International Call for Prequalification
For the Provision of Professional Services

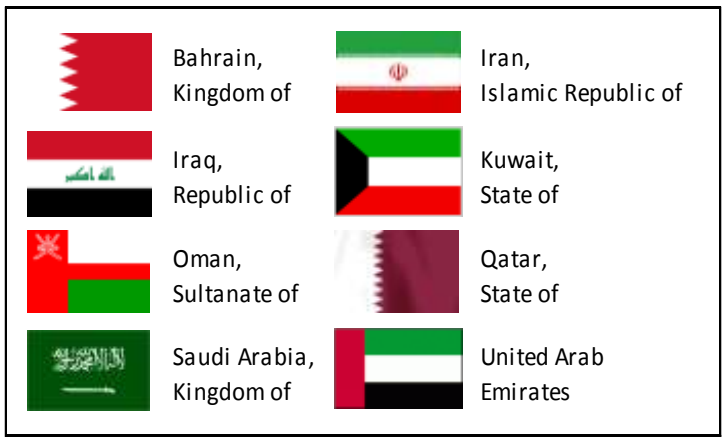
Maritime Emergency Response and Salvage Co-ordination Units
In the ROPME Sea Area

27th February 2017

INVITATION TO PREQUALIFY

For the provision of Maritime Emergency Response and Salvage Co-ordination Units in the ROPME Sea Area

The Regional Organization for the Protection of the Marine Environment



ROPME member countries, in alphabetical order

The Marine Emergency Mutual Aid Centre - **MEMAC** (the "Employer" of the Project) invites prospective tenderers to express their interest in providing and operating

The Maritime Emergency Response and Salvage Co-ordination Units (MERCU)

MERCU comprises two elements:

1. Off-Shore Stations: Emergency Towage Vessels (ETVs) and Pollution Response Vessels (PRVs) and their support, and
2. On-Shore: Marine Emergency Response Centres (MERCs).

The requirement is therefore to provide and operate:

Five (5) Off-Shore Stations and Marine Emergency Response Centres (MERCs), to be located in:

Bahrain,
Iran (Qyesh Island),
Kuwait,
Oman (Duqm), and
UAE (Fujairah).

with operational readiness scheduled to commence by ……..

A Tender Committee has been established by MEMAC and prospective tenderers are invited to express their interest in prequalifying for this Contract by the latest at …… hours AST (GMT + 3) on …….. 2017 in writing by e-mail addressed to …….. for the attention of ……..

All expressions of interest received by the due date will be acknowledged by e-mail to the sender. Late applications will be automatically rejected.
This first step in the Prequalification Process is open to reputed and experienced international Companies, Consortia or Joint Ventures having the appropriate experience and references. After evaluation of the submissions made by interested applicants, a list of Prequalified Tenderers will be established by the Tender Committee, and Tender Documents will be then issued to the Prequalified Tenderers. The Tender Committee reserves the right to accept or reject any or all applications.

For further information on the Prequalification Process, prospective tenderers should contact
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Glossary

