PF9

**Invitation to Tender for 21CXRM East Shetland Platform Project – Phase 1**

Tender Reference Number: TRN056/10/2016

Deadline for Tender Responses: 28th November 2016, 1300 GMT

**Lot 1:**

Provision of an evaluation of the structural evolution of the East Shetland Platform area using all available existing data sets e.g potential fields data, offset wells, available 2D seismic data

and

**Lot 2:**

Provision of an understanding of the source rock potential of the East Shetland Platform area using non-seismic geochemical methods

**Oil & Gas Authority**

Date: 11/11/2016

The Oil & Gas Authority (“OGA”) wishes to commission a project under the 21st Century Exploration Roadmap initiative entitled 21CXRM East Shetland Platform Project – Phase 1.

Enclosed are the following sections:

* Section 1 (page 3) Instructions on tendering procedures
* Section 2 (page 7) Specification of requirements
* Section 3 (page 18) Further information on tendering procedure
* Section 4 (page 21) Declarations and information to be provided;

Statement of Non-Collusion

Form of Tender

Conflict of Interest

Questions for tenderers

* Annex A: Pricing schedule

Please register your interest in submitting a tender for this project by emailing [david.i.wilson@ogauthority.co.uk](mailto:david.i.wilson@ogauthority.co.uk) This will ensure you receive immediate notification of updates to the ITT process or answers to questions raised by potential bidders.

Please read the instructions on the tendering procedures carefully since failure to comply with them may invalidate your tender. Your tender must be returned before the deadline time and date (28th November 2016, 1300 GMT) clearly marked as “TENDER” including the tender reference Number TRN 056/10/2016.

I look forward to receiving your response.

Yours sincerely,

David Wilson

Head of Procurement

Email: [david.i.wilson@ogauthority.co.uk](mailto:david.i.wilson@ogauthority.co.uk)

**Section 1**

**Instructions and Information on Tendering Procedures**

Invitation to Tender for 21CXRM East Shetland Platform Project – Phase 1

Tender Reference Number: TRN056/10/2016

Deadline for Tender Responses: 28th November 2016, 1300 GMT

**Contents**

A. Indicative Timetable 4

B. Procedure for Submitting Tenders 5

C. Conflict of Interest 5

D. Evaluation of Responses 6

E. Terms and conditions applying to this Invitation to Tender 7

F. Further Instructions to Contractors 7

G. Checklist of Documents to be Returned 7

# Indicative Timetable

The anticipated timetable for this tender exercise is as follows. The OGA reserves the right to vary this timetable. Any variations will be published on contracts finder or circulated to all organisations who have registered an interest in notifications.

|  |  |
| --- | --- |
| **Tender Timeline** | **Date** |
| Advert and full invitation to tender issued | 11th November 2016 |
| Deadline for questions relating to the tender | 21st November 2016 17.00 |
| Responses to questions published | 23rd November 2016 |
| Deadline for receipt of tender | 28th November 2016 13.00 |
| Invite suppliers for bid clarification (if needed) | 30th November 2016 |
| All suppliers alerted of outcome | 8th December 2016 |
| Contract award on signature by both parties | 15th December 2016 |
|  |  |
| Contract start date | 19th December 2016 |

The contract is to be for a period of 3 months unless terminated or extended by the Authority in accordance with the terms of the contract.

The contract is for the provision of:

**Lot 1**:

An evaluation of the structural evolution of the East Shetland Platform area including an assessment of depth to basement and sediment thickness using all available existing data sets e.g potential fields data, offset wells, available 2D seismic data.

and

**Lot 2**:

An understanding of the source rock potential of the East Shetland Platform area using non-seismic geochemical methods. This should include the compilation of available geochemical samples, collection of new geochemical samples from relevant offset wells plus the compilation and interpretation of seep data.

All deliverables will be owned by the OGA and to this end, suppliers must ensure that all source data is free from any Intellectual Property Rights (IPR). The intention is to make the study freely available (under the Open Government Licence v3.0 or similar) as part of the UKCS digital subsurface datasets which will be downloadable from the OGA website or future National Data Repository.

