

**NWIFCA Annual Meeting  
10<sup>th</sup> June 2016: 11.00 a.m.**

**AGENDA  
ITEM NO.  
10**

**VESSEL PROCUREMENT**

**Purpose of Report: Authority to approve progress with procurement and next steps**

**Recommendations:**

- 1. Approve procurement process at Annex A**
- 2. Approve revised specification at Annex B**
- 3. Approve commencement of procurement as proposed at Annex C**

**Procurement process**

1. As part of EU tender regulations a procurement process must be agreed and documented before tendering commences. Once tenders have been sent out there can be no deviation from the documented process.
2. A detailed procedure is at Annex A for approval.

**Vessel specification**

3. The specification has been revised by the Seafish consultant marine surveyor to take account of comments.
4. Subject to further amendments by members, this specification will now be used for the tendering process. Again, this specification cannot be changed once the tendering process has commenced.
5. The specification is at Annex B.

**Legal Advice on borrowing**

6. LCC and the Authority purchased legal advice from Andrew Jackson Solicitors on the prohibition of borrowing clause in MACAA S 179(3). This advice confirmed that any form of borrowing including borrowing from a Council would be illegal under this clause.
7. The only method by which additional funding could be raised over the Authority's vessel reserves would be through the Council operating a lease purchase scheme. This would entail the Council purchasing the vessel and leasing it to the Authority. Once the cost of the vessel has been met in lease payments ownership would be transferred to the Authority.
8. Previously the Council has not been willing to operate a lease purchase because of the risk they incur by owning the vessel, however, following receipt of the legal advice, that option may be re-visited. However, a lease purchase arrangement would require high level clearance in the Council which may take some time to receive.

## **Commencement of procurement**

9. Some members have suggested that the Authority's reserves of approximately £1M could be sufficient to procure a vessel which would meet the agreed specification
10. In the meantime LCC have suggested a procurement process be started with a budget of £1M from NWIFCA reserves only. This will indicate if and what sorts of vessels are available within that budget and could identify a suitable vessel.
11. The proposal from LCC to commence procurement using the existing reserves as a budget limit is set out in the email at Annex C. Vessel Committee has approved this proposal and all members are now invited to approve procurement on this basis.

**CEO**  
**27<sup>th</sup> May 2016**

## INTENDED VESSEL PROCUREMENT PROCEDURE FOR APPROVAL

**Aim of the report:** To confirm the procedure as agreed in outline by the Vessel Committee on 25<sup>th</sup> April.

**Recommendation:** Approve the vessel procurement tender procedure as set out below

### Summary

1. The procedure will be 'competitive with negotiation' (not 'open tender').
2. The procedure cannot be changed once started.
3. The procedure will have at least two stages.
  - I. Stage 1: inviting expressions of interest requiring suppliers to complete a pre-qualification questionnaire (PQQ) to provide evidence of a suitable vessel, and capability to fulfil the contract and meet minimum requirements
  - II. Stage 2: invitation to tender (ITT) award stage based on the most economically advantageous tender (MEAT) involving quality and price criteria, to identify the best vessel from qualifying suppliers from stage 1

### Stage 1

4. The PQQ is advertised in the European Journal (ECJ) for a minimum of 30 days. The period may be longer giving time for bidders to see the advertisement and prepare their initial documents.
5. The PQQ will:
  - I. request standard information: name, registered address, insurances etc and set out how to apply;
  - II. provide the specification of the vessel required;.
  - III. require the supplier to complete a questionnaire and provide evidence that will demonstrate their capability and suitability to be able to fulfil the contract
  - IV. Contain draft versions of the ITT and contract for information purposes, as per requirement under EU procurement regulations.
6. Stage 1 applicants are appraised using pre-determined evaluation criteria published as part of the PQQ.
7. If no suitable expressions of interest are received in stage 1, the Authority can enter direct negotiations with suppliers **provided that**:
  - I. The requirements in the original tender (e.g. budget, specification, contract terms etc.) are not changed. Changing requirements would be distorting competition and open the tender to legal challenge.
  - II. Any bid received at stage 1 is manifestly incapable of meeting the requirements as specified in the procurement documents;
8. If no suitable requests to participate are received at stage 1 we may wish to reconsider whether the specification is too restrictive, revise our approach, and go out for another 30 days repeating stage 1.