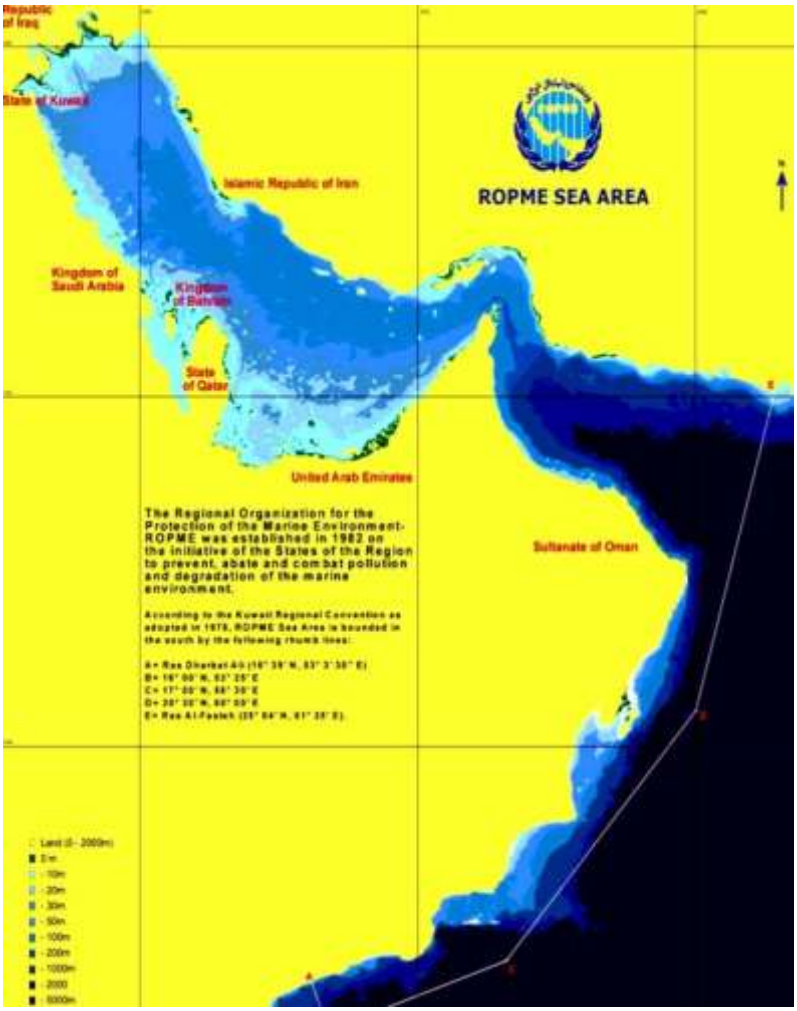
Some acronyms used in this document:

ETV	Emergency Towing Vessel
EMS	Environmental Management System
IMO	International Maritime Organisation
IOPC	International Oil Pollution Compensation Funds
IPIECA	International Petroleum Industry Environmental Conservation Association
ITOPF	International Tanker Owners Pollution Federation Limited
MEHRAS	Marine Environment High Risk Area
MEMAC	Marine Emergency Mutual Aid Centre
MERC	Maritime Emergency Response Centres
MERCU	Maritime Emergency Response Salvage Co-ordination Unit
MRCC	Maritime Rescue Coordination Centre
NFP	National Focal Points
OSC	On-Scene Commander
PRO	Pollution Response Officer
PRV	Pollution Response Vessel
RCP	Regional Contingency Plan
ROPME	Regional Organization for the Protection of the Marine Environment
RSA	ROPME Sea Area

1. Introduction and Background

The ROPME Sea Area (RSA) is the sea area surrounded by the eight Member States of ROPME: Bahrain, I.R. Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. The term "ROPME Sea Area" was coined by Plenipotentiaries of the Member States to denote the area covered by the Kuwait Regional Convention of 1978. It reflects the goodwill of the Member States to cooperate in protecting their common marine environment in spite of the existing geopolitical boundaries.

According to Article II of the Kuwait Regional Convention, the ROPME Sea Area (RSA) is defined as extending between the following geographic latitudes and longitudes, respectively: 16°39'N, 53°3'30''E; 16°00'N, 53°25'E; 17°00'N, 56°30'E; 20°30'N, 60°00'E; 25°04'N, 61°25'E. These points are delineated by the yellow line in the map below.