Suppliers may submit tenders for a single Lot or for multiple Lots.

# Procedure for Submitting Tenders

The maximum page limit for tenders is 10 pages per Lot (excluding declarations and CVs).

Please send 2 copies of your proposal clearly marked as “TENDER” and include the TRN reference number TRN 056/10/2016 **before** the deadline of 28th November 2016, 1300 GMT to David Wilson at the following address:

OGA

4th Floor

21 Bloomsbury Street

London WC1B 3HF

Please email an electronic version to David Wilson **after** the deadline for receipt of tenders to [david.i.wilson@ogauthority.co.uk](mailto:david.i.wilson@ogauthority.co.uk)

For questions regarding the procurement process please contact [david.i.wilson@ogauthority.co.uk](mailto:david.i.wilson@ogauthority.co.uk)

Tenders will be received up to the time and date stated. Please ensure that your tender is delivered not later than the appointed time on the appointed date. The Authority does not undertake to consider tenders received after that time. The Authority requires tenders to remain valid for a period indicated in the specification of requirements.

The OGA shall have the right to disqualify you from the procurement if you fail to fully complete your response, or do not return all of the fully completed documentation and declarations requested in this ITT. The OGA shall also have the right to disqualify you if it later becomes aware of any omission or misrepresentation in your response to any question within this invitation to tender. If you require further information concerning the tender process, or the nature of the proposed email [david.i.wilson@ogauthority.co.uk](mailto:david.i.wilson@ogauthority.co.uk) All questions should be submitted by 21st November 2016, 1700 GMT; questions submitted after this date may not be answered. Should questions arise during the tendering period, which in our judgement are of material significance, we will publish these questions with our formal reply by the end of 23rd November 2016 on Contracts Finder. All contractors should then take that reply into consideration when preparing their own bids, and we will evaluate bids on the assumption that they have done so.

You will not be entitled to claim from the Authority any costs or expenses that you may incur in preparing your tender whether or not your tender is successful.

# Conflict of Interest

The OGA standard terms and conditions of contract include reference to conflict of interest and require contractors to declare any potential conflict of interest to the Head of Procurement.

For research and analysis, conflict of interest is defined the presence of an interest or involvement of the contractor, subcontractor (or consortium member) which could affect the actual or perceived impartiality of the research or analysis.

Where there may be a potential conflict of interest, it is suggested that the consortia or organisation designs a working arrangements such that the findings cannot be influenced (or perceived to be influenced) by the organisation which is the owner of a potential conflict of interest. For example, consideration should be given to the different roles which organisations play in the research or analysis, and how these can be structured to ensue maintain an impartial approach to the project is maintained.

The process by which this is managed in the procurement process is as follows:

1. **During the bidding process, organisations may contact the OGA to discuss whether or not their proposed arrangement is likely to yield a conflict of interest.** Any organisation thinking of submitting a bid, should share their contact details with the staff member responsible for this procurement, to ensure they receive an update when any responses to questions are published.
2. **Contractors are asked to sign and return Declaration 3 (page 24) to indicate whether or not any conflict of interest may be, or be perceived to be, an issue.** If this is the case, the contractor or consortium should give a full account of the actions or processes that it will use to ensure that conflict of interest is avoided. In any statement of mitigating actions, contractors are expected to outline how they propose to achieve a robust, impartial and credible approach to the research.
3. **When tenders are scored, this declaration will be subject to a pass/fail score**, according to whether, on the basis of the information in the proposal and declaration, there remains a conflict of interest which may affect the impartiality of the research.

Failure to declare or avoid conflict of interest at this or a later stage may result in exclusion from the procurement competition, or in the OGA exercising its right to terminate any contract awarded.

# Evaluation of Responses

The tender process will be conducted to ensure that bids are evaluated fairly and transparently, in accordance with agreed assessment criteria. Further details are provided in the specification.