## **Stage 2:**

9. Stage 2 is not openly advertised. Suppliers which pass stage 1 are invited to tender and participate in stage 2 by submitting a detailed proposal with costs.
10. A fixed period for submissions of at least 30 days must be set. Longer may be advisable to ensure bidders can fully prepare bids and make secure plans for modification work required.
11. The ITT will request:
  - I. A detailed description of the vessel offered addressing all criteria in the specification and using photographs to show condition and layout;
  - II. A detailed description of proposed modifications: how, by whom and where;
  - III. technical drawings showing where new equipment will be installed,
  - IV. lists of suppliers, warranties, instructions etc to be included.
  - V. vessel use logs, maintenance logs, coding papers, other papers as specified.
  - VI. testing and sea trials to be done to specification;
  - VII. total price for the modified vessel including delivery, duty paid.
  - VIII. time scale for delivery to Whitehaven
12. Stage 2 Tenders are appraised by pre-determined evaluation scoring criteria published as part of the PQQ and ITT. Criteria will include the list of detailed requirements in the specification along with quality related questions. (Note. The appraisal criteria and scoring systems are being prepared in May 2016).
13. Criteria will be scored 'semi-quantitatively' on 0-2 or 0-5 scales, as will replies to specific technical questions also in preparation.
14. Further criteria will be scored on condition of main elements such as structure, galley, bathrooms, upholstery fixtures and fittings and requiring photographs to assist scoring.
15. Following appraisal, the highest ranked vessel will be inspected pre-modification by the appointed surveyor and officers / members as appointed. Upon completion of inspection, original scoring may be marked down (not up). If this results in the second placed bid now scoring higher, the second placed bid will also undergo the inspection process, and so forth.
16. A contract to supply the vessel may be awarded to the highest scoring vessel if the evaluation team are satisfied requirements have been fully met.
17. If no tender fully meets the requirements at Stage 2, LCC and NWIFCA may negotiate with stage 2 tenderers to give them an opportunity to improve their bids. Procurement regulations require that no tenderer can be given an unfair advantage. Negotiations must be carried out equally and fairly with all tenderers. Final tenders will then be requested which will not be subject to any further negotiation.

---

## **SPECIFICATION & REQUIREMENTS**

---

North Western Inshore Fisheries and Conservation Authority (NWIFCA) are seeking to procure a pre-existing vessel for Fisheries Patrol, Monitoring and Survey purposes.

Please note that modifications may be necessary to the current arrangement of a proposed vessel to meet the full specification as detailed below.

