



Invitation to Tender for the Supply of Shellfish Fisheries Data Services to the Marine Institute, Rinville, Oranmore, Co. Galway.

(Ref: ITT21-xxx)

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1. Introduction

The Marine Institute, a semi State body, wishes to invite tenders under an open procedure with the objective of putting a Multi-Supplier Framework Agreement in place that will provide panels of service providers for the Supply of Shellfish Fisheries Data Services that the Institute will draw from through mini-competitions.

Criteria for mini-competitions are set out in Annex 3. The tiebreaker process to be applied to tenders and framework mini-competitions is outlined in Annex 4.

The Marine Institute is the national agency responsible for Marine Research, Technology Development and Innovation (RTDI). The Marine Institute seeks to assess and realise the economic potential of Ireland's 220 million acre marine resource; promote the sustainable development of marine industry through strategic funding programmes and essential scientific services; and safeguard our marine environment through research and environmental monitoring.

The Institute was set up under the 1991 Marine Institute Act with the following general functions:

"to undertake, to co-ordinate, to promote and to assist in marine research and development and to provide such services related to marine research and development, that in the opinion of the Institute will promote economic development and create employment and protect the environment." - Marine Institute Act, 1991.

Fishery Ecosystems Advisory Services (FEAS), a service area of the Marine Institute, whose objective is to research, assess and advise on marine fisheries in order to ensure sustainable exploitation of this renewable resource.

FEAS also conducts a wide variety of fisheries and environmental survey programmes throughout the year on commercial vessels and purpose built research vessels RV Celtic Explorer & RV Celtic Voyager aimed at both improving the advice and increasing our understanding of the fisheries resource and the ecosystem. In addition, FEAS provides assessments and undertakes monitoring of effects of fisheries on the ecosystem especially in areas subject to the Habitats and Birds Directives.

The detailed data and information required and collated by FEAS for fish and shellfish stock assessment includes:

- The size distribution of discarded and landed fish
- Catch and effort data of commercial vessels at sea using different gears targeting different species
- Information on landings
- Survey data on distribution and abundance of the fishery resource and associated species
- By-catch of non-commercial species by fisheries

Landed components of the fish and shellfish catch are sampled on commercial vessels at sea, at ports, fishermen's Co-operatives, fish processors around the coast by contracted port samplers employed by FEAS, as well as other FEAS staff. The discarded component of the catch is assessed at sea on board commercial vessels by FEAS staff and contractors and may be reported by fishermen. By-catch of species is recorded at sea.

These data collection programmes will be funded by the Irish Government and the European Maritime Fisheries Fund (EMFF) and European Maritime Fisheries and Aquaculture Fund (EMFAF).

Fishermen also provide various data on catches and fishing effort through the Sentinel Vessel Programme (SVP) administered by BIM and on some specific projects funded by the EMFF programme. This invitation to tender hopes to expand the direct provision of data by fishermen working on their own vessels.

Summaries on the status of each commercial shellfish stock are presented annually in the "Shellfish Stocks and Fisheries Review" and the "Stock Book" (available on www.marine.ie).

At present a requirement exists for supply of **Shellfish fisheries data**. This will involve fishermen providing data on commercial fishing activity from their own vessel during normal commercial fishing operations.

2. Scope of Tender

This is an Open Invitation to Tender where suitably qualified applicants are invited to respond for inclusion in a **Multi-Supplier Framework Agreement** that will provide a panel of service providers that the Institute will draw from through mini-competitions from April 1st 2021 to Dec 31st 2024, subject to annual reviews. It is anticipated that the list will consist of up to 50 suppliers distributed equally across 5 coastal regions. Ten vessel owners, therefore, that achieve the highest tender evaluation scores, will qualify onto each of the regional panels.

Criteria for mini-competitions are set out in Annex 3.

Note: There is no guarantee made by the Marine Institute that services specified in this Invitation shall be purchased. Furthermore, acceptance onto the framework does not indicate any guarantee of business from the Marine Institute.

The Marine Institute does not bind itself to accept the lowest priced or any Tender.

This ITT does not constitute an offer or commitment to enter into a contract.