# Terms and Conditions applying to this Invitation to Tender

The Terms and Conditions published with this invitation to tender on Contracts Finder will apply to this contract. These can be downloaded from Contracts Finder.

# Further Instructions to Contractors

The Authority reserves the right to amend the enclosed tender documents at any time prior to the deadline for receipt of tenders. Any such amendment will be numbered, dated and issued by 23 November 2016. Where amendments are significant, the Authority may at its discretion extend the deadline for receipt of tenders.

The OGA reserves the right to withdraw this contract opportunity without notice and will not be liable for any costs incurred by contractors during any stage of the process. Contractors should also note that, in the event a tender is considered to be fundamentally unacceptable on a key issue, regardless of its other merits, that tender may be rejected. By issuing this invitation the Authority is not bound in any way and does not have to accept the lowest or any tender and reserves the right to accept a portion of any tender unless the tenderer expressly stipulates otherwise in their tender.

# Checklist of Documents to be Returned

* Proposal (maximum 10 pages per Lot)
* Annex A – pricing schedule
* Declaration 1: Statement of non-collusion
* Declaration 2: Form of Tender
* Declaration 3: Conflict of Interest

**Section 2**

**Specification of Requirements**

Invitation to Tender for 21CXRM East Shetland Platform Project – Phase 1

Tender Reference Number: TRN056/10/2016

Deadline for Tender Responses: 28th November 2016, 1300 GMT

**Contents**

1. Introduction and summary of requirements 9

2. Background 9

3. Aims and Objectives 12

4. Methodology 12

5. Outputs Required 13

6. Ownership and Publication 13

7. Quality Assurance 14

8. Timetable 14

9. Challenges 14

10. Working Arrangements 14

11. Skills and experience 14

12. Consortium Bids 14

13. Budget 15

14. Evaluation of Tenders 16

Criterion 16

Description 16

Weighting 16

# Introduction and summary of requirements

The OGA was created as one of the key recommendations of Sir Ian Wood’s 2014 Review of the UK Continental Shelf (UKCS). It became an Executive Agency of the Department of Energy and Climate Change (DECC) with operational independence on 1 April 2015 and vested as an independent Government Company by on 1st October 2016.

The OGA’s role is to regulate, influence and promote the UK oil and gas industry to achieve its principal objective of maximising the economic recovery of UK offshore oil and gas resources (MER UK).

Further information on the OGA is available on the [OGA website](https://www.ogauthority.co.uk/) and in the [OGA Corporate Plan 2016/21](https://www.ogauthority.co.uk/news-publications/publications/2016/oil-and-gas-authority-corporate-plan-2016-2021/). The recently published [OGA Exploration Strategy](https://www.ogauthority.co.uk/news-publications/publications/2016/exploration-strategy/) can also be found on the OGA website.

