

NWIFCA Quarterly Meeting

18th March 2021: 10.00 a.m.

AGENDA
ITEM NO.

8

REPLACEMENT OF “PROTECTOR BRAVO”

Purpose of Report:

To update members on the replacement process, so far

Recommendations:

- I. The report is received
- II. Officers are instructed to continue with the tender process as required for the procurement of a vessel of this size and cost

Tendering procedures/options

- III. It was reported at the last meeting, an estimate of the costs involved in replacing “Protector Bravo” with a 10m plus, catamaran type vessel would be in the region of £200,000. The threshold for the tendering of goods where the Public Contract Regulations 2015 (PCR 2015) must be followed is £189,330.
- IV. Since 1st January 2021, contracting authorities in England are no longer using the EU’s portal for advertisement purposes. Instead it is a requirement that we advertise the tender to the market. Options on running the tender process as follows (see Annex A for the text of the Regulations 27 – 29 of the PCR 2015):
 - a) Restricted tendering procedure – (Reg. 28 of the PCR 2015)
 - b) Open tender procedure – (Reg. 27 of the PCR 2015)
 - c) Competitive procedure – (Reg. 29 of the PCR 2015)

Discussion on the tender process to follow

- V. Restricted tendering procedure – (Reg. 28 of the PCR 2015) – can dictate how many quotes are required
- VI. Open tender procedure – (Reg. 27 of the PCR 2015) – as the procurement of the replacement vessel is a relatively niche area, this would probably be the best option if the specification is quite detailed, and no negotiations are required
- VII. Competitive procedure with negotiation – (Reg. 29 of the PCR 2015) – this was used for North Western Protector, as we were looking then for a used vessel to be modified on a limited budget, but was a complicated process

Specification

- VIII. Officers have put together a specification to be send to interested parties, with requirements for the replacement of “Protector Bravo”. This can be found at **Annex B**.
- IX. Nigel Ling, Marine Surveyor has looked over the specification and we have made a few amendments to it, on his advice.

Open procedure

27.—(1) In open procedures, any interested economic operator may submit a tender in response to a contract notice.

(2) The minimum time limit for the receipt of tenders shall, subject to paragraphs (4) to (6), be 35 days from the date on which the contract notice is sent.

(3) The tender shall be accompanied by the information for qualitative selection that is requested by the contracting authority.

(4) Where contracting authorities have published a prior information notice which was not itself used as a means of calling for competition, the minimum time limit for the receipt of tenders as laid down in paragraph (2) may be shortened to 15 days, provided that both of the following conditions are fulfilled:—

(a) the prior information notice included all the information required for the contract notice in section I of part B of Annex V to the Public Contracts Directive insofar as that information was available at the time the prior information notice was published;

(b) the prior information notice was sent for publication between 35 days and 12 months before the date on which the contract notice was sent.

(5) Where a state of urgency duly substantiated by the contracting authority renders impracticable the time limit laid down in paragraph (2), it may fix a time limit which shall be not less than 15 days from the date on which the contract notice is sent.

(6) The contracting authority may reduce by 5 days the time limit for receipt of tenders set out in paragraph (2) where it accepts that tenders may be submitted by electronic means in accordance with regulation 22.

Restricted procedure

28.—(1) In restricted procedures, any economic operator may submit a request to participate in response to a call for competition by providing the information for qualitative selection that is requested by the contracting authority.

(2) The minimum time limit for receipt of requests to participate shall, subject to paragraph (10), be 30 days from the date on which—

(a) the contract notice is sent, or

(b) where a prior information notice is used as a means of calling for competition, the invitation to confirm interest is sent.

(3) Only those economic operators invited to do so by the contracting authority following its assessment of the information provided may submit a tender.

(4) Contracting authorities may limit the number of suitable candidates to be invited to participate in the procedure in accordance with regulation 65.

(5) The minimum time limit for the receipt of tenders shall, subject to paragraphs (6) to (10), be 30 days from the date on which the invitation to tender is sent.

(6) Where contracting authorities have published a prior information notice which was not itself used as a means of calling for competition, the minimum time limit for the receipt of tenders as laid down in paragraph (5) may be shortened to 10 days, provided that both of the following conditions are fulfilled:—

(a) the prior information notice included all the information required in section I of part B of Annex V to the Public Contracts Directive, insofar as that information was available at the time the prior information notice was published;

(b) the prior information notice was sent for publication between 35 days and 12 months before the date on which the contract notice was sent.

(7) Sub-central contracting authorities may set the time limit for the receipt of tenders by mutual agreement between the contracting authority and all selected candidates, provided that all selected candidates have the same time to prepare and submit their tenders.

