

Second Meeting of the Steering Committee

Malta, 30-31 October 2003

REMPEC/MEDA/WG.2/9
31 October 2003

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REPORT OF THE SECOND MEETING OF THE STEERING COMMITTEE
OF THE MEDA PROJECT ON PORT RECEPTION FACILITIES
FOR COLLECTING SHIP-GENERATED GARBAGE,
BILGE WATER AND OILY WASTES

(MED/B7/4100/97/0415/8)

MALTA, 30 AND 31 OCTOBER 2003

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INTRODUCTION

1. The Second Meeting of the Steering Committee of the EC financed MEDA Project MED/B7/4100/97/0415/8 on Port Reception Facilities for Collecting Ship-Generated Garbage, Bilge Water and Oily Wastes (hereinafter referred to as the "Meeting") was convened on 30 and 31 October 2003 by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) at its offices in Malta.

2. The main objectives of the Meeting were:

- a) To select a consultancy proposal for the implementation of activity B of the Project;
- b) to review the activities implemented so far and the remaining components of the Project;
- c) to review the implementation of EU Directive 2000/59/CE in the Mediterranean EU countries; and
- d) to discuss the date and place of the Third Meeting of the Steering Committee.

3. The representatives of the Mediterranean EU member States (France, Greece, Italy and Spain) as well as the representatives of the European Commission (EC) (Directorate General EuropeAid Co-operation Office, Directorate General Transport and Energy and the EC Delegation to Malta) were invited to attend the Meeting as members of the Steering Committee. Representatives from IMO and UNEP/MAP as well as from the beneficiary countries of the MEDA Project were also invited to attend the Meeting as observers.

4. The representatives of three Mediterranean EU member States (France, Greece and Italy) as well as a representative from the EC Delegation to Malta attended the Meeting. Three countries participating in the MEDA Project (Algeria, Malta, Tunisia) attended the Meeting as observers. REMPEC was represented in the Meeting by the Programme Officer (Prevention) and the Technical Officer for the Project. IMO, UNEP/MAP and one Mediterranean EU member State (Spain) informed REMPEC that, due to others commitments, no representative could participate in the Meeting. The complete list of participants is given in **Annex I**.

AGENDA ITEMS 1 AND 2 OPENING AND ORGANIZATION OF THE MEETING.

5. The Meeting was opened at 09.00 hours on Thursday, 30 October 2003, by Mr. Jonathan Pace, Programme Officer (Prevention), REMPEC.

6. Mr. Pace chaired the Meeting and, on behalf of the Director of REMPEC, welcomed all the participants. He informed the Meeting that the Centre was pleased to note that, even though all participants were bearing their own expenses of participation, three beneficiary countries were attending the Meeting as observers. Since it was expected that during the Meeting, decisions would be taken by consensus, it was agreed that effective and full participation of all the participants was welcomed.

7. The Chairman of the Meeting informed the participants that the working languages of the Second Steering Committee Meeting were English and French, and that simultaneous interpretation English/French/English was available.

8. The Chairman referred to the timetable of the Meeting presented in document REMPEC/MEDAWG.2/3 underlining that most of the first day was going to be dedicated to the evaluation of the consultancy proposals for Activity B of the Project, while the second day was going to focus on the review of the activities of the Project implemented so far and the remaining components. He indicated that under Item 6 of the Agenda, REMPEC will also present a summary of the results of activities A and C of the Project which had been concluded recently.

AGENDA ITEM 3 **ADOPTION OF THE AGENDA.**

9. The Meeting adopted the Agenda as proposed in the document REMPEC/MEDA/WG.2/1(English) and REMPEC/MEDA/WG.2/1/Corr.1 (French), as well as the Annotated Provisional Agenda, proposed in the document REMPEC/MEDA/WG.2/2. The Agenda of the Meeting is reproduced in **Annex II** to the present Report.