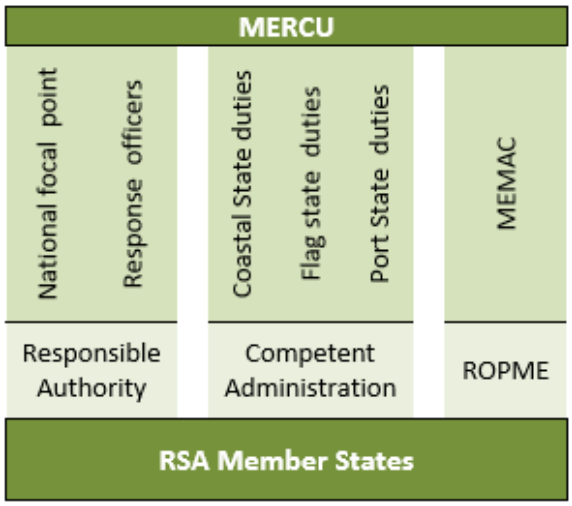


The RSA is one of the busiest maritime areas in the world. Around 90% of the oil exports from RSA countries and 45% of globally traded oil pass through the Strait of Hormuz. About 50,000 ships transit the Strait annually; the majority of these are tanker vessels. This equates to about 60,000 port calls at the RSA's 42 ports and terminals per year. In addition, numbers of ports and terminals, ship movements and port calls, tonnage owned by RSA companies, and ship repair and newbuilding facilities have increased significantly, resulting in severe impact on marine ecosystems and the environment at large, as well as on maritime safety.

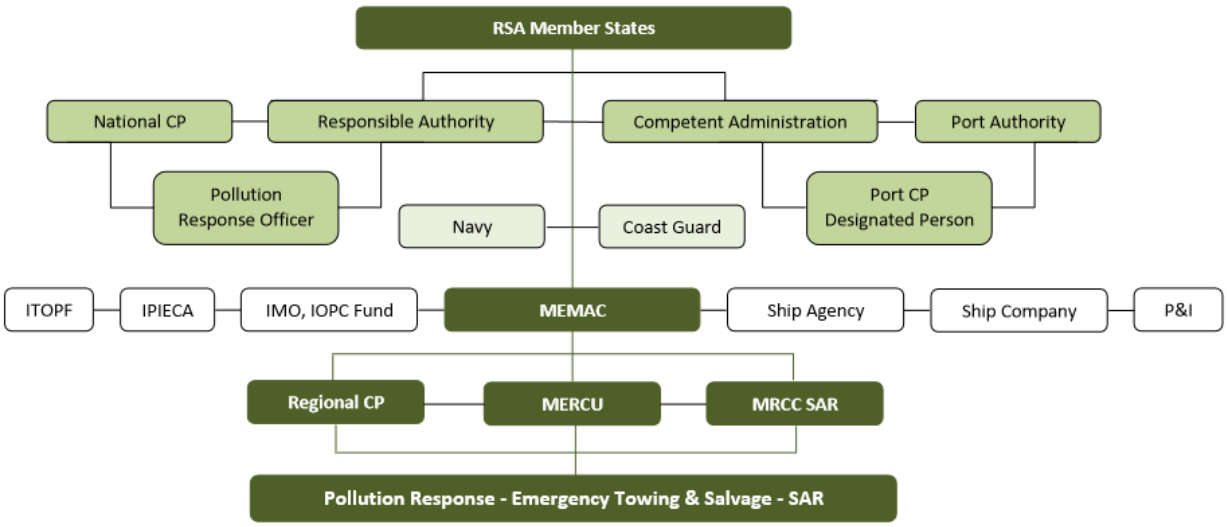
The protection of the marine environment is fundamentally linked to safety in navigation and there is a direct correlation between maritime accidents and environmental incidents at sea. As such, the need for maritime safety governance and the state of the environment has been clearly demonstrated on an international, regional and national scale.

In addition to the requirement for seaworthiness of the vessels in the area, it is maritime infrastructure and the services rendered by the coastal States to the shipping industry that account for safety at sea, emergency preparedness and pollution prevention.

The Maritime Emergency Response Salvage Co-ordination Unit (MERCU) was established by the Marine Emergency Mutual Aid Centre (MEMAC) in order to fully address concerns over marine environmental pollution and the potential damage to private and commercial assets and in order to protect and preserve human life in the maritime environment.