(8) In the absence of such an agreement, the time limit shall be at least 10 days from the date on which the invitation to tender is sent.

(9) The time limit for receipt of tenders provided for by paragraph (5) may be reduced by 5 days where the contracting authority accepts that tenders may be submitted by electronic means in accordance with regulation 22.

(10) Where a state of urgency duly substantiated by the contracting authorities renders impracticable the time limits laid down in this regulation, they may fix—

(a) a time limit for the receipt of requests to participate which shall not be less than 15 days from the date on which the contract notice is sent, and

(b) a time limit for the receipt of tenders which shall not be less than 10 days from the date on which the invitation to tender is sent.

Competitive procedure with negotiation

Starting the procedure

29.—(1) In competitive procedures with negotiation, any economic operator may submit a request to participate in response to a call for competition by providing the information for qualitative selection that is requested by the contracting authority.

(2) In the procurement documents, contracting authorities shall—

- (a) identify the subject-matter of the procurement by providing a description of their needs and the characteristics required of the supplies, works or services to be procured,
- (b) indicate which elements of the description define the minimum requirements to be met by all tenders, and
- (c) specify the contract award criteria.

(3) The information provided under paragraph (2) shall be sufficiently precise to enable economic operators to identify the nature and scope of the procurement and decide whether to request to participate in the procedure.

Time limits

(4) The minimum time limit for receipt of requests to participate shall, subject to paragraph (6), be 30 days from—

- (a) the date on which the contract notice is sent, or
- (b) where a prior information notice is used as a means of calling for competition, the date on which the invitation to confirm interest is sent.

(5) The minimum time limit for the receipt of initial tenders shall, subject to paragraphs (6) to (10), be 30 days from the date on which the invitation is sent.

(6) Where contracting authorities have published a prior information notice which was not itself used as a means of calling for competition, the minimum time limit for the receipt of initial tenders as laid down in paragraph (5) may be shortened to 10 days, provided that both of the following conditions are fulfilled:—

- (a) the prior information notice included all the information required in section 1 of part B of Annex V to the Public Contracts Directive, insofar as that information was available at the time the prior information notice was published;
- (b) the prior information notice was sent for publication between 35 days and 12 months before the date on which the contract notice was sent.

(7) Sub-central contracting authorities may set the time limit for the receipt of initial tenders by mutual agreement between the contracting authority and all selected candidates, provided that all selected candidates have the same time to prepare and submit their tenders.

(8) In the absence of such an agreement, the time limit shall be at least 10 days from the date on which the invitation to tender is sent.

(9) The time limit for receipt of initial tenders provided for by paragraph (5) may be reduced by 5 days where the contracting authority accepts that tenders may be submitted by electronic means in accordance with regulation 22.

(10) Where a state of urgency duly substantiated by the contracting authorities renders impracticable the time limits laid down in this regulation, they may fix—

- (a) a time limit for the receipt of requests to participate which shall not be less than 15 days from the date on which the contract notice is sent, and
- (b) a time limit for the receipt of initial tenders which shall not be less than 10 days from the date on which the invitation to tender is sent.

Tenders and negotiations

(11) Only those economic operators invited by the contracting authority following its assessment of the information provided may submit an initial tender which shall be the basis for the subsequent negotiations.

(12) Contracting authorities may limit the number of suitable candidates to be invited to participate in the procedure in accordance with regulation 65.

(13) Subject to paragraphs (15) and (19), contracting authorities shall negotiate with tenderers the initial and all subsequent tenders submitted by them, except for the final tender, to improve their content.

(14) The minimum requirements and the award criteria shall not be subject to negotiation.

(15) Contracting authorities may award contracts on the basis of the initial tenders without negotiation where they have indicated, in the contract notice or in the invitation to confirm interest, that they reserve the possibility of doing so.

(16) During the negotiations, contracting authorities shall ensure equal treatment of all tenderers and, to that end —

- (a) they shall not provide information in a discriminatory manner which may give some tenderers an advantage over others;
- (b) they shall inform all tenderers whose tenders have not been eliminated under paragraph (19), in writing, of any changes to the technical specifications or other procurement documents, other than those setting out the minimum requirements; and
- (c) following any such changes, they shall provide sufficient time for tenderers to modify and re-submit amended tenders, as appropriate.

(17) In accordance with regulation 21, contracting authorities shall not reveal to the other participants confidential information communicated by a candidate or tenderer participating in the negotiations without its agreement.

(18) Such agreement shall not take the form of a general waiver but shall be given with reference to the intended communication of specific information.

(19) Competitive procedures with negotiation may take place in successive stages in order to reduce the number of tenders to be negotiated by applying the award criteria specified in the contract notice, in the invitation to confirm interest or in another procurement document.