AGENDA ITEM 4 **EVALUATION OF CONSULTANCY PROPOSALS AND SELECTION OF A CONSULTANCY FIRM FOR THE IMPLEMENTATION OF ACTIVITY B OF THE PROJECT**

10. The Chairman referred to the Annotated Provisional Agenda stating that the Steering Committee was expected to act as a Tender Selection Committee (hereinafter referred to as the 'Committee') for the evaluation of consultancy proposals and selection of a Consultancy Firm for the implementation of activity B of the Project.

11. The representative of France recalled that the Steering Committee, according to its Terms of Reference (para. 7 b), shall "provide guidance to REMPEC regarding the selection of the Consultant". He however pointed out that the final decision regarding the selection of a suitable consultant for Activity B of the Project shall remain under REMPEC's responsibility. The Meeting concurred with the views of the French representative.

12. Regarding the composition of the Tender Selection Committee, the Chairman proposed and the Meeting agreed, that the representatives attending the Meeting as observers will fully participate in the evaluation of consultancy proposals and in the selection of the best proposal.

13. The Chairman then introduced the purpose of the activity B of the Project, which consists in the preparation of a study concerning optimum solutions for collecting, treatment and disposal of relevant types of ship-generated solid and liquid wastes.

14. He also briefed the Committee on the procedures followed by the Centre in connection with the invitation to tender for the implementation of activity B of the Project. The Committee took note of the information provided in the working documents submitted by REMPEC under agenda item 4, i.e. the invitation to tender letter, the terms of reference, and the procedures and criteria for the evaluation of consultancy proposals for activity B of the Project, respectively presented in documents REMPEC/MEDA/WG.2/4, REMPEC/MEDA/WG.2/5 and REMPEC/MEDA/WG.2/6.

15. After ensuring that all the participants had acquainted themselves with the procedures and criteria to be followed in the evaluation of the consultancy proposals, the Chairman invited the Committee to proceed with the evaluation of the consultancy proposals and with the identification of the most advantageous proposal for the implementation of activity B of the Project.

16. After the evaluation of both technical and financial offers submitted by the bidders, the Committee agreed on the best proposal and REMPEC decided, taking into consideration the guidance of the Tender Selection Committee, to award the consultancy contract related to activity B of the Project to Tebodin Consultants and Engineers (The Netherlands).

AGENDA ITEM 5 **ADOPTION OF THE REPORT FOR THE SELECTION OF A CONSULTANCY FIRM FOR THE IMPLEMENTATION OF ACTIVITY B OF THE PROJECT**

17. The Secretariat prepared the report reflecting the procedures followed by the Tender Selection Committee for the evaluation of the consultancy proposals for activity B of the Project and presented it to the Meeting for approval. The Evaluation Report was adopted by the Meeting and is attached as **Annex III** to the present Report.

AGENDA ITEM 6 **REVIEW OF THE IMPLEMENTATION OF THE ACTIVITIES OF THE PROJECT**

18. Ms Khodjet El Khil, Technical Officer for the MEDA Project, introduced the document REMPEC/MEDA/WG.2/7 and outlined the activities of the Project implemented since the last Steering Committee Meeting.

19. She indicated that most of the time between the First and the Second Meeting of the Steering Committee was dedicated to the preparation, implementation and finalization of the first two activities of the Project, related to the assessment of the situation and needs regarding port reception facilities for ship-generated solid and liquid wastes (activity A) and ballast water from tankers (activity C). This included the selection of a suitable consultant to carry out both activities, a debriefing meeting with the consultant prior to the missions in the countries involved, monitoring of the work carried out by the consultant, and coordination with both the countries and the consultant during the missions.

20. Ms Khodjet El Khil also informed the Meeting that a copy of the Final Report in English for activities A and C of the Project was submitted by the consultant in the view of the present Meeting and invited the participants to consult it. She summarized the content of the Final Report for each of the two activities and outlined the most important recommendations and conclusions to the Meeting.

21. It was indicated that in order to facilitate the implementation of MARPOL 73/78 in the whole Mediterranean region, REMPEC succeeded in sourcing the necessary financial resources to extend the activities related to the present Project to ports of the Mediterranean countries which are not eligible under the MEDA mechanism, i.e. Albania, Slovenia, Croatia and Libya. Financial support for these analogous activities was being provided by the Mediterranean Trust Fund (MTF) budget and by IMO's Integrated Technical Cooperation Programme. In this regard, the Centre has already started with the activity related to the identification of the existing situation and needs regarding port reception facilities in the Adriatic countries.