The three columns above, which are founded on the Member States' commitment to foster joint pollution prevention action, form the 'supporting pillars' of MERCU.



MEMAC Operational Concept

The ROPME Council has approved the establishment of 5 Maritime Emergency Response Salvage Co-operation Units (MERCUs) and Maritime Emergency Response Centres (MERCs), to be located in Bahrain, Iran (Qyesh Island), Kuwait, UAE (Fujairah) and Oman (Duqm).

These MERCU stations and MERCs will be operated by MEMAC for the Member States. They will be located close to areas identified as being of high risk and have the capability to:

- Deal with all types of oil and chemical pollution tiers,
- Provide salvage tugs and towing facilities (120 tons BP),
- Provide fire-fighting systems, and
- Assess and Coordinate Search and Rescue.

In compliance with the United Nations Convention on the Law of the Seas (UNCLOS) and UN policies, the financing of MERCU will be secured by applying the ***Polluter Pays*** principles to any pollution event. Cost-sharing to raise standards of safety at sea and environmental protection makes for a win-win situation for all parties involved - and definitely for the marine environment.

The cost-sharing arrangement in this case is characterised by a contributing share from the shipping industry of 5 US cents (US$0.05) per 1 gross tonne (GT3) for all vessels equal to or larger than 500 GT calling at loading/unloading facilities in the RSA.

This non-discriminatory 'service fee' will be collected by ships' agents and is valid for 30 days from the date of collection for all RSA Ports and Terminals; ships solely engaged in intra-RSA/domestic traffic will enjoy special conditions. The money raised will be devoted exclusively to complement the costs of safety and environmental protection infrastructure and services; the intended use of the money will be supervised by the RSA Member States via MEMAC.

The target of MERCU is to reduce the present risk exposure to an 'acceptable level', and to maintain and improve this level. Continuous pollution of the marine environment, intolerably high numbers of lives lost at sea, and loss of property must be minimised to preserve and protect the values of the ROPME Sea Area.

The project's guiding principle *'Protecting the Environment by Promoting Safety'* focuses on concerted action through regional co-operation and co-ordination as the means of reaching this ambitious target.

In this way MERCU supplements and is fully integrated into Member States' Safety and Environment Protection Infrastructures and Services (SEPIS) by implementing precautionary mechanisms, and it boosts the level of preparedness and response by straightforward structures and instruments.

MERCU's operational concepts implement the precautionary approach and aim to avoid marine environmental pollution, the destruction of property and loss of lives in the first place. Its operations are therefore proactive and strengthen national and regional efforts to prevent, reduce and combat pollution from oil and other harmful substances.

With this aim, MEMAC is seeking proposals from companies, consortia or joint ventures to invest in the infrastructure necessary to meet these goals and to deliver emergency services as and when the need arises.

MERCU's regional Maritime Emergency Response Centres (MERCs), its multi-purpose emergency towing vessels (ETVs) at stand-by sea-going positions, and the capacity of its pollution response

vessels (PRVs) all combine to provide specific safety and environmental services and to secure ample coverage of these services for the inner, central and outer RSA.

2. Pre-Qualification of Companies

2.1 Introduction

Operators must recognise that ***preparedness*** involves the effective management of 4 factors:

- The risk of maritime emergencies of all types and magnitudes,
- The risk of oil and chemical spills of all types and magnitudes,
- The ability to respond appropriately under any possible conditions, and
- Delivery performance and regulatory compliance.

2.2 Scope of Work

Contractors wishing to tender as investors in and operators of MERCU stations must have extensive experience working in the maritime industry, with particular emphasis on salvage, towage, fire-fighting, rescue and spill response and pollution prevention. All MERCU stations will be equipped with specified Emergency Towing Vessels (ETVs) and will have the capability to deal with all levels of pollution from Tier 1 through to Tier 3.