**The vessel is to meet the following criteria in order to be considered.**

### **General**

1. Build year: 2009 or later.
2. To be of catamaran hull form.
3. Hull and superstructures are to be of marine grade aluminium construction.
4. Vessel construction and fit-out is to meet, or be greater than, the requirements for Category 2 (Up to 60 miles from a safe haven) of the UK Small Workboat Code of Practice or an equivalent standard (construction is not to have any favourable weather restrictions).
5. Constructional strength is also to be suitable for regular drying out on sand and mud seabed.
6. To be a minimum of 19 metres Length Overall (LOA) and to be no greater than 23.99m Load Line Length (LLL) (within the scope of the UK Small Workboat Code of Practice).
7. Fitted with waterjet propulsion systems.
8. To have a minimum continuous cruise speed of 14 knots at engine manufacturers specified continuous output, in 100% loaded condition.
9. To have a minimum sprint speed of 20 knots - Sprint speed at maximum rating for one hour in ten, 50% loaded in 'departure from port' condition with a maximum of 100kg of consumable stores, 50% fuel and water, 4 crew + 2 passengers all seated.
10. Low speed capability of 3 knots or less, using both engines for forward way while maintaining manoeuvrability.
11. Have adequate stability for the frequent, rapid launch and recovery of a 4 man daughter RHIB (6.0 metre or greater), in wind and sea conditions up to Beaufort scale 5.
12. Fuel tanks, fresh water tanks, and store spaces are to be of sufficient capacity to provide a range of 36 hours operation for 4 crew at 14 knots.
13. To have a full standing height deckhouse, with access all around sides, front, and aft.
14. To have a wheelhouse superstructure atop of a deckhouse structure (two tier arrangement) to enable all round good visibility from the helm position.
15. To be fitted with an air cooled generator of suitable capacity to power all main vessel electrics and hydraulics (telescopic knuckle boom crane) for 'dried out' operations.
16. Machinery space escape hatches on aft deck and deck panels to facilitate engine removal.

### **Crew Areas (deckhouse/wheelhouse)**

17. Wheelhouse is to have minimum suspension seating for 3 persons with all relevant controls, equipment and instrumentation for the full & efficient operation of the vessel.
18. Galley to incorporate a small counter top, sink with hot and cold running water, fridge, electric hob (minimum of 2 x hotplates), combi microwave, kettle, toaster and suitable storage cupboards below.
19. Mess with a minimum seating capacity for 6 persons to sit comfortably, tables are to be fitted with fiddles and have 2 x double gang 240v outlets in close proximity (laptop chargers).
20. Heated oilskin locker/compartiment is to be fitted in the current deckhouse arrangement separated by bulkheads and door; complete with vent, drain to outboard, hanging hooks/hanging rails. Heating within the area is to be provided by a corrosive resistant coated heater.
21. In addition to the above and where space permits within the deckhouse, there is to be a compartment for a dry lab separated by bulkheads and door, with enough space for 3 persons to work comfortably, area to be fitted with bench, stools and 2 x double gang 240v outlets.
22. A heads/shower compartment is to be provided, separated by bulkheads and door with the following facilities provided: A marine toilet with provisions to discharge to an on-board sewage holding tank, sink and shower cubical (or wet room) with hot and cold running water (this facility may be above or below deck dependant on current arrangement).

### **Crew Areas (below deck)**

23. Access to crew spaces are to be from inside the deckhouse.
24. Sleeping accommodation for 4 crew in 2 cabins (1 cabin per hull) with storage cupboards.
25. Workshop area in a suitable compartment with a workbench and vice (this area may be above or below deck depending on the current arrangement).
26. Standing headroom to be maintained throughout all crewed spaces.
27. All crew areas are to be provided with a means of heating which can be used with or without the main engines running (e.g. shore supply/aux engine with thermostatic controlled electric oil filled radiators).

### **Deck Equipment**

28. An aft hydraulically operated gantry is to be provided for survey duties and the launch and recovery of the 6.0m RHIB. An emergency stop button is to be provided at the control position.
  - Construction of the gantry is to be of aluminium or stainless steel and to have a safe working load to withstand the RHIB weight, and possible snatch loads experienced whilst the RHIB is suspended (fully laden).
  - The gantry is to incorporate the RHIB cradle whereby the RHIB will be sowed securely, and in a transverse position over the stern of the vessel off the main

deck, in order to enable a swift launch and recovery system via the gantry and triple drum winch.

- On the horizontal cross member there is to be 3 lugs fabricated for the use of D shackles to hanging blocks, the location of the lugs are to be one on centre (underside) and one on the port and starboard out-board sides.
- Hanging blocks are to be supplied of sufficient strength to withstand the weights from aforementioned scenarios.

**Note:** Where the above RHIB stowage, launch and recovery system cannot be practically fitted to suit a particular arrangement of a vessel, or may impede on performance, then details of alternative systems are to be submitted for consideration.