No contractual rights in relation to the Marine Institute will exist unless and until a formal written contract has been executed by or on behalf of the Marine Institute.

Any notification of preferred bidder status by the Marine Institute shall not give rise to any enforceable rights by the tenderer.

The Marine Institute may cancel this competition at any time prior to a formal contract being executed by or on behalf of the Marine Institute.

Tender respondents shall be evaluated in three phases:

Phase 1

Please note tenderers may only proceed to Phase 2 if they pass all of the criteria below. Each of the criteria below are viewed as essential and if one or more of the criteria below is not met then tenders will be automatically eliminated. This is a pass/fail phase and no scoring will be attached to the results.

Criteria		Score
<u>1</u>	Fishing vessel licence: Owner or operator of an Irish registered and licenced sea fishing vessel under 14m in length and over 8m in length in the polyvalent general or polyvalent potting fleet segments and with up to date code of practice.	<i>Pass/Fail</i>
<u>2</u>	Fishing vessel activity - time: The vessel is generally actively fishing for at least part of the year and during the months May-Sept.	<i>Pass/Fail</i>
<u>3</u>	Fishing vessel activity - fisheries: The vessel is generally fishing for shellfish (crustaceans, whelk).	<i>Pass/Fail</i>

Please note that when submitting a response to Criteria above it is sufficient for tenderers to **declare** that they have the relevant capacity. The Marine Institute will seek **verification and evidence** of such capacity only in the event of a tenderer being considered for the award of the contract. The declaration should clearly and unambiguously indicate the tenderers ability to meet each of the Marine Institute's requirements above.

Phase 2

This section is concerned with technical ability to fulfil the conditions of the tender. Please note tenderers may only proceed to Phase 3 if they obtain 60%. If less than 60% overall is obtained tenders will be eliminated.

Tender respondents shall be evaluated on the criteria below. Scores for these criteria will be given on the basis of information provided in the Tender Response Document (See Separate document). Please, therefore, ensure that you provide information under each point in the Tender Response Document.

Criteria	Score
5 Personal Details of the Vessel Lead Operator (skipper): Please complete Tender Response Document (Annex 5) <ul style="list-style-type: none"> • Relevant sea going experience: <ul style="list-style-type: none"> • fisheries involved in • types of gear being used • History of data collection • Experience with keeping records in any area not just fisheries • Species Identification skills • Relevant certificates (Skippers ticket, sea survival etc) 	60 (of which) 10 10 10 10 10 10
Total	60

Phase 3

Tenderers who achieved 60% or more of the available marks in Phase 2 will proceed to this phase. Points from Phases 2 and 3 shall be added together and this shall be the final mark.

Tender respondents shall be evaluated on the following criteria in Phase 3:

No	Criteria	Max Points
6	Cost Complete Cost details in the Tender Response Document <u>The maximum day rate price for this tender is capped at €300 (excluding VAT).</u> However, service providers should note that this is a maximum figure and should they wish to achieve a competitive advantage their bid should be priced accordingly. Please note tenders in excess of this cap will be eliminated. Tenderers should note that the rate provided in the form of tender may not be exceeded during the course of the contract. Reduced rates can be submitted at mini competition stage. No additional Travel and Subsistence will be paid.	40

	A day of fishing is defined as more than 5hrs at sea and with a minimum number of units of fishing gear hauled and recorded. For pot fisheries this will be >200 pots per day and net fisheries over 2nm of nets hauled.	
	Total	40

Important: All tender responses must include all headings listed above.

A maximum of 10 vessels will qualify onto each of 5 regional panels on the basis of scores obtained in the evaluation (Phase 1 to 3 above). In the event of a tie-break, the selection process shall be applied as outlined in Annex 4.

3. Tender Format

Tenders should be presented in the format and order laid out in the **Tender Response Document (Annex 5)**. Please, therefore, ensure that you provide all necessary information under each point as required in the **Tender Response Document (Annex 5)** which is provided separately to this document.