Operators must have knowledge and experience of international, regional and local maritime safety and environmental protection regimes, as well as existing safety and environmental infrastructure in the location of their MERCU station.

Operators must also have demonstrable knowledge of industry guidance and best practice, as well as the design and operation of contingency plans and response strategies.

This request for proposals is focused on the oil and chemical spill response capabilities of MERCUs, but may also cover other eventualities. A MERCU is not only an Oil Spill Response Unit. It also provides stand-by tugs at key risk positions to deliver primary response to any maritime emergency involving ships in distress, including towage, firefighting, escort damage control, spill response and search and rescue missions, to prevent any escalation to a worst cases scenario.

2.3 Personnel

All personnel must be appropriately trained and have marine experience and good knowledge and experience of maritime health and safety, maritime environmental protection and oil spill response. All vessels' crews and service personnel must be trained to the highest maritime and oil industry standards and show proven experience and qualifications appropriate to the MERCU Scope of Work. MERC Station Heads must also have good knowledge of Environmental Management Systems (EMS).

2.4 Equipment

MERCU stations will be provided with all current and up-to-date equipment required to enable them to participate effectively in in-shore and off-shore salvage, towing, fire-fighting, rescue and oil and chemical spill response and pollution prevention, in compliance with international regulations.

All equipment must be fit for purpose and properly maintained and may be audited without notice to ensure compliance.

2.5 Agreement of Actions

Any contractor wishing to act as the operator of a MERCU station must agree:

- To adhere fully to the requirements set out in Paragraphs 2.1 to 2.4 above,
- To man, equip and maintain their MERCU in accordance with the most up-to-date industry standards,
- To complement the existing safety and environmental protection infrastructure and systems and adhere to them by following the guiding principle of 'protecting the environment by promoting safety',
- To undertake regional co-operation and co-ordination during all operational activities, including information and data sharing,
- To participate in and conduct Annual National Exercises and Biannual Regional Exercises, and
- To provide trained personnel and specialised equipment to be maintained in readiness for a rapid and effective response.

3. MERC Stations, Contractors and Ports as Supporting Stations

3.1 Introduction

Regional MERCU stations will establish organisational and operational links between the responsible authorities and competent administrations of Members States, and MEMAC.

The MERCU stations will be embedded into the structures of, and complementary to existing regional and national oil spill contingency plans and safety and environmental services, and are intended to increase levels of precaution and preparedness, as well as geographic coverage and related capacities.

3.2 Station Locations

The primary requirement for each MERCU station is for it to be located close to areas in the ROPME Sea Area identified as being of high risk. MERCU station operators should also give consideration to other strategic elements that may be required in support of their activities, such as:

- Access to port and marine services (salvors, wreck removal, shipyards etc),
- Access to marine services and equipment, spare parts and anchors, chains, heavy duty tools etc,
- Access to floating equipment (workboats, cranes, barges, etc),
- The availability of specialised/trained marine personnel (divers etc),
- The availability of licensed/accredited port reception facilities, and
- The availability of hospital, fire and emergency services.

Other factors to be considered include:

- Direct international airborne accessibility (personnel and cargo),
- Fast and safe road transportation (personnel and cargo),
- Straightforward visa procedures,
- Fast and simplified Customs clearance,
- Availability of transport logistics (helicopters, boats, vehicle rental etc),
- Availability of adequate hotel accommodation etc, and
- Availability of reliable international communications (phone, satellite, e-media etc).

The intention is to maximise the quick response ability of the MERCUs and enable them collectively to cover the widest possible geographic areas. Each station must be available 24 hours per day, 365 days per year and be able to respond to maritime emergencies to prevent pollution, in order to minimise its impact.

MERCUs will be required to participate in and conduct Annual National Exercises and Biannual Regional Exercises in accordance with practice laid down by Member States or MEMAC.

