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Tender

## **701326374 Provision of service to collect, transport and dispose of fuel and sullage from HMS Vessels and other foreign visiting Vessels to Devonport Naval Base.**

Ministry of Defence

F17: Contract notice for contracts in the field of defence and security

Notice identifier: 2021/S 000-010896

Procurement identifier (OCID): ocds-h6vhtk-02b201

Published 17 May 2021, 10:55pm

### **Section I: Contracting authority/entity**

#### **I.1) Name, addresses and contact point(s)**

Ministry of Defence

NBC(D) Commercial, Naval Base HQ, HMNB Devonport

Plymouth

PL2 2BG

**For the attention of**

Miss C. Bayley

**Email(s)**

[Christina.Bayley101@mod.gov.uk](mailto:Christina.Bayley101@mod.gov.uk)

**Telephone**

+44 3001524993

**Country**

United Kingdom

**Internet address(es)****General address of the contracting authority/entity**

[www.contracts.mod.uk](http://www.contracts.mod.uk)

**Electronic access to information**

[www.contracts.mod.uk](http://www.contracts.mod.uk)

**Electronic submission of tenders and requests to participate**

<https://www.contracts.mod.uk/go/3028026701797BCD680D>

**Further information**

Further information can be obtained from the above mentioned contact point(s)

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from**

The above-mentioned contact point(s)

**Tenders or requests to participate must be sent to**

The above-mentioned contact point(s)

**I.2) Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.3) Main activity**

Defence

**I.4) Contract award on behalf of other contracting authorities/entities**

The contracting authority is purchasing on behalf of other contracting authorities:

No

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## **Section II: Object of the contract**

### **II.1) Description**

#### **II.1.1) Title attributed to the contract by the contracting authority**

701326374 Provision of service to collect, transport and dispose of fuel and sullage from HMS Vessels and other foreign visiting Vessels to Devonport Naval Base.

#### **II.1.2) Type of contract and location of works, place of delivery or of performance**

Services

Service category No 26: Other services

#### **Main site or location of works, place of delivery or of performance**

HMNB Devonport, Plymouth PL2 2BG

#### **NUTS code**

- UKK41 - Plymouth

#### **II.1.5) Short description of the contract or purchase(s)**

Provision of service to collect, transport and dispose of fuel and sullage from HMS Vessels and other foreign visiting Vessels to Devonport Naval Base. This is an enabling Contract whereby quantities referred to in Schedule 2 of the Contract, draft contained within the ITT documents, are estimated volumes and quantities may vary throughout the Contract duration.

The core Contract shall be for 5 years with 2 additional option years which can be invoked at the discretion of the Contracting Authority and are subject to additional approvals.

#### **II.1.6) Common procurement vocabulary (CPV)**

- 90513600 - Sludge removal services

#### **Additional CPV code(s)**

- 34133110 - Fuel-tanker trucks
- 90513700 - Sludge transport services

### **II.1.7) Information about subcontracting**

The tenderer has to indicate in the tender any share of the contract it may intend to subcontract to third parties and any proposed subcontractor, as well as the subject-matter of the subcontracts for which they are proposed

The tenderer has to indicate any change occurring at the level of subcontractors during the execution of the contract

The successful tenderer is obliged to specify which part or parts of the contract it intends to subcontract beyond the required percentage and to indicate the subcontractors already identified

### **II.1.8) Lots**

This contract is divided into lots: No

### **II.1.9) Information about variants**

Variants will be accepted: No

## **II.2) Quantity or scope of the contract**

### **II.2.1) Total quantity or scope**

The Contracting period will be for 5 years with 2 additional option years. Any option years shall be subject to additional approvals. Volumes of services are contained within the Schedule of Requirement and are subject to change dependent on vessel schedules and requirements at HMNB Devonport.

No business whatsoever is guaranteed under any resulting Framework Agreement or Contract indeed there is no guarantee that any Framework Agreement or Contract will be put in place in relation to this notice. No compensation etc will be paid if a tender or resulting Framework Agreement is withdrawn for any reason. Bidders should take part in this process only on the basis that they fully understand and accept this position.

Potential Providers/Tenderers are invited to note the following:

1. Attention is drawn to the Security Aspects Letter (SAL) attached as part of the Draft Contract, which details key criteria for eligibility. In accordance with Regulation 6 (3A) (a) - 'Security of Information,' and read in conjunction with Regulation 7 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019; this requirement is open to National eye-only. Meaning, only economic operators established in the UK and Gibraltar shall be eligible to tender for this requirement.

2. The Cyber risk has been considered and in accordance with the Cyber Security Model results in a Cyber Risk Profile of 'MODERATE.'

