requirements</li><li>▪ Budget</li><li>▪ Contract structure</li></ul>	EMSA
<p>How to apply</p> <ul style="list-style-type: none"><li>▪ Submission deadline</li><li>▪ Structure of the submission</li><li>▪ Evaluation criteria</li><li>▪ Provisional timetable</li></ul>	EMSA
<p>Questions and answers</p> <ul style="list-style-type: none"><li>▪ Open session for all participants</li></ul>	All

# **Introduction to EMSA's At-sea Oil Recovery Service**

## Establishment and tasks

- Post Erika (2002: EMSA established)
- Post Prestige (2004: new task Marine Pollution Preparedness & Response)

## Decentralised Agency of the European Union

- Own legal identity
- No legislative role
- Technical and operational support
- 250+ employees
- Approx. 85 MEUR annual budget (2022)

## Legal basis

Regulation 1406/2002 as amended (2013 – a new task related to offshore installations' spills)





Maritime safety

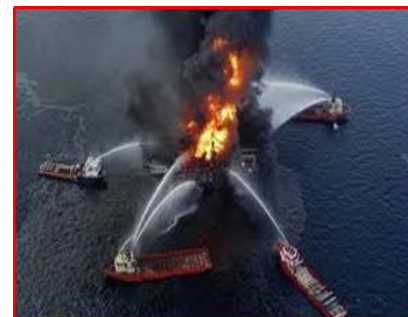
Prevention of pollution caused by ships



Maritime security



Response to pollution caused by ships



Response to pollution caused by oil and gas installations

- Network of Stand-by Oil Spill Response Vessels – mechanical recovery and dispersant spraying capabilities
- Equipment Assistance Service (EAS) – equipment to be used by vessels of opportunity
- CleanSeaNet and RPAS
- HNS Operational Support: MAR-ICE Network
- Experts: On-site/Office-based



- “Top-up” Member States pollution response capabilities
- “European Tier” of resources
- Mobilisation by EMSA at request of MS/EFTA/Third country sharing a regional basin or Commission (or Private Entity under certain conditions)
- Channelled through “EU Community Mechanism”
- Emergency Response Coordination Centre (ERCC) managed by DG ECHO
- Under “operational control” of the affected coastal State

# Current status



- OIL SPILL RESPONSE VESSELS **10**
- OIL SPILL RESPONSE VESSELS WITH DISPERSANTS **6**
- RPAS ON BOARD OIL SPILL RESPONSE VESSELS **12**
- EQUIPMENT ASSISTANCE SERVICE (EAS) STOCKPILES **5**
- DISPERSANT STOCKPILES **8**
- CLEANSEANET IMAGES
- 24/7 SERVICE AVAILABILITY