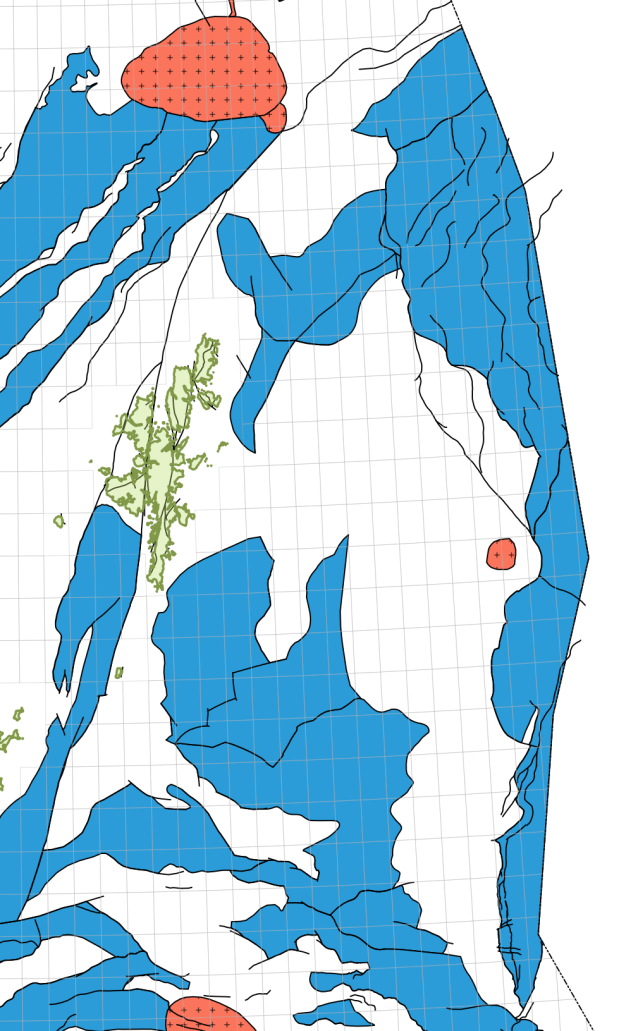
As part of the 21st Century Exploration Road Map initiative (21CXRM) and in collaboration with the 21CXRM Technical Advisory Committee, the OGA is issuing an ITT to request the provision of petroleum system related studies for the East Shetland Platform area. Provision of such studies has been supported by the MER UK Exploration Board and will complement the acquisition and reprocessing of seismic data in this area which has formed part of the 2016 Government Seismic Programme. The main objective of the proposed studies is to enhance industry knowledge and understanding of the East Shetland Platform area ahead of the 31st Frontier Licencing Round which is currently scheduled to take place in 2018.

Based on available budget, it is proposed that the studies are phased and tendered as a series of Lots, enabling the OGA to execute some work this financial year (2016/17). Remaining study phases will be the subject of a separate tender and are dependent on external industry funds being available for the 21CXRM initiative in the next financial year (2017/18).

# Background

The East Shetland Platform remains one of the under-explored areas of the UKCS and as such will form one of the key frontier exploration areas that will be opened up to the oil and gas industry in the 31st Licencing Round. The area has formed part of the 2016 Government Seismic Programme and was also recommended by the 21CXRM Technical Advisory Committee as an area that would benefit significantly from dedicated regional petroleum system related studies. This recommendation was supported by the MER UK Exploration Board in September 2016.

The area of interest for this tender is shown in Figure 1 and essentially covers the frontier platform and basin areas including the Unst Basin, Fair Isle Basin, East Fair Isle Basins, East Orkney Basin, Dutch Bank Basin, Fladen Ground Spur and “Piper Platform”.



**East Shetland Platform**

Unst Basin

**‘Piper Platform’**

**East Orkney Basin**

Fair Isle Basin

**East Fair Isle basins**

**Dutch Bank Basin**

**Fladen Ground Spur**

Figure 1 Proposed area of interest for frontier East Shetland Platform and basinal areas

Due to the limited available data in these areas, a number of key subsurface uncertainties exist, primarily around the presence and maturity of any source rock intervals, the presence and quality of prospective reservoirs and also the fundamental structural evolution of the area and resulting basin geometries.

It has long been postulated that the most likely potential source rock in these frontier basin areas are the Devonian lacustrine deposits observed in the Orcadian Basin. Their distribution, generation and expulsion history however are not well understood with published end member models ranging from deep Devono-Carboniferous burial leading to expulsion during that time, to evidence from wells suggesting that theses intervals may be early mature present day.

The studies proposed in Phase 1 of this project will focus on some of the key subsurface uncertainties in the East Shetland Platform area, namely understanding the structural evolution and basin geometries and an assessment of potential source rock presence and expected maturity. The source rock study could also look to re-sample relevant sections from offset wells to further understand the source rock potential of the area, including an assessment of any fluid migration using techniques such as fluid inclusion and apatite fission track analysis if budget allows. Further studies may be initiated should additional funding become available.