22. The Meeting noted the report by the Project's Technical Officer and highlighted the importance of the MEDA Project for the Mediterranean Region.

23. The representative of France, while expressing his satisfaction for the extension of the Project to non-MEDA Mediterranean countries, requested some information on the amount of financial resources allocated to these similar activities, as well as information on the eventual utilization and/or reallocation of any unspent funds of the MEDA Project.

24. The Chairman informed the Meeting that 23,185 USD were allocated for the Adriatic countries and 17,208 USD for Libya. With regard to the issue of unspent funds, he assured the Meeting that the Centre would make the best use of all available funds but stated that the conditions contained in the Project's Grant Agreement had to be observed.

25. The importance of the final realization of the necessary port reception facilities in the Mediterranean region was underlined by the Algerian representative, who also stated that this goal should be in the medium/long term plans of REMPEC.

AGENDA ITEM 7 **REVIEW OF THE REMAINING ACTIVITIES OF THE PROJECT**

26. Ms Khodjet El Khil introduced document REMPEC/MEDA/WG.2/8 together with its two annexes related to the workplan and timetable for the remaining activities of the Project. She recalled that one of the recommendations of the First Meeting of the Steering Committee was, in order to ensure a smoother implementation of the activities, to extend the duration of the Project from two years to three years without increasing the approved budget of the Operation. Accordingly, REMPEC submitted a request to the relevant services of the EC, which considered it favourably. She informed the Meeting that the relative addendum to the Project's grant agreement was signed in April 2003. She further informed the meeting that the original work plan was revised and that all the activities of the Project were re-scheduled over the three year period.

27. The Meeting noted the information provided by REMPEC and approved the workplan and timetable for the remaining activities of the Project.

AGENDA ITEM 8 **INFORMATION REGARDING THE IMPLEMENTATION OF THE EU DIRECTIVE 2000/59/CE IN THE MEDITERRANEAN EU MEMBER STATES**

28. The representatives of Greece, France and Italy gave brief presentations on the situation of ports reception facilities in their countries with particular reference to the implementation of EU Directive 2000/59/CE. The Meeting noted the information provided by these representatives.

29. The Chairman informed the Meeting that REMPEC will soon be contacting the competent authorities of Greece, France, Italy and Spain to request them to provide the Centre with updated information on the situation of port reception facilities in their countries in order for the Centre to draw up the whole picture in the Mediterranean region with regard to this issue.

AGENDA ITEM 9 **DATE, PLACE AND AGENDA OF THE NEXT MEETING**

30. In order to ensure wider participation, the Committee decided that the Third Meeting of the Steering Committee should possibly be held back to back with the last activity (activity E) of the MEDA Project, i.e. the Regional Seminar which is envisaged to be held towards the end of 2004 and which would serve to present the results of all the activities of the Project.

AGENDA ITEM 10 **OTHER BUSINESS.**

31. Under this item of the Agenda, the Chairman informed the Meeting that the Centre would eventually have to decide on the venue for the Regional Seminar (activity E of the Project) but, that at this stage, it was too early for the Centre to be able to decide on the venue of the Seminar. The Meeting agreed that the decision on the venue of the Seminar should be left to REMPEC taking into consideration any offers received from the MEDA Project beneficiary countries to host the Seminar.

32. The Chairman recalled that, according to its Terms of Reference (para. 7 l), the Steering Committee should, subject to the clearance of the EC, "approve the transfer of small amounts of money among different budget lines of the relevant MEDA contract, if necessary for a better on-going of the Operation." In view of the fact that the Third Meeting of the Committee was scheduled to be held towards the end of the Project, the Chairman requested the concurrence of the Committee for REMPEC to be able to transfer small amounts of money within a single budget heading and between different budget headings of the Project's budget (in the latter case, variations of less than 10% of the amount originally entered under a heading). He informed the Committee that all such transfers will, of course, be made in accordance with the provisions of the Grant Agreement of the Project. The Meeting agreed to the Chairman's request subject to the said transfers being affected once only.