Estimated value excluding VAT:

£2,371,000

#### **II.2.2) Information about options**

Options: Yes

Description of these options: There will be a provision in the Contract for 2 option years which may be implemented should the Authority require an extension to the original Contract period of 5 years to ensure continuation of the service.

Take up of the option years will be subject to the internal approval process.

#### **II.2.3) Information about renewals**

This contract is subject to renewal: No

### **II.3) Duration of the contract or time limit for completion**

Duration in months: 84 (from the award of the contract)

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions relating to the contract**

#### **III.1.1) Deposits and guarantees required**

The authority reserves the right to request an indemnity, guarantee or bank bond if the prospective tenderer does not meet the required standard for economic and financial standing.

#### **III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

All payments shall be made with the Contracting Purchasing and Finance (CP&F) tool. Payment follows delivery and acceptance of the services on a monthly basis. Evidence of delivery of the services each month shall be provided by the Supplier to the Authority.

#### **III.1.3) Legal form to be taken by the group of economic operators to whom the contract**

## **is to be awarded**

If a group of economic operators submits a bid, the group must nominate a lead organisation to deal with the Authority. The Authority shall require the group to form a legal entity before entering into the contract.

### **III.1.4) Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information**

The Authority reserves the right to amend any condition related to security of information to reflect any changes in National Law or Government Policy. If any Contract documents are accompanied by a Security Aspects Letter, the Authority reserves the right to amend the terms of the Security Aspects Letter to reflect any changes in National Law or Government Policy whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise.

Attention is drawn to the Security Aspects Letter (SAL) as part of the Draft Contract, which details key criteria for eligibility. In accordance with Regulation 6 (3A) (a) - 'Security of Information,' and read in conjunction with Regulation 7 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019; this requirement is open to National eyes-only. Meaning, only economic operators established in the UK and Gibraltar shall be eligible to tender for this requirement.

The maximum level of protective marking is Official - Sensitive

Cyber risk has been considered and in accordance with the Cyber Security Model resulted in a Risk Profile of 'Moderate.' The Risk Assessment Reference is RAR-ZMBM3M95.

There will be specific processes and procedures for all Supplier personnel working at HMNB Devonport.

All additional specific obligations shall be set out in the Invitation to Tender.

### **III.1.5) Information about security clearance**

Candidates which do not yet hold security clearance may obtain such clearance until: 29 October 2021

## **III.2) Conditions for participation**

### **III.2.1) Personal situation**

**Criteria regarding the personal situation of economic operators (that may lead to their**

**exclusion) including requirements relating to enrolment on professional or trade registers**

Information and formalities necessary for evaluating if the requirements are met: The Authority will apply all of the offences listed in Article 39(1) of Directive 2009/81/EC (implemented as Regulation 23(1) of the Defence and Security Public Contract Regulations (DSPCR) 2011 in the UK) and all of the professional misconducts listed at Article 39(2) of Directive 2009/81/EC (see also Regulation 23(2) in the DSPCR 2011) to the decision of whether a Candidate is eligible to be invited to tender.

Candidates will be required to sign a declaration confirming whether they do or do not have any of the listed criteria as part of the pre-qualification process.

Candidates who have been convicted of any of the offences under Article 39(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest (including defence and security factors) for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 39(2) may be excluded from being selected to bid at the discretion of the Authority.

Information and formalities necessary for evaluating if the requirements are met can be found in the PQQ which encompasses questions to allow the prospective tenderer to provide a declaration of good standing.

**III.2.2) Economic and financial ability**

**Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)**

Information and formalities necessary for evaluating if the requirements are met: Suppliers Instructions How to Express Interest in this Tender:

1. Register your company on the eSourcing portal (this is only required once)

- Browse to the eSourcing Portal
- Click the "Click here to register" link
- Accept the terms and conditions and click "continue"

- Enter your correct business and user details
- Note the username you chose and click "Save" when complete
- You will shortly receive an email with your unique password (please keep this secure)

## 2. Express an Interest in the tender

- Login to the portal with the username/password
- Click the "PQQs Open to All Suppliers" link. (These are Pre-Qualification Questionnaires open to

any registered supplier)

- Click on the relevant PQQ to access the content.
- Click the "Express Interest" button in the "Actions" box on the left-hand side of the page.
- This will move the PQQ into your "My PQQs" page. (This is a secure area reserved for your projects

only)

- Click on the PQQ code, you can now access any attachments by clicking the "Settings and Buyer

Attachments" in the "Actions" box

## 3. Responding to the tender

- You can now choose to "Reply" or "Reject" (please give a reason if rejecting)
- You can now use the 'Messages' function to communicate with the buyer and seek any clarification
- Note the deadline for completion, then follow the onscreen instructions to complete the PQQ

- There may be a mixture of online & offline actions for you to perform (there is detailed online help

available)



If you require any further assistance please consult the online help, or contact the e-tendering help desk.