PROJECTION OF OPERATIONAL SERVICES IN THE END OF 2022



# Type of Vessels



Tankers



Offshore supply vessels



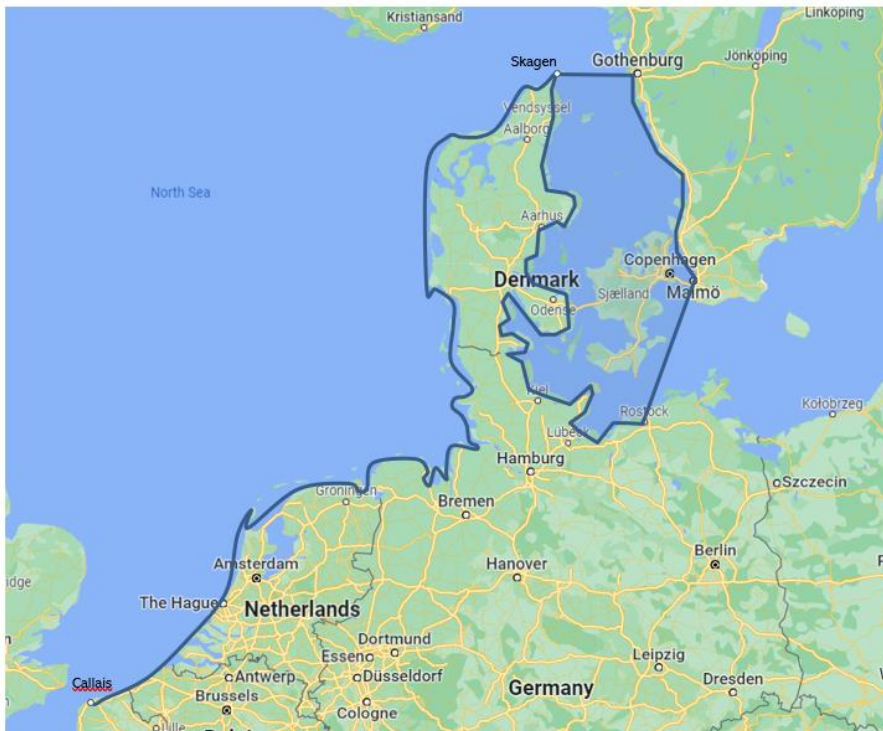
Dredgers

- EMSA performed so called “stress tests” in 2019 with Member States
- Results showed the need of making available additional large floating storage capacity for MS national response vessels
- The first region identified is North Sea (and adjacent Baltic Sea area)
- December 2021 EMSA Administrative Board approved the launch of the pilot tender for such services
- EMSA launched the tender in 2022 but it was not successful. Therefore, the Administrative Board decided to be re-launched in 2023.
- The services to include:
  - ✓ A tanker with large storage capacity and STS capabilities available for quick mobilisation
  - ✓ Specialised STS equipment
  - ✓ STS Superintendent and trained crew
  - ✓ Mobilisation structure

# Scope of procurement

The area to be covered by this tender is:

*Covering the European Continental coastline from Calais (France) to Skagen (Denmark) and the area limited from the line between Skagen (Denmark) and Gothenburg (Sweden) to the north and the line between Malmo (Sweden) and Rostock (Germany) to the South*



The vessel is not necessarily required to perform its regular commercial activity in the North and Baltic Seas area, as defined above. However, within maximum **72 hours** from the receipt of a request for assistance, the vessel must be inside this geographical area providing the contracted storage capacity and with the necessary personnel and equipment for performing the relevant services.

In addition, the specialised STS equipment managed under this contract must be stored, maintained and insured on board the vessel(s) and/or in a stockpile located on the coastline of an EU Member State.

# Min. requirements regarding the arrangement and the vessel (Phase II)

- a) Vessel(s) shall not be engaged with to provide intermediate storage services at the time of award;
- b) An authorisation from the shipowner/charterer for the use of the vessel for the purpose of the EMSA services during the contract duration must be provided;
- c) The vessel(s) must be an oil tanker;
- d) The minimum vessel(s) net storage capacity for recovered oil for intermediate storage shall be 5,000 m<sup>3</sup>
- e) Vessel(s) shall be self-propelled;
- f) Vessel(s) shall not be subject to the single hull phase-out requirements;
- g) Vessel(s) shall 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;
- h) Vessel(s) must be classified by an EU recognised organization;
- i) Vessel(s) must be classed for unrestricted sea-going service and have all the certificates required for international voyages without any limitation;
- j) The contact person of the company/consortium and the responsible crew on the vessel(s) must have a good command of the English language.

In case one or more of the above-mentioned minimum requirements regarding the vessel(s) cannot be met during the tendering process, the tenderer shall provide a declaration and commit to comply with those requirements before the end of the preparation phase.

Geographical area	Maximum estimated value of the initial contract	Total amount covering initial contract plus renewal for additional 4 years
North and Baltic Sea	€2,800,000	€2,800,000 + €2,800,000 x 1.12 = <b>€5,936,000</b>

## Preparatory Phase

- Adaptations/pre-fittings to the vessel, if necessary
- Provision of the specialised equipment (fenders, hoses, adaptors/reducers, etc)
- Training in pollution response operations for the Master of the ship, senior officers and STS Superintendent
- Establishment of internal mobilisation plan

## Stand-by phase (payment of vessel availability fee each quarter)

- Vessel performs usual commercial activities
- Storage, maintenance and insurance of the equipment
- Participation in Operational exercises (max. 15 day per year)

## Additional Payments

- 4) At-sea Exercises (beyond 15 days per year): Daily rate + Fuel
- 5) Pollution Response Incident – by Member State: Daily rates (operational and non-operational) + Fuel + Cleaning

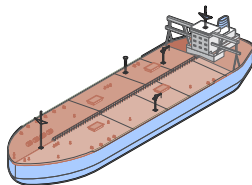
# Contract structure

Intermediate  
Storage  
Availability  
Contract

Incident  
Response  
Contract -  
Storage



## At-sea Intermediate Storage Service



+



+





## Intermediate Storage Availability Contract (ISAC)



## Between EMSA and the Contractor

- 4 Years + Renewable once = Maximum 8 years total

### It secures:

- **Requirements** for vessel(s), specialised equipment and crew
- Stand-by / **availability**
- **Participation** in exercises
- **Mobilisation time**
- **Mandatory** use of the Incident Response Contract - Storage