29. Triple drum winch is to be provided for beam/single net trawls, sample grab and RHIB launch and recovery duties, the winch is to be of sufficient power to lift and launch the RHIB efficiently in the conditions stated in 'General'.

- The winch drums are to have a minimum storage capacity of 150m of wire rope on each barrel.
- Wire rope is to be supplied on the drums and have a breaking strain of not less the weight of the fully laden RHIB plus a safety margin for possible snatch loads.
- The location of the winch is to be on the centreline of the vessel and fitted either on the main deck or on the bridge deck to suit a vessels arrangement. An emergency stop button is to be provided at the control position.

**Note:** If the winch is to be located on the main deck, consideration is to be given as to the health and safety of crew with regards to wire rope angles from the drum to hanging blocks, it may be necessary to run warps through deck rollers to the gantry, with exposed warps on deck protected by means of removable channel sections.

30. Combined Net/Pot/Line hauler mounted starboard, final location is to be at the discretion of the owners. An emergency stop button is to be provided at the control position.

31. Suitable hydraulic telescopic knuckle boom crane is to be fitted in close proximity to the quad bikes stowed on main deck, to enable deployment of quad bikes from deck to external surface for 'dried out' operations.

32. Main anchor to be fitted forward and arranged to swiftly deploy from a stowed position via a powered windlass controlled from the helm position.

33. Deck wash with stand pipes fitted on the main deck, with quick hose connections and hoses to be provided

34. The lay out of the vessel is to be designed for maximum efficiency and safety in operations.

### **RHIB Specification**

35. A 6.0m (minimum length) rigid hull inflatable boat (RHIB) is to be of a design and construction to meet a commercial standard with addition sponson protection and fendering (Manufacturer is to be approved by the owners).

- The arrangements for launching and recovery is via a certified lifting strop from the aft gantry to a four point lift system fitted to the RHIB deck, or by other means subject to approval (details to be submitted for consideration).
- The RHIB is to be equipped with a centre console and suspension seating for 4 persons, complete with a petrol outboard engine for a minimum speed of 20 knots.
- A minimum 100ltr fuel tank to be fitted within the hull below deck (installation of the tank is to be in compliance with the applicable code of practice).
- RHIB is to be complete with a multifunction device incorporating GPS map plotter and sounder, Icom VHF DSC, navigation lights, magnetic compass, plug in search light, console cover and a gantry with storage holders for lifebuoys, waterproof pyrotechnics containers and arrangements to provide self-righting.
- Lashing points to be incorporated in the cradle arrangement to provide securing of the RHIB when stowed on-board the vessel for all anticipated sea conditions.
- The RHIB is to be in compliance with the 'Type 1' tender specification of the UK Workboat Code of Practice and marked with the name provided by the owners.

### **Electronic Equipment**

36. Tenderers are to indicate a PC sum for the supply of the following electronic and navigational equipment (if not already fitted to the vessel, details are to be provided for consideration). Electronics for the RHIB are specified previously and are to be included in the RHIB cost breakdown.
37. Radome Sensor (consideration will be given to equipment currently fitted)
38. Open Array Radar Sensor (consideration will be given to equipment currently fitted)
39. Echosounder (consideration will be given to equipment currently fitted)
40. GPS Navigator (consideration will be given to equipment currently fitted)
41. Fixed Magnetic Compass with Light (consideration will be given to equipment currently fitted)
42. Wind Sensor (consideration will be given to equipment currently fitted)
43. Loudhailer (consideration will be given to equipment currently fitted)
44. Autopilot (consideration will be given to equipment currently fitted)
45. Fixed VHF with DSC (consideration will be given to equipment currently fitted)
46. Satellite Compass (consideration will be given to equipment currently fitted)
47. Searchlight (consideration will be given to equipment currently fitted)
48. CCTV monitor and camera system, or equivalent 2 cameras to be fitted in both machinery spaces positioned fore and aft of the compartment and 2 positioned overlooking the aft working deck and winch area (6 cameras in total). Monitors or repeaters for the machinery space cameras are to be located in close proximity to the engine instrumentation. (consideration will be given to equipment currently fitted and arrangement)
49. Rudder Indicator (consideration will be given to equipment currently fitted)
50. Installation of Olex Chart Plotting System (taken off current vessel 'Solway Protector')
51. All the above is to be provided with all associated equipment (e.g. antennas, transducers, monitors etc.) to enable full operation when fitted.
52. All installed electrical equipment parts and service facilities must be available in the UK.