AGENDA ITEM 11 **ADOPTION OF THE REPORT OF THE MEETING.**

33. The Meeting adopted the present Report on 31 October 2003.

AGENDA ITEM 12 **CLOSURE OF THE MEETING.**

34. The Meeting was closed by the Chairman on Friday, 31 October 2003, at 18.30 hours.

ANNEX I

LIST OF PARTICIPANTS

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ANNEX II

AGENDA

1. Opening of the Meeting
2. Organization of the Meeting
3. Adoption of the Agenda
4. Evaluation of consultancy proposals and selection of a Consultancy Firm for the implementation of activity B of the Project
5. Adoption of the report for the selection of a Consultancy Firm for the implementation of activity B of the Project
6. Review of the implementation of the activities of the Project
7. Review of the remaining activities of the Project
8. Information regarding the situation of port reception facilities in Mediterranean EU countries with special reference to the implementation of the EU Directive 2000/59/EC
9. Date and place of the third Meeting
10. Other business
11. Adoption of the Minutes of the Meeting
12. Closure of the Meeting

ANNEX III

**PROVISION OF CONSULTANCY SERVICES RELATED TO
THE PREPARATION OF A STUDY CONCERNING OPTIMUM SOLUTIONS FOR
COLLECTING, TREATMENT AND DISPOSAL OF RELEVANT TYPES OF SHIP-
GENERATED SOLID AND LIQUID WASTES (ACTIVITY B)**

Tender Ref N° MED/B7/4100/97/0415/8 (Activity B)

EVALUATION REPORT OF THE TENDER SELECTION COMMITTEE

1. The Second Meeting of the Steering Committee of the Project MED/B7/4100/97/0415/8 on port reception facilities, which met at REMPEC's offices in Malta between 30 and 31 October 2003, acted as a Tender Selection Committee (hereinafter referred to as 'the Committee') for the evaluation of proposals for the provision of consultancy services related to the preparation of a study concerning optimum solutions for collecting, treatment and disposal of relevant types of ship-generated solid and liquid wastes (Activity B of the Project).
2. As stated in its Terms of Reference, the Steering Committee, among other functions, shall "provide guidance to REMPEC regarding the selection of the Consultant" (Para 7 (b) of the Terms of Reference of the Steering Committee).
3. The objective of the Committee was to evaluate the bids received in response to REMPEC's tender invitation for the provision of consultancy services related to Activity B of the Project.
4. The Committee was composed of Mr Thomas Helmberger, EC Delegation to Malta, Mr Daniel Silvestre (France), Captain H.C.G John Protopapas (Greece), Captain Aurelio Caligiore (Italy), Mr. Mohamed Nemouchi (Algeria), Captain Richard Gabriele (Malta), Mr. Moncef Bouaziz (Tunisia), Mr Nejib Bel Mahressia (Tunisia), Mr. Jonathan Pace, Programme Officer (Prevention), REMPEC and Ms Lilia Khodjet El Khil, Technical Officer, REMPEC. Mr Jonathan Pace acted as Chairman of the Committee (hereinafter referred to as 'the Chairman').
5. The Chairman provided the Committee with some information regarding the procedures followed by REMPEC in connection with the call for tender for the implementation of Activity B of the Project. He informed the Committee that on the 17 September 2003, REMPEC sent out tender invitation letters to fourteen potential consultants (**Annex I**) which the Centre felt were in a position to provide the required consultancy services to implement Activity B of the Project. The deadline for the submission of the proposals was the 27 October 2003. Copies of the list of potential consultants, tender invitation letter and the Terms of Reference of the consultancy were made available to the participants prior to the Meeting.