Incident  
Response  
Contract -  
Storage



## Pre-fixed contract with pre-set conditions & tariffs:

- Between the requesting coastal State and contractor
- Avoid unnecessary high tariffs vs. vessel of opportunity
- 1 Model Contract for 25+ different legal systems

## **Clear allocation of responsibilities during operation**

- Under operational command of the MS (SOOSC)
- Safety responsibility: Master (final)

## **Period**

30 days: “window of opportunity”/economic commitments of operator

## **Renewal possible under same conditions**

# How to apply

## 2 Phase Approach:

Phase I - “Request to participate”

Phase II – (Restricted) “Invitation to Tender”

<https://emsa.europa.eu/procurement/calls/item/4881-ems-cpneg-5-2022.html>

Back-office

Calls for tenders from the European institutions

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**Call for tenders' details**

Title: Service Contract for Intermediate Storage Vessel  
 Contracting authority: European Maritime Safety Agency  
 Link: <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=13023>  
 TED publication date: 10/01/2023  
 Time limit for receipt of tenders: N/A Status: Published  
 TED document ID: 2023/S 007-015533 eNotices document ID: 2023-001095

DRAFT

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Lot	Title	Status of the document	Document type	Publication date
	<a href="#">Invitation to submit a Request to participate (Phase I)</a>	Published	Invitation	10/01/2023
	<a href="#">Appendix I e-submission guidelines</a>	Published	Other	10/01/2023
	<a href="#">Encl R.1 Request Specifications</a>	Published	Tender specifications	10/01/2023
	<a href="#">Encl R.2 Checklist</a>	Published	Other	10/01/2023
	<a href="#">Encl R.3 Statement of Subcontracting_Joint Offer</a>	Published	Other	10/01/2023
	<a href="#">Encl T.1 Tender Specifications</a>	Published	Tender specifications	10/01/2023
	<a href="#">Encl T.2 ISAC</a>	Published	Draft contract	10/01/2023
	<a href="#">Encl T.2 Annex III IRC-S</a>	Published	Annexes	10/01/2023
	<a href="#">Encl T.2 Annex IV Tec Specs Vessel</a>	Published	Annexes	10/01/2023
	<a href="#">Encl T.2 Annex V TecSpecs Equipment</a>	Published	Annexes	10/01/2023

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- Requests to be submitted via *E-Submission application* by **16.00h Lisbon time on 17 February 2023**
- Appendix I – E-Submission Guidelines attached to the Request Specifications
- Justification for non-inclusion of requested documentation
- Requests can be in any official language of the EU (preferably in English)
- Point 11.5: General Description of Proposed Arrangement: must include copy in English
- Separation of documentation into Parts A – E (as per the Checklist)

## Enclosures:

- 1: R.1 Request Specifications: main requirements;
- 2: R.2 Check-List: review it before sending the Request to participate;
- 3: R.3 Template for “Statement of Subcontracting/Joint Offer”.

# Checklist

## ENCLOSURE R.2 – CANDIDATE'S CHECKLIST

### Procurement procedure: EMSA/CPNEG/5/2022 Service contract for intermediate storage vessel

#### Phase I – Request to participate

In order to submit an offer in this Procurement Procedure the candidate has to complete and submit all documents listed below:

Document	Check
Request submitted by email before 16:00 hrs Lisbon time on <b>17/02/2023</b> <i>Ref. EMSA documentation: Invitation to submit a Request to participate point 3</i>	<input type="checkbox"/>
Request must include a copy in English of the documents/information requested under point 11.5 of the Request Specifications - General description of the proposed arrangement. <i>Ref. EMSA documentation: Request Specifications, point 9</i>	<input type="checkbox"/>
Request structured in line with EMSA requirements – Parts A, B, C, D and E <i>Ref. EMSA documentation: Request Specifications, point 9</i>	<input type="checkbox"/>
<b>PART A</b> <b>1. Signed cover letter</b> clearly indicating: <i>For individual company:</i> - the company applying - the person heading the project <i>For subcontractors and for groups of economic operators:</i> - the subcontractors and the companies forming the group (including roles, qualifications and experience of each company) - the company and person heading the project  <i>(Ref. EMSA documentation: Request Specifications, point 9)</i>	<input type="checkbox"/>
<b>PART A</b> <b>2. Statement of Subcontracting/Joint Offer</b> (template - Enclosure R.3 to the Request to participate) In case of Joint Offer or Subcontracting, please fill the form <i>Ref. EMSA documentation: Request Specifications, points 8, 9 and 10</i>	<input type="checkbox"/>