The following studies can be tendered for within available budget this financial year (2016/17):

Lot 1: An evaluation of the structural evolution of the East Shetland Platform area including but not limited to an assessment of depth to basement, depth to Moho, estimates of total sediment thickness and basement terrane composition using all available existing data sets e.g potential fields data, offset wells, available 2D seismic data

Lot 2: An understanding and assessment of source rock potential using non-seismic geochemical methods. This should include the compilation and interpretation of available raw geochemical data, collection of new geochemical samples (e.g from relevant offset wells) and the compilation and interpretation of any relevant seep data.

In the event that additional OGA or external industry funding is available in 2017/18, the study would be extended into a second phase to cover the following areas.

1. Incorporation of the 2016 Government Seismic gravity and magnetic data to further the interpretation of the structural evolution of the East Shetland Platform and enhance interpretations of depth to basement, estimates of total sediment thickness, basement terrane composition etc
2. Interpretation of 2016 Government Seismic data and other relevant data (e.g. offset wells) to provide a structural and stratigraphic framework and geological history for the East Shetland Platform. This would result in a set of regional 2D grids that can be used, in conjunction with relevant well data, to understand the burial and uplift history of the area and assess the impact of this on potential source rock presence and maturity.
3. Analysis of new geochemical samples (collected during previous phase of work) to look at both source rock potential and fluid migration. The latter could utilise techniques such as fluid inclusion analysis and/or apatite fission track analysis depending on available budget.
4. An assessment of potential reservoir distribution and quality for the main potentially prospective stratigraphic intervals.

These additional Phase 2 studies would be the subject of a separate tender should additional funding be available in the next financial year (2017/18).

# Aims and Objectives

The main aim of these initial projects is to provide a better understanding of the fundamental structural history and evolution of the frontier basins in the East Shetland Platform area plus provide an initial assessment of source rock presence and potential maturity. Gaining insights into the depth to basement, potential basement composition and estimates of total sediment thickness for example will help provide the foundations for further regional evaluation, ahead of the 2016 2D Government Seismic being available to industry in Q2 2017. Furthermore, a comprehensive compilation and interpretation of available geochemical data will hopefully shed more light on potential source rock intervals, the demonstrable presence and maturity of which is critical for any future exploration activity in this area. Clearly there are other key exploration uncertainties, such as reservoir presence and quality, that warrant further study, but by tackling what are perhaps the most critical elements first, these proposed studies are aimed at improving both industry knowledge and understanding to better enable future exploration efforts.

# Methodology

The precise methodology of study is open to suggestion from suppliers. A phased approach is however preferred to avoid unnecessary work. Based on the Lots outlined, this initial phase should include a compilation of all currently available gravity and magnetic data with a view to providing an assessment of basement structure, depth and possible composition plus an estimate of sediment thickness. This could be combined with an initial assessment of freely available or published seismic data and any relevant well data to provide a more integrated view. An assessment of potential source rock intervals should look to include the compilation of existing geochemical samples and analyses, relevant seep data and documented evidence of a working petroleum system in these frontier basin areas. Where possible and budget permitting, new samples should be collected and documented within any database with a view to new analyses being carried out in the event that further studies are enabled by additional budget being made available.

# Outputs Required

Deliverables will be dictated by the nature and methodology of the individual proposals received and also via an agreed Project Specification/Description. They should however include but not necessarily be limited to the following:

* Compilation of processed gravity and magnetic potential fields data, including an assessment of depth to basement, depth to Moho, and estimates of total sediment thickness and basement composition for the region. These should be delivered in a format that is compatible with ArcGIS v10.4 with accompanying reports in MS Word or PDF format.
* An initial assessment of the presence and maturity of potential source rock intervals should be delivered in MS Word or PDF format. Appropriate supporting maps and databases of relevant geochemical data from wells, seeps etc should be delivered in formats compatible with ArcGIS v10.4.

Where necessary and appropriate, OGA will help to arrange access to any relevant well information and other relevant data types, as requested by and agreed with the supplier to enable them to deliver the deliverables described. All these data will be held in confidence by the supplier and should only be accessible by those personnel working on the contract. Appropriate confidentiality and security arrangements will be required.