4. Service Specification

The service provider will provide the following services as directed by FEAS and according to FEAS Sampling protocols

- a) sample and record location, catch, landings, discards and effort information for commercial fish and shellfish at individual fishing operation level (Haul level)
- b) sample and provide size composition data for a sample of the landed and discarded proportions of the catch of the main commercial species
- c) record by-catch of non-target species

Successful service providers must provide clear and legible completed data sheets with all of the relevant information and return these to the Marine Institute by post. In some cases data could be acquired and reported electronically through forms on mobile devices. The Marine Institute will endeavour to facilitate electronic recording and submission of data on request from a data provider. Formatted data sheets and 'sampling packs' (or electronic forms) will be provided by the Marine Institute. Payments may be reduced for incomplete data delivery and in proportion to the degree to which data are incomplete.

The requirement is to collect data on inshore fisheries regionally. To enable this a given amount of work will be allocated on a regional basis each year so that data for a given number of trips are acquired in each region. Five regions will be defined as below and 5 panels of vessels will be established. Up to 10 vessels will be contracted onto each panel.

- Irish Sea
- south Wexford/Waterford
- Cork Kerry
- Clare/Galway
- Mayo/Donegal

Work to collect data for a given number of trips will be allocated to vessels within each panel by mini-competition as outlined in Annex 3.

Only one application can be made for a given vessel. Furthermore, as the scope of work involves recording of data at sea it is the combination of the vessel and its main operator (Skipper). The vessel owner is the contracted party. Separate applications for a second or subsequent vessel owned by the same person are required. The details of the Skipper (lead operator of the vessel at sea) should be provided separately with

each application. Any change in the vessel-Skipper combination that occurs during the Framework should be notified to the MI by the vessel owner. This change may render the contract between the vessel owner and the MI null and void if their experience is not equal to or better than the skipper proposed in the original Framework submission.

PLEASE CLEARLY STATE WHICH PANEL(S) YOU ARE BIDDING FOR.

5. Currency

Prices must be in Euros € and be completed to two decimal places.

6. Validity of Tender

The Tenderer agrees that his/her tender shall remain open for acceptance for a minimum of 90 calendar days from the closing date for submission of tenders.

7. Cost of Tendering

Tenderers shall bear all costs associated with the preparation and submission of their tenders and the Client shall not be responsible or liable for any costs or expenses regardless of the conduct or outcome of the tender process.

8. Contract Terms

A draft contract is included in Annex 3. It is proposed that the Framework Agreement will run from April 1st 2021 to Dec 31st 2024, subject to annual review. Work will be awarded by mini-competition. Conditions for participating in mini-competitions are attached at Annex 4.

9. Contract Notice

Each Tenderer's acceptance of delivery of this ITT constitutes its agreement to, and acceptance of, the terms set forth in the ITT.

10. Tax Clearance Certificate

Tenderers being awarded a public contract must have tax clearance. Applications for Tax Clearance Certificates can be made online and can be accessed at www.revenue.ie under "What can I do online", "Tax Clearance". The Marine Institute will verify the tax-clearance status of suppliers online before making payment.

11. Notice from Marine Institute

The Marine Institute may (up to three (3) working days prior to the deadline for receipt of tenders) issue a notice to all Tenderers, deleting, varying or extending any item in these documents. Tenderers shall immediately acknowledge the receipt of each such notice in writing addressed to the Marine Institute. Any such notice shall then become one of the Tender Documents and shall be treated as such by the Tenderer.

12. General Data Protection Regulations ("GDPR")

Please note that the Marine Institute will use your personal information in line with the General Data Protection Regulation ("GDPR"), the Data Protection Acts 2003 – 2018 and the Freedom of Information Act 2014. Please see our Privacy Statement / Data Protection Policy for further details on our use of your information. All tenderers are required to implement appropriate technical and organisational measures (in

particular those required under the GDPR) to ensure a level of security appropriate to the risk to the security of Personal Data they process.

13. Tenderer's Queries and Clarification Requests

Any queries arising from the Tender Documents or the Instructions to Tenderers or information provided to the Tenderers shall be raised through www.etenders.gov.ie not later than five (5) working days before the closing date for return of Tenders.