Document	Check
<b>PART A</b> <b>3. Authorising document</b> <i>For individual company:</i> Original of the document authorising the person heading the project to submit an offer and, in case of award, to sign the contract on behalf of the company <i>For groups of economic operators:</i> Original of the document authorising the company and person heading the project to submit an offer and, in case of award, to sign the contract on behalf of the group <i>Ref. EMSA documentation: Request Specifications, point 9</i>	<input type="checkbox"/>
<b>PART A</b> <b>4. Legal Entity Form</b> <i>(this document is available on the Procurement Section (Legal Entity Form) of EMSA's website <a href="http://emsa.europa.eu/work/procurement/calls.html">http://emsa.europa.eu/work/procurement/calls.html</a>)</i> Candidates are exempt from submitting the Legal Entity Form requested and attachments if such a form has already been completed and sent either to EMSA or any EU Institution previously unless changes have occurred in the meantime. In case of a group, each company must submit this document. <i>Ref. EMSA documentation: Request Specifications, points 9 and 11.1</i>	<input type="checkbox"/>
Supporting documents: - copies of company VAT number registration certificates and, if applicable; - a copy of an Official Document (Official Gazette, Company Register, etc.).	<input type="checkbox"/> <input type="checkbox"/>
<b>PART A</b> <b>5. Financial Identification Form</b> <i>(this document is available on the Procurement Section (Financial Identification Form) of EMSA's website <a href="http://emsa.europa.eu/procurement.html">http://emsa.europa.eu/procurement.html</a>)</i> For the Company leading and submitting the Request only. This document must be filled and signed by the account holder and the bank (or accompanied by a recent bank statement). <i>Ref. EMSA documentation: Request Specifications, point 9</i>	<input type="checkbox"/>
<b>PART B</b> <b>6. Declaration of Honour (DoH) and the associated supporting evidence</b> <i>(available at <a href="http://emsa.europa.eu/procurement.html">http://emsa.europa.eu/procurement.html</a>)</i> Each candidate, each subcontractor on which the candidate relies to fulfil the selection criteria, and each company part of the Consortium/ grouping shall provide these documents in this Request phase. Kindly attach the relevant documents	<input type="checkbox"/>



Economic operators established in:

- the Member States of the European Union
- Albania, Republic of North Macedonia, Iceland, Liechtenstein, Montenegro, Norway, Serbia and Bosnia and Herzegovina