(20) In the contract notice, the invitation to confirm interest or in another procurement document, the contracting authority shall indicate whether it will use the option described in paragraph (19).

Concluding the procedure

(21) Where the contracting authority intends to conclude the negotiations, it shall—

- (a) inform the remaining tenderers and set a common deadline to submit any new or revised tenders,
- (b) verify that the final tenders are in conformity with the minimum requirements and comply with regulation 56(1),
- (c) assess the final tenders on the basis of the award criteria, and
- (d) award the contract in accordance with regulations 66 to 69.

Specification/Tender for new patrol vessel - North Western Inshore Fisheries & Conservation Authority - version 7(3)

<u>Item no:</u>	<u>NWIFC Vessel Specification</u>	
1	Catamaran Hull	
2	Hull and superstructure to be GRP - dark Admiralty grey colour, with topsides in light aircraft grey. Ral numbers: to be provided by NWIFCA, colouring yet to be determined for hull, superstructure, wheelhouse and deck	
3	Construction standards must satisfy Secion 4 of the Workboat Code version 2 in all respects. Builders may chose which method they intend to use and that should be stated in the tender. All construction details and records should be made available to the Owners' Representative on request.	
4	Constructional strength is also to be suitable for regular drying out on sand and mud seabed	
5	To be a minimum of 10m length overall (LOA) and to be no greather than 11m (OAL) within the scope of the Workboat Code.	
6	Fitted with twin 300hp outboard Mercury SeaPro V8 four stroke type petrol engines, with long shaft, electronic controls, power trim and tilt, tacho and trim gauge. With counter rotation on the gear box. 12v starting system, 1 x 110amp battery via isolator, per engine. Fitting to include all hoses, clips, electrics, 3 heavy duty isolators, one for emergency paralleling, 12 way switch panel, heavy duty battery cabling, 2 x heavy duty batteries, extension looms, controls, instumentation, PDI and test. 3rd battery including supply, wiring, isolators and connection. Trunking for controls/cables/electrics etc in each hull fitted.	
7	To have a minimum continuous cruising speed of 20 knots, with a maximum speed of 35-40 knots	
8	Twin engine Hdrive hydraulic steering system to suit twin Mercury 300hp engines, complete with all connections and standary hydraulic wheel fitted, and electric joystick/tiller	
9	Twin swivel bars fitted	
10	Outside additional remote steering and engine throttles, morse controls and cables all connected, located adjacent to the combined pot/net/line hauler	
11	1 x electric bilge pump in each engine bay, including alarms and panel. 1 x manual bilge pump in each engine bay	
12	Gunwale height (0.7m) - solid rails, with additional fixed hand rail above (apart from where the pot/net/line hauler is located - then no hand rail in this area). Supply adequate scupper doors.	

13	Engine fuel tanks to be built into the hull either side. Complete fuel system, with twin fuel tanks with a minimum of 250 litres each or large enough to provide coverage of 250nm), including all fittings (i.e., gunwale fillers, vents/breathers) including fuel pre filters and piped and clipped, with A1 fuel resistant hose.	
14	Stern door for shooting away	
15	Side door for easy access on and off the vessel - on the opposite side to the hauler	
16	Wheelhouse/cabin size forward bulkhead to back bulkhead (to accommodate 6 crew). Access door to be lockable. To have 1.5m overhang from wheelhouse roof, aft end.	
17	Flat packed liferaft, brackets to be fitted to the roof of the wheelhouse	
18	Folding roof mast gantry	
19	Fresh water tanks, and store spaces to be of sufficient capacity to provide a range of 250 nm of operation for a max of 6 crew	
<u>Crew Area cabin/galley/wheelhouse</u>		
20	Cabin/wheelhouse to have enough seating for 6 persons (2 x helm seats on storage pods, for Master and Engineer, plus seating for 4 (with benches and table and storage under benches preferred)) toilet facility, galley and seating area, with all relevant controls, equipment and instrumentation for the full & efficient operation of the vessel. Adequate heating for the wheelhouse/accommodation.	
21	To incorporate a small galley with counter top sink, electric pump facility for running water, small fridge, combination microwave & oven. Enough power to run fridge, combination microwave & oven, as well as a kettle and toaster. Suitable storage cupboards below. Incorporating min of 3 x double plug sockets (with USB ports) and the scope for more being added if required. Marine toilet fitted with holding tank.	
22	Green tinted toughened glass windows. Sliding opening side windows	
23	Windscreen wipers - stainless steel - 3 heavy duty wipers, washers and fresh water tank	
24	Wheelhouse floor - to be non-slip dimpled rubber floor covering. Deck - non slip coating	
25	Stainless steel heavy duty hanging hooks - located outside the wheelhouse under the overhang	
<u>Deck equipment & sundries</u>		
26	Spencer Carter Solo dual purpose type combined pot/net/line hauler with emergency stop button. Hydraulics powered by 5hp power pack.	
27	Position of anchor forward	
28	Electric windlass	
29	Deck wash facility (pump) with hose	
30	Flaking arm	