**Criteria regarding the economic and financial standing of subcontractors (that may lead to their exclusion)**

Information and formalities necessary for evaluating if the requirements are met: Two Years Audited Accounts will be required as part of any Pre-Qualification Questionnaire response.

The estimated annual contract value is £340,000.00. If the estimated annual contract value is greater than 40% of the supplier's turnover, the Authority reserves the right to exclude the supplier from being selected to tender except where the supplier provides, to the satisfaction of the Authority, evidence showing it has sufficient economic and financial capability, for example such evidence may include:

(1) any additional information proving it has sufficient economic and financial resources to deliver the requirement; and

(2) stating whether the supplier is willing to provide the Authority with an indemnity, guarantee or bank bond.

A financial assessment that is proportionate to the proposed Contract will be undertaken on the supplier's financial status. An overall pass / fail judgement will be made after considering areas such as turnover profit, net assets, liquidity, gearing and capacity. This assessment will include the Parent company, where applicable. An independent financial assessment obtained from a reputable credit rating organisation may be utilised as part of this process.

A statement related to Good Standing will be required as part of the Pre-Qualification Questionnaire response.

**III.2.3) Technical and/or professional capacity**

**Criteria regarding the technical and/or professional ability of economic operators (that may lead to their exclusion)**

Information and formalities necessary for evaluating if the requirements are met: Scoring and weighting criteria are contained within the PQQ and ITT documentation. Potential Providers who choose to complete a PQQ return will be required to address the relevant Technical capacity questions in the PQQ response.

Minimum level(s) of standards possibly required: The Contractor's personnel who will be attending HMNB Devonport shall hold a valid security clearance on or before the Contract

start date.

Additional Standards that the Contractor shall abide by include the following:

ISO9001 accreditation, demonstrable evidence of compliance with the Health and Safety at Work Act 1974 and the Environmental Protection Act 1990, evidence of Goods Vehicle Operator Licence GV76 and evidence that the Contractor has the relevant certifications for handling hazardous waste.

**Criteria regarding the technical and/or professional ability of subcontractors (that may lead to their rejection)**

Information and formalities necessary for evaluating if the requirements are met: If the main Contractor will be subcontracting any part of the requirement, the main Contractor shall be required to provide evidence of its subcontractors ability to adhere to the minimum standards.

**III.3) Conditions specific to services contracts**

**III.3.1) Information about a particular profession**

Execution of the service is reserved to a particular profession: Yes

Reference to the relevant law, regulation or administrative provision: The Contractor shall be a registered Waste Carrier in England and hold appropriate and valid Waste Licences as required by the Environment Agency.

**III.3.2) Staff responsible for the execution of the service**

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: Yes

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## **Section IV: Procedure**

### **IV.1) Type of procedure**

#### **IV.1.1) Type of procedure**

Restricted

#### **IV.1.2) Limitations on the number of operators who will be invited to tender or to participate**

Envisaged minimum number 3 and maximum number 5

Objective criteria for choosing the limited number of candidates: The aim of the DPQQ is to arrive at a short list of no more than five (5) qualified potential service providers, owing to the specialist nature of the requirement. Each response must achieve a Score of 2 (Satisfactory) or more for the response to be deemed technically compliant. Further information regarding the DPQQ evaluation process and methodology can be found in the attachment to the DPQQ entitled 701326374 – DPQQ Evaluation Process and Methodology-OS

### **IV.2) Award criteria**

#### **IV.2.1) Award criteria**

the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

#### **IV.2.2) Information about electronic auction**

An electronic auction has been used: no

### **IV.3) Administrative information**

#### **IV.3.1) File reference number attributed by the contracting authority**

701326374 - DPQQ

#### **IV.3.2) Previous publication(s) concerning the same contract**

no

#### **IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document**

Payable documents: no

**IV.3.4) Time limit for receipt of tenders or requests to participate**

21 June 2021 - 5:00pm

**IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates**

14 July 2021

**IV.3.6) Language(s) in which tenders or requests to participate may be drawn up**

English

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**Section VI: Complementary information**

**VI.1) Information about recurrence**

This is a recurrent procurement: No

**VI.2) Information about European Union funds**

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

**VI.3) Additional information**

The Contracting Authority intends to use an e-Tendering system in this procurement exercise, please visit [www.contracts.mod.uk](http://www.contracts.mod.uk) for full details and to register your interest in this procurement.