14. Electronic Submissions

The Marine Institute will only accept responses electronically via the eTenders website <http://www.etenders.gov.ie/>. For comprehensive details on the eTenders Postbox policy, please refer to **Annex 1**.

15. Expressions of Interest

All parties that wish to be kept informed of any clarifications and/or all parties that wish to be kept informed of any clarifications and/or additional information regarding the tender should register their interest by registering on-line with e-Tenders (e-Tenders has been developed by the Department of Finance and is designed to help you find notices on government and public sector procurement across Ireland): <http://www.etenders.gov.ie/>

16. Closing Date for Tender Responses

All tenders must:

- Be received prior to **1000 on Thursday 4th March 2021**.
- Be submitted using the on-line <http://www.etenders.gov.ie> TENDER POSTBOX

For further information in using the Government's e-tenders system please refer to **Annex 1**

Please note that non-conformance with these requirements will result in disqualification.

Please note that any information submitted may be subject to the Freedom of Information Act, 1997.

A User Guide to E-tenders and instructions on submitting a response through the e-Postbox may be found here:

<http://etenders.gov.ie/Media/Default/SiteContent/UserGuides/etenders%20Supplier%20Quick%20User%20Guide.pdf>

Please note:

The onus is on the applicant to ensure that the tender reaches the Marine Institute or e-tenders on time. It is not advisable to wait until the last moment to upload documents in case of internet connection difficulties or other technical problems. Neither the Marine Institute nor e-tenders take responsibility for documents which do not reach us by the deadline, for any reason.

See Additional tender document for Draft Contract

Notification of Requirement

The Marine Institute will notify the Contractor and all other Contractors on the participating Framework panel of the requirements for services. Requirements will include those stated in the Invitation to Tender.

The Marine Institute will provide at least 3 business days for responses and will include in the notification closing time and date for responses. The Marine Institute will advise the contact person to whom responses should be sent.

Submission of Responses

Any Contractor on the participating panel wishing to participate in the mini-competition will respond by the closing date and time.

Responses may be made by e-mail transmission. The Contractor should not consider responses as having been received by the Marine Institute unless acknowledged by the Marine Institute by return email transmission. For this reason the Contractor should allow at least 3 hours before the closing time to allow for acknowledgement.

The cost proposal cannot exceed the cost specified in the response to Tender ITT21-xx

Award of Contracts

The Marine Institute will award contracts on the basis of general suitability and lowest cost where the following are included in a 50 point scale of evaluation criteria:

- Availability (Pass/Fail)
- Cost (40 points)
- General Suitability (10 points)

Given the scope of work and limited time frame to complete it award of mini-competition may be split across two or more panelists.

Notification of Results

The Marine Institute will notify all participants in the mini-competition of the outcome of each competition:

- The name of the successful Contractor
- The relative ranking of the proposal (e.g. 1st, 2nd, etc) on the panel on the basis of the evaluation detailed above.

The Marine Institute will not reveal the proposed rates of unsuccessful bidders.

Tiebreaker process to be applied to tenders and framework mini-competitions

In the event that two or more Tenders are deemed to have the same highest Total Overall Score, the following tie-break approach will be adopted.

- (a) The Tender which has been awarded the highest number of marks for the overall Phase 2 award criteria will be deemed to be the Most Economically Advantageous Tender (MEAT).
- (b) In the event of the application of the tie-break rule in (a) above not resulting in the determination of a preferred MEAT, the following approach will be applied; The Tender that has been awarded the highest number of the total marks available for the first sub-criterion in the competition, will be deemed to be the most economically advantageous tender. This approach will continue to be applied to each of the sub-criteria in the descending order until such time as a preferred MEAT can be determined. *This sequence does not indicate a preferential weighting of criterion.*
- (c) In the event of a tie and there being no difference in the Phase 2 and Phase 3 Criterion scores, the tied applicants will be invited to submit their “Best and Final Offer”. The applicant with the highest scoring Tender shall be deemed the Most Economically Advantageous Tender.
- (d) In the event of a tie following the “Best and Final Offer” process, then the successful Tender will be drawn by lottery.

See Additional tender document for Tender Response Document