# Ownership and Publication

The OGA requires publication rights for all deliverables. The OGA will determine the appropriate licence agreement for release of the data once ownership has been transferred. To facilitate this, the supplier will keep an auditable database to ensure that all data used to generate the required deliverables is free from any Intellectual Property issues and that on transfer of ownership, the OGA can publish the data under an Open Government Licence v3.0 or similar.

All applicants will need to identify and propose arrangements for initial scrutiny and on-going monitoring of ethical issues. The appropriate handling of ethical issues is part of the tender assessment exercise and proposals will be evaluated on this as part of the ‘addressing challenges and risks’ criterion.

We expect contractors to adhere to the following principals:

1. Sound application and conduct of social research methods and appropriate dissemination and utilisation of findings
2. Participation based on valid consent
3. Enabling participation
4. Avoidance of personal harm
5. Non-disclosure of identity and personal information

# Quality Assurance

The successful supplier will be expected to provide regular project updates to the OGA to ensure that progress can be monitored and any risks to delivering the project on time and within budget can be resolved in a timely manner. These updates should form part of a project timeline submitted as part of any proposal.

# Timetable

It is recognised that this tender represents a short term contract and suppliers should provide a clear timeline to support delivery of the required products. All work is required to be completed and invoicing submitted for payment by 31st March 2017. Where required and as far as is practical, the OGA will facilitate timely access to relevant UK public domain data should the supplier need support in this area.

# Challenges

The main challenges envisaged are related to the short timeframe available for the project due to budget constraints. A clear project timeline plus regular contact with the OGA throughout the project should help mitigate against this.

# Working Arrangements

The successful contractor will be expected to identify one named point of contract through whom all enquiries can be filtered. An OGA project manager will be assigned to the project and will be the central point of contact.

# Skills and experience

The OGA would like you to demonstrate that you have the experience and capabilities to undertake the project. Your tender response should include a summary of each proposed team members experience and capabilities.

Contractors should propose named members of the project team, and include the tasks and responsibilities of each team member. This should be clearly linked to the work programme, indicating the grade/ seniority of staff and number of days allocated to specific tasks.

Contractors should identify the individual(s) who will be responsible for managing the project.

# Consortium Bids

In the case of a consortium tender, only one submission covering all of the partners is required but consortia are advised to make clear the proposed role that each partner will play in performing the contract as per the requirements of the technical specification. We expect the bidder to indicate who in the consortium will be the lead contact for this project, and the organisation and governance associated with the consortia.

Contractors must provide details as to how they will manage any sub-contractors and what percentage of the tendered activity (in terms of monetary value) will be sub-contracted.

If a consortium is not proposing to form a corporate entity, full details of alternative proposed arrangements should be provided in the Annex. However, please note the OGA reserves the right to require a successful consortium to form a single legal entity in accordance with Regulation 28 of the Public Contracts Regulations 2006.

The OGA recognises that arrangements in relation to consortia may (within limits) be subject to future change. Potential Providers should therefore respond in the light of the arrangements as currently envisaged. Potential Providers are reminded that any future proposed change in relation to consortia must be notified to the OGA so that it can make a further assessment by applying the selection criteria to the new information provided.

# Budget

The total budget for this phase of the project (i.e. Lots 1 and 2 together) is up to £125,000 including VAT. Suppliers can submit proposals for a single Lot or both Lots.

Contractors should provide a full and detailed breakdown of costs (including options where appropriate). This should include staff (and day rate) allocated to specific tasks. For new sample collection or analysis, a price per sample should be included as part of the overall cost breakdown.

Cost will be a criterion against which bids which will be assessed.

Payments will be linked to delivery of key products and this phasing will be agreed at the start of the project. Please advise in your tender response if this affects your usual payment processes.

In submitting full tenders, contractors confirm in writing that the price offered will be held for a minimum of 60 calendar days from the date of submission. Any payment conditions applicable to the prime contractor must also be replicated with sub-contractors.