6. The Chairman then briefed the Committee on the procedures and criteria that REMPEC proposed to be followed for the evaluation of consultancy proposals for the implementation of Activity B and the eventual selection of the best offer. Copies of the procedures and criteria to be followed were also made available to the members of the Committee prior to the Meeting.
7. The Chairman informed the Committee that by the deadline for the submission of proposals, REMPEC had received offers from five companies namely, SSPA Sweden AB (Sweden), Ensaco - Environmental & Safety Consultancy (The Netherlands), ERM - Environmental Resources Management (UK), Det Norske Veritas (Norway), and Tebodin Consultants and Engineers (The Netherlands).
8. The Chairman further informed the Meeting that another offer by the Institute for Recycling and Environmental Protection (Germany) was received at REMPEC offices on the 29 October 2003. The Chairman also informed the Meeting that this organisation was not invited to submit an offer by REMPEC. After considering the information provided by the Chairman, the Committee decided that the proposal by Institute for Recycling and Environmental Protection (Germany) should be eliminated.
9. The Committee verified that each of the five other tenders were in sealed envelopes and proceeded with opening each one individually.
10. The tender submitted by SSPA Sweden AB was first opened and the Committee verified that it contained two separate sealed envelopes containing the technical and financial offers. The envelope containing the technical proposal of SSPA Sweden AB was opened, placing the sealed envelope containing the financial bid to one side. The Committee confirmed that this proposal complied with the administrative basic conditions of the tender.
11. This procedure was repeated for the other four offers submitted by Ensaco - Environmental & Safety Consultancy (The Netherlands), ERM - Environmental Resources Management (UK), Det Norske Veritas (Norway), and Tebodin Consultants and Engineers (The Netherlands), respectively. The Committee confirmed that the administrative criteria were adhered to by these companies. However, the Committee noted that the offers submitted by SSPA Sweden AB and ERM - Environmental Resources Management (UK) did not state that the said offers were valid for 90 days from the date of closure of the tender. However, in view of the fact that this information might have been contained in the financial offers of these two firms, the Committee decided to also proceed with the evaluation of the technical offers submitted by these two bidders on the understanding that, should the proposal of one of these two firms be considered as the most advantageous, REMPEC would request the selected company to confirm that its offer was valid for 90 days from the date of closure of the tender.
12. The Committee also noted that none of the proposals indicated that the material prepared in connection with the consultancy will be prepared in accordance with intellectual property rights and that copyright will remain with REMPEC, IMO, UNEP/MAP and EC (Para 25 of the Terms of Reference of the consultancy). It was however decided that this issue should be addressed specifically in the consultancy contract to be concluded between REMPEC and the selected consultant.

13. The Committee then proceeded to assess each of the technical offers submitted by the five different bidders.
14. Using the evaluation form prepared by REMPEC, the technical ranking for the bidders was as follows:
- | | |
|---|------|
| Tebodin Consultants and Engineers (The Netherlands) | 16.3 |
| SSPA Sweden AB (Sweden) | 12.6 |
| Det Norske Veritas (Norway) | 12.5 |
| ERM - Environmental Resources Management (UK) | 11.7 |
| Ensaco - Environmental & Safety Consultancy (The Netherlands) | 9.1 |
15. The completed technical evaluation forms (including the total score for each bidder) are attached in **Annex II.**
16. The Committee shortlisted the three companies whose technical ranking was the highest out of all the assessed proposals and proceeded to open their financial offers. The Committee also confirmed that all three bidders complied with the basic financial conditions of the tender. The evaluation of the financial proposals resulted as follows:
- | | |
|---|-------------|
| Tebodin Consultants and Engineers (The Netherlands) | Euro 45,000 |
| SSPA Sweden AB | Euro 52,000 |
| Det Norske Veritas (Norway) | Euro 53,450 |
17. On careful examination, the financial proposal submitted by Tebodin Consultants and Engineers (The Netherlands) was considered as the most favourable.
18. Taking into consideration that fact that the proposal of Tebodin Consultants and Engineers (The Netherlands) obtained the highest technical score and was also the most favourable in terms of cost, the Committee considered the offer of Tebodin Consultants and Engineers (The Netherlands) as the most advantageous.
19. REMPEC, taking into consideration the guidance provided by the Committee, decided to award the consultancy related to Activity B of the Project to Tebodin Consultants and Engineers (The Netherlands).