3.3 Station Facilities

The facilities of the MERC Centres will include:

- Office and staff accommodation;
- Workshop and storage space; and
- Suitable safe pier space for the vessels.

Office accommodation must be equipped with state-of-the-art electronic communications equipment to ensure uninterrupted round the clock availability, including, for example, broadband high-speed internet.

The lay-out and equipment of workshops and stores must ensure the ability to carry out smaller repairs and regular maintenance work for the Station's vessels and equipment, and the storage of spare parts, consumables etc. Sufficient space for the storage of Tier II to Tier III pollution response equipment will be required.

Office, workshop and storage spaces must be located adjacent to the berths of the Emergency Towing Vessels (ETVs) and Pollution Response Vessels (PRVs), and have easy access to an airport, and must conform to the operational and logistic factors set out above.

The MERCs must operate to industry best practice standards and guidelines, and will be subject to inspections without notice, conducted by Member States or MEMAC.

3.4 Station Personnel

It is recommended that all MERC staff members and station personnel have seafaring experience, and that the Centre's Head should be an experienced senior marine officer (nautical or engineering).

It is envisaged that each MERC station will be manned by a minimum of six staff members:

- Station Head,
- Mechanic,
- Operator,
- Administrator, and
- Two general assistants.

3.5 Environmental Management Systems

All MERC Centres must have a harmonised Environmental Management System (EMS). Its proper implementation and enforcement will be the responsibility of the Station Heads. The EMS will define the roles and responsibilities of the various stakeholders likely to be involved in a range of spill scenarios.

In terms of protection from the various emergency scenarios, there are a number of sensitive areas that have been identified within the relative National Contingency Plans of the Contracting States as at special risk from oil pollution. These include but are not limited to:

Environmentally sensitive areas:

- Mangrove swamps,
- Salt marshes,
- Muddy shores,
- Turtle nesting sites,
- Dugong areas,
- Fisheries, especially spawning areas and shell fisheries, and

- Bird nesting and feeding areas.

Areas of socio-economic sensitivity:

- Desalination plants,
- Power station water intakes,
- Other industrial water intakes,
- Mariculture facilities, and
- Tourist beaches and facilities.

The Regional Contingency Plan (RCP) includes environmental sites of international importance, designated as Marine Environment High Risk Areas (MEHRAS). MERCs must have the capacity and capability to respond effectively and deal with emergencies that arise in these environments as well as the ability to respond flexibly to unforeseen scenarios.

3.6 Operational Readiness

Each MERC station must have plans and infrastructure in place to:

- Deal with potential oil spill scenarios,
- Provide typical prevention measures to eliminate or reduce spills,
- Provide typical countermeasures to reduce, eliminate or off-set impacts from spills,
- Deal with key elements of an emergency response plan, considering site-specific constraints,
- Provide oil prevention and emergency response equipment as necessary for the implementation of their emergency response plan and to give an estimate of their costs,
- Enable arrangements for the integration of additional support at all tier levels,
- Provide logistic arrangements to facilitate and support response operations across all tier levels,
- Provide trained practitioners in oil spill response, and
- Undertake a programme of simulation exercises to test all aspects of preparedness, build familiarity and to ensure their competence.

3.7 Emergency Towage Vessels (ETVs) and Pollution Response Vessels (PRVs)

Multi-purpose ETVs will be based at each MERC station at strategic stand-by sea positions. The ETVs will have appropriate accommodation and facilities for a boarding team, and firefighting equipment; pollution prevention equipment will be provided on board.

The PRVs will be stationed in stand-by positions and will have oil storage capacity on-board. All crew members for both the ETVs and the PRVs will be appropriately trained and qualified.

Vessels contracted for operations will be on stand-by but may carry out other commercial activities. In the event of an incident requiring their participation, selected vessels must cease their current activities and become available for MERC duties within an agreed maximum time limit.