53. All on-board equipment is to be supplied with copies of all applicable manuals & service guides.

### **Painting and Marking**

54. Hulls shall be protected below the waterline with compatible anti-foul paint systems.
55. Vessels name and port of registry is to be marked as per the requirements of the carving and marking note issued by the Registry of Shipping and Seamen MCA Cardiff). Designation "Fisheries Patrol" to be marked bold at each side of wheelhouse and/or deckhouse along with the international fisheries pennant and IFCA logo.

**The North Western Inshore Fisheries and Conservation Authority reserve the right to make any adjustments necessary to the specification to ensure delivery of the correct vessel or equipment.**

### **Trials and Completion**

56. Harbour and sea trials are to be carried out by the contractor prior to delivery. All trials are to be attended, verified, and accepted by the owner's and their representative. The contractor is to ensure that necessary personnel are in attendance as required for commissioning and initial running, and instructing owner's crew in any necessary operations.

57. Harbour trials are to consist of testing all equipment and will include: -

- a) Hose test of doors, windows, hatches and ventilators
- b) Pumping system including bilge and deckwash
- c) Hydraulic systems including, operation of aft gantry, winch and haulers.
- d) Lowering and raising anchor
- e) Heating and ventilating
- f) All alarms
- g) Engines starting and stopping
- h) Steering gear
- i) Electronics
- j) Remote operation of fuel valves, fire flaps, vent closures, etc.

58. After completion of harbour trials and rectification of any defects found, a sea trial will be carried out and will include the following: -

- k) Main engine endurance trial.
- l) Progressive speed trials, up to full speed, with fuel consumption recorded at each stage.
- m) Turning circles by hydraulic and hand steering systems (where applicable)
- n) Astern steaming and steering test
- o) Emergency stop
- p) Speed trial with one engine
- q) Manoeuvring on one engine
- r) Sea trials are to include testing and trial of all installed equipment.

59. A trials programme is to be provided by the shipyard for prior approval by the owners.

### **Rigid Hull Inflatable Boat**

60. A performance trial is to be carried out with the RHIB, including launch and recovery, using the aft gantry and winch system.

### **Fees**

61. The builder is to be responsible for the following costs: -

- I. Insurance during any modifications and trials
- II. Commissioning of new electronics
- III. All costs of sea trials
- IV. Fill of fuel, water, and all oils and lubricants after completion of trials
- V. Harbour dues etc. prior to delivery
- VI. Compass adjuster's fees
- VII. Delivery costs

### **Delivery Requirements**

62. Upon completion, the vessel is to be delivered to the Whitehaven Marina, Cumbria.
63. 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).
64. The RHIB is to be delivered fully coded in-line with the tender type 1 requirements of the UK Workboat Code of Practice under the owner's name of 'North Western Inshore Fisheries and Conservation Authority' (Certificates and associated documents also to be provided).

### **Guarantee**

65. The builder is to provide a 12 month guarantee period for all work undertaken by the yard including equipment installation.
66. Any remedial work is to be carried out at the vessels home port by qualified contractors.