31	Moulded bow sprit	
32	Stainless steel "D" ring	
33	3" fendering - twin fendering on the sides of the vessel, one near top of gunwale, the other just above waterline. Also fendering between the two fenderings, sweeping back at 1m intervals from mid wheelhouse	
34	2 or 3 x heavy duty stainless steel aft bollards	
35	2 x large stainless steel mooring posts/cleats forward and bow roller	
36	2 x heavy duty stainless steel stern posts	
37	Bow rails	
38	Grab rails	
39	Side, stern, aft, all round stainless steel hand rails	
40	Anchor - bow anchor winch, 1000 watt, 20m chain, 100m rope and Manson anchor, capstan and gypsy	
41	"A" frame	
<u>Electronics, wiring, health & safety & other equipment</u>		
42	LED internal combination adequate red/white lights, LED lighting under overhang, aft deck light, LED navigation lights, port and starboard and survey lights, forward search light, red over white fishing light, and blue Police type flashing light. Additional lights inside wheelhouse i.e., LED internal lights for day and night working	
43	Radar	Can all be integrated: Simrad NSS touchscreen 12" Evo 3 GPS chartplotter, sounder, radar halo, Simrad VHG DSC RS45, AIS StructureScan 3D transducer, aerials and mounts, 2 x 12v/USB charge sockets - fitting, wiring and commissioning of above
44	Echosounder	
45	GPS navigator	
46	Chart plotting system	
47	Satelite compass and auto pilot	
48	Barometer	
49	Wind sensor	
50	Loud hailer	
51	Fixed VHF with DSC	
52	Signalling light	
53	all above to be provided with all associated equipment (i.e., antennas, transducers, monitors etc where required)	

54	All installed electrical equipment parts and service facilities must be available for repair and maintenance in the UK	
55	All on-board equipment to be supplied with copies of all applicable manuals (in English) including parts manuals and service guides	
<u>Painting & marking</u>		
56	Hull to be protected below the waterline with compatible copper coat anti-foul paint system.	
57	Vessels name and fisheries enforcement pennant to be marked/attached	
<u>Coding requirements:</u>		
58	All safety equipment for 6 persons supplied & fitted	Suggest hire from Survitec of a 6 man flat packed ISO SOLAS B raft
59	All surveys carried out 1 x 6 man life raft fitted. Transport to and from marina. Launch & recovery for stability test	
<u>Safety kit:</u>		
60	As required for Workboat Code version 2	
<u>Trials & Completion</u>		
61	Harbour and sea trials to be carried out by the contractor prior to delivery. All trials to be attended, verified, and accepted by the owner's and their representative. The contractor to ensure that necessary personnel are in attendance as required for commissioning and initial running, and instructing owner's crew in any necessary operations.	
<u>Harbour trials to consist of testing all equipment and will include:</u>		
62	Hose test on door, windows, hatches and ventilators	
63	pumping system including bilges and deck wash	
64	lowering and raising anchor	
65	heating and ventilation	
66	bilge alarms	
67	engines starting and stopping	
68	steering gear	
69	electronics	
70	remote operation of fuel valves, fire flap, vent closures etc.,	
<u>After completion of harbour trials and rectification of any defects found, a sea trial will be carried out and will include:</u>		
71	engine trials endurance	
72	progressive speed trials, up to full speed with fuel consumption recorded at each stage	

73	turning cycles of any hydraulics and hand steering systems	
74	speed trial with one engine	
75	manoeuvring on one engine	
76	sea trials to include testing and trial of all installed equipment	
<u>A trial programme to be provided by the boatyard for prior approval by the owners</u>		
<u>Delivery requirements:</u>		
77	Upon completion, the vessel is to be delivered to Whitehaven Marina, Whitehaven, Cumbria	
78	The vessel is to be delivered fully coded to the UK Workboat Code of Practice (Category 2) under the owner's name of North Western Inshore Fisheries and Conservation Authority (certificates and associated documents also to be provided?)	
<u>Guarantee</u>		
79	The builder is to provide a 12 month guarantee period for all work undertaken including equipment installation	
80	Any remedial work is to be carried out at the vessels home port by qualified contractor	