a) **Exclusion Criteria** – Satisfactory / Non-satisfactory

b) **Selection Criteria** - Satisfactory / Non-satisfactory

**NON-COMPLIANCE WITH 1 EXCLUSION OR SELECTION  
CRITERION – GROUND FOR NON - ADMISSION**

## a) Exclusion criteria (points 11.2 and 11.6 of Request Specifications)

➤ Declaration on Honour duly filled and signed

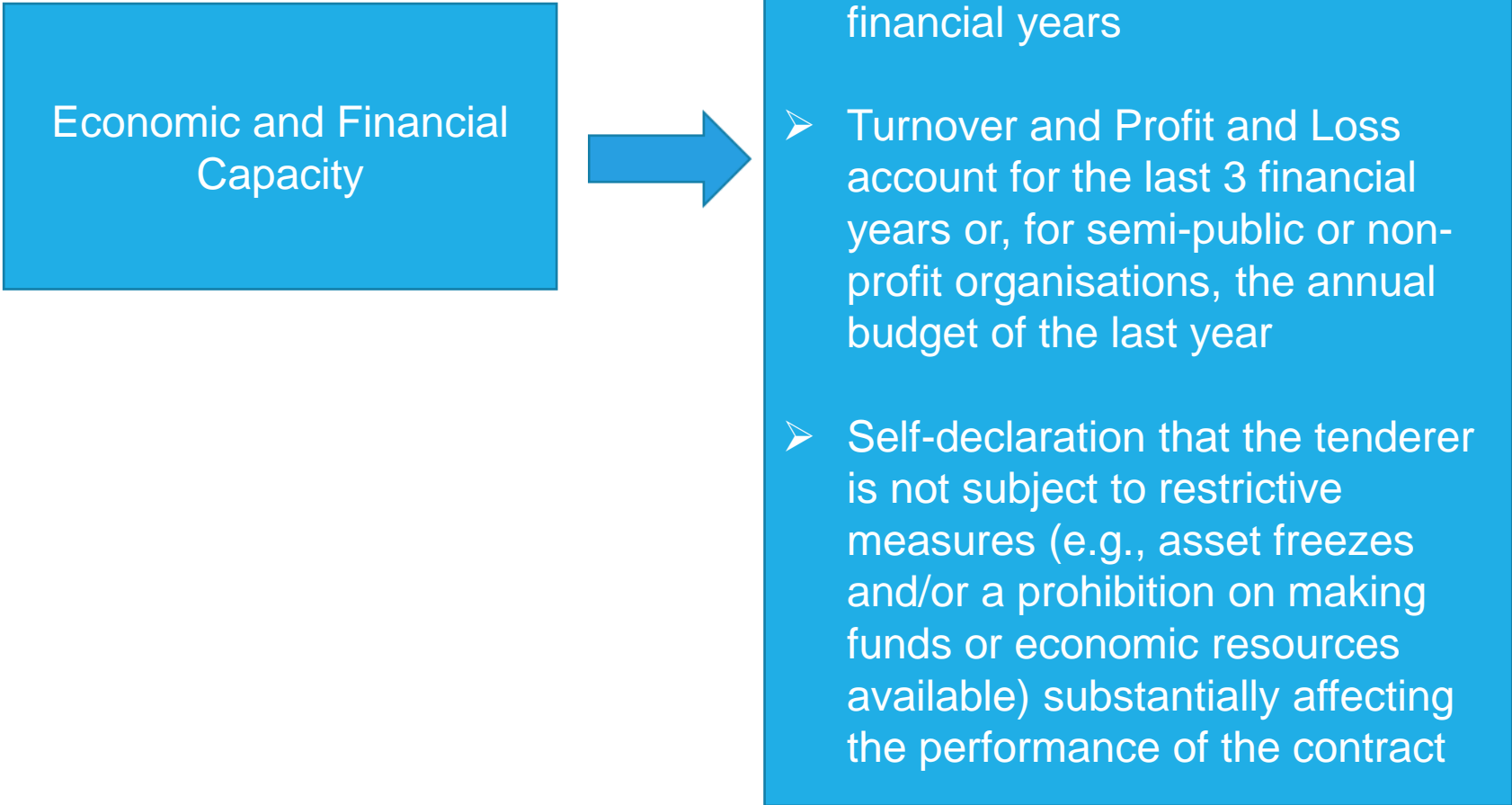
*and*

*additional evidence:*

- Copies of extracts of judicial records/certificates issued by national authorities
- 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 a solemn statement made before an administrative authority or a qualified professional body in its country of establishment

## b) Selection criteria (point 11.3 of Request Specifications)

Economic and Financial  
Capacity

A diagram consisting of a blue rectangular box on the left containing the text 'Economic and Financial Capacity'. A large blue arrow points from this box to a larger blue rectangular box on the right. This larger box contains a bulleted list of three requirements related to financial capacity.

- Balance Sheets for the last 3 financial years
- Turnover and Profit and Loss account for the last 3 financial years or, for semi-public or non-profit organisations, the annual budget of the last year
- Self-declaration that the tenderer is not subject to restrictive measures (e.g., asset freezes and/or a prohibition on making funds or economic resources available) substantially affecting the performance of the contract

## b) Selection criteria (point 11.4 of Request Specifications)

Technical and professional capacity of the Company/Consortium



- Document of Compliance (DoC) for International Safety Management (ISM) Code including the related latest external audit report  
Grouping: at least 1 member or subcontractor must have a valid DOC
- Overview of company/consortium Port State Control record (PSC inspections and detentions) or annual Flag Surveys for last 3 years – 3 detentions will be ground for exclusion
- List of STS operations between vessels of different size that involve petroleum cargoes in the last 3 years

## Evaluation Result

Request meeting exclusion and selection criteria?

**Yes** → “Pre-selected Candidate” → Invitation to Tender

**No** → “End of Participation”

Activity	Tentative calendar
Phase I - Request to participate Phase (current phase)	February 2023
(Phase II)- Tender phase Invitation to tender for selected candidates	April 2023
Deadline for submission of tenders	June 2023
Deadline for final improved tenders	August 2023

The estimated date for signature of the contract is October 2023

- Technical Specifications of the vessel
- Specialised Equipment
- Mobilisation Plan
- Crew
- Environmental performance
- Financial Offer



Will be evaluated in the Tender Phase  
Against minimum requirements and award criteria



## How to create and submit a question

- Additional information through the TED e-Tendering website
- Select "Questions & answers" tab
- Click "Create a question"
- **8 February 2023** time limit to submit questions



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