**Documents to be submitted with tender.**

67. Full maintenance log, to include but not exclusive to:

- Engine (including auxiliary) & gearbox servicing (also to include any repairs carried out)
- Engine & gearbox hours
- Waterjet units servicing
- Out of water and in water hull inspections (exterior/interior)
- Lifesaving appliance servicing (Liferafts, Pyrotechnics, EPIRB's, SART etc.)
- Bilge pumping and bilge sensor/alarm checks
- Firefighting appliances and alarm checks

68. Full detailed drawings of areas requiring modifications, to fully meet the above specification.

69. Full details of equipment to be supplied with the vessel in addition to those specified above.

70. Details of any warranties for the main hull and on-board equipment.

71. Details of manufacturer of equipment proposed to be fitted.

72. Full costs of the vessel (including modifications) to meet the above specification.

73. Estimated time of delivery for the completed vessel meeting the above specification (e.g. 3 months from the signing of contracts and first payment).

## ANNEX C

### Email from Andrew Patten (LCC) to Vessel Committee 25 May 2016

Dear Vessel Committee,

I'm going to make a suggestion that the Vessel Committee may wish to consider. There seems to be conflicting messages about whether a suitable vessel that meets the revised specification can or cannot be purchased within the £1million NWIFCA reserves. What is clear is that it will not be known for sure until the market is tested.

To avoid further delays to the procurement process, would it not be worth NWIFCA considering undertaking the following:

Go out to tender with the current specification, stating a ceiling price of £1million for 30 days (stage 1 of the Competitive Procedure with Negotiation process).

If **suitable initial bids** come back, that would indicate that the market contains suppliers that have suitable vessels available that can be purchased and modified within the £1million budget and the procurement proceeds as appropriate (i.e. moves onto stage 2 of the Competitive Procedure with Negotiation process - full tender, requesting detailed drawings, pricing etc from suppliers. These are then evaluated and winning vessel identified). The vessel is purchased from NWIFCA reserves and no LCC funding agreement is required.

If **no bids** come back at stage 1, then the procurement switches to a direct negotiation with an identified supplier(s) of vessels that NWIFCA believe are suitable. If the supplier can provide the vessel to the same specification and within the £1million budget, then discussions with that supplier continue and the vessel purchased. However, if during those discussions it becomes apparent a suitable vessel cannot be purchased within the £1million budget without modification of the specification, then by virtue of those discussions, a much clearer picture of what budget will be required should become apparent. Indeed, such discussions may even provide greater insight as to whether what NWIFCA is asking for in regards to a modified vessel is realistically achievable. A revised tender can then be prepared and extra funding streams investigated further as required.

The issue of extra funding from LCC needs to be revisited by the relevant officers in LCC, as the advice from Andrew Oliver indicates the only lawful potential route would be for LCC to purchase the vessel and lease back to NWIFCA, and with that comes an element of risk to LCC (and a requirement to have the up-front capital to fund the full purchase). I cannot stipulate a time on when an answer on this would be forthcoming as such a decision does not fall under mine or James' remit, and may have to be escalated back up to the Deputy Leader to re-approve. Indeed, it cannot be guaranteed at this stage LCC would be willing to purchase the vessel outright and lease back to NWIFCA.

Therefore, whilst I try and obtain comment/advice on the extra funding and the way it has to be structured from within LCC, I suggest the approach above be adopted to keep the procurement progressing. Best case scenario is that a vessel is procured within £1million and no extra LCC funding is required. If not, then at least we have some concrete market evidence to base any funding requests/agreements on, and a clearer indication of a realistic ceiling price.

Please can you reply back to this email by **Friday 3 June 2016** indicating whether you would support this approach or not.

Stephen will collate the replies and if enough approvals are received he can undertake the necessary actions to progress, including providing an update for all members at the meeting 10 June 2016.

Kind regards

Andy

Andrew Patten, Category Manager - Corporate  
Procurement Service, Lancashire County Council  
Tel: 01772 536452, [www.lancashire.gov.uk](http://www.lancashire.gov.uk)