The sea positions of the ETVs may vary, but they must be able to provide appropriate coverage in a navigational radius of 100 to 120 nautical miles from their centre position and must be able to reach the incident within about 4 hours. This is likely to require a minimum speed capability of 12.5 to 15 knots in moderate sea conditions.

Member States/MEMAC may instruct any Offshore Unit to support any other MERC Station within the RSA.

4. Member States / MEMAC Utilising the System

4.1 Management of MERC Operators

Member States/MEMAC will be responsible for conducting annual audits of the MERC operators. The aim of these audits will be to establish that:

- The personnel at each unit have the correct expertise and training, and
- The equipment being used by the operator for MERCU-related activities is fit for purpose and well maintained.

4.2 Personnel

Job descriptions, selection processes and crewing will be the responsibility of the RSA Member States, the Host State, and MEMAC. MEMAC will prepare the necessary pre-conditions (qualification criteria, wages, contract, interviews etc.) and will conduct employment procedures, with the aim of ensuring the correct qualification of all MERC personnel.

In collaboration with the National Focal Point (NFP), Pollution Response Officers (PRO) and the responsible authorities of the Host States, MEMAC will set-up familiarisation and training programmes to ensure an appropriate start-up, and thereafter will ensure continuous qualification of all MERC personnel.

4.3 Auditing

The Member States/MEMAC will conduct annual audits of the ports or facilities hosting a MERC station to ensure that they maintain and update as necessary the infrastructure needed for the station to operate successfully.

4.4 Information Sharing

A forum representing the Responsible Authorities of Member States and their Competent Administration, ROPME and MEMAC will be created to exchange information, best practices and relevant experiences learnt regarding safety regulation, oil spill prevention (including source control and containment equipment), regulatory approaches and relevant environmental relations.

A conference involving representatives from all Member States, MEMAC, ROPME, MERCU and Station Operators will be held annually in order that knowledge, experience and advice may be shared.

5. Financing Concept

5.1 Objectives

To provide emergency response services to meet and deal with any foreseen environmental disaster arising in the ROPME Sea Area against agreed response times and performance criteria and a specific service payment régime.

5.2 Service Description

To have available in specified locations the appropriate skills and equipment and to operate pollution mitigation equipment, as and when a marine accident involving the risk of pollution occurs in the RSA.

5.3 Communications

When the exact locations for the MERCUs have been identified and agreed, it will be for the contractors to install, in coordination with MEMAC management, emergency telecommunications networks to be available 24 hours daily and operated according to agreed emergency procedure regulations.

5.4 Length of Agreement

The initial contract/s will be for a period of ten years, with the option to extend by mutual agreement.

5.5 Programme and Finance

The Contractors will be wholly responsible for investment in, and maintenance of the assets needed to provide and deliver the agreed services.

5.6 Terms of Payment

Payment to the Contractors will be in two parts:

- An amount to cover fixed costs, including equipment, staff, asset insurance and finance, and
- An amount to cover variable costs of call-out to a specific pollution incident. Adjustments will be made to reflect inflation and any other agreed incremental costs, as they arise. Payments will be made monthly / 3 monthly in US dollars with no withholdings.

The Contractors will be expected to respond to an agreed performance régime, which will include penalties for under-performance, as well as bonuses for better-than-contracted performance delivery.

A benchmarking review of the payment structure will be carried out at the end of Years 3 and 7, and, if necessary, adjustment negotiated in good faith and agreed between the parties.

6. Prequalification Documentation Requirements

Successful bidders will be expected to submit documentation and information to include:

- Previous experience in towing salvage operations and damage control,
- 3 years of Annual Reports of all companies participating in their bid with bank or auditor approval of their financial capabilities,
- Their proposed organisational structure,
- Details of any local RSA presence and experience of operating in the area,
- Their technical experience of emergency and environmental services,
- Their availability and readiness to respond to the proposal,
- References from other client companies, and
- Short CVs of the principal personnel who would staff their proposed MERC.