The Authority aims to pay all correctly submitted invoices as soon as possible with a target of 10 days from the date of receipt and within 30 days at the latest in line with standard terms and conditions of contract.

# Evaluation of Tenders

Contractors are invited to submit full tenders of no more than 10 pages per Lot, excluding declarations and CVs. Tenders will be evaluated by at least three OGA staff.

The OGA will select the bidder that scores highest against the criteria and weighting listed below:

**Conflict of interest:** pass/fail. See page 5 of the ITT for further information

**EVALUATION CRITERIA AND SCORING METHODOLOGY**

|  |  |  |
| --- | --- | --- |
| Criterion | Description | Weighting |
| 01 | Proposal meets all technical requirements, including required formats and ownership specification | 40% |
| 02 | Relevant expertise of proposed project team | 20% |
| 03 | Ability to deliver project on time | 20% |
| 04 | Cost | 20% |
|  | | 100% |

**Scoring Method**

Tenders will be scored against each of the criteria above, according to the extent to which they meet the requirements of the tender. The meaning of each score is outlined in the table below.

The total score will be calculated by applying the weighting set against each criterion, outlined above; the maximum number of marks possible will be 100. Should any contractor score 1 in any of the criteria, they will be excluded from the tender competition.

|  |  |
| --- | --- |
| **Score** | **Description** |
| 1 | Not Satisfactory: Proposal contains significant shortcomings and does not meet the required standard |
| 2 | Partially Satisfactory: Proposal partially meets the required standard, with one or more moderate weaknesses or gaps |
| 3 | Satisfactory: Proposal mostly meets the required standard, with one or more minor weaknesses or gaps. |
| 4 | Good: Proposal meets the required standard, with moderate levels of assurance |
| 5 | Excellent: Proposal fully meets the required standard with high levels of assurance |

The scoring for the Cost criteria in the evaluation table above will be based on the following ranking system within which a maximum of 5 marks is possible:

Lowest priced bid receives 5 marks

2nd lowest priced bid receives 4 marks

3rd lowest priced bid receives 3 marks

4th lowest priced bid receives 2 marks

5th lowest priced bid receives 1 mark

All other bids receive 0 marks

**Structure of Tenders**

Contractors are strongly advised to structure their tender submissions to cover each of the criteria above. Complete the price schedule attached at Annex A, specifying the daily rates (ex-VAT) you will charge for each level of your staff.

**Bid Clarification**

The OGA reserves the right to award the contract based on applicants’ written evaluation only if one candidate emerges from the evaluation stage as significantly stronger than the others.

The OGA may invite all suppliers for bid clarification if they feel there is a requirement.

**Feedback**

Feedback will be given in the unsuccessful letters or emails.

**Section 3**

**Further Information on Tender Procedure**

Invitation to Tender for 21CXRM East Shetland Platform Project – Phase 1

Tender Reference Number: TRN056/10/2016

Deadline for Tender Responses: 28th November 2016, 1300 GMT

**Contents:**

A. [Definitions](#_Definitions) 19

B. [Data security](#_Data_security) 19

C. [Non-Collusion](#_Non-Collusion) 20

# Definitions

Please note that references to the "Authority" throughout these documents mean The Chief Executive of the Oil & Gas Authority acting through his/her representatives in the OGA.

The Freedom of Information Act 2000 (“FOIA”) and the Environmental Information Regulations 2004 (“EIR”) apply to the Authority. You should be aware of the Authority’s obligations and responsibilities under FOIA or EIR to disclose, on written request, recorded information held by the Authority. Information provided in connection with this procurement exercise, or with any contract that may be awarded as a result of this exercise, may therefore have to be disclosed by the Authority in response to such a request, unless the Authority decides that one of the statutory exemptions under the FOIA or the exceptions in the EIR applies. If you wish to designate information supplied as part of this response as confidential, of if you believe that its disclosure would be prejudicial to any person’s commercial interests, you must provide clear and specific detail as to the precise information involved and explain (in broad terms) what harm may result from disclosure if a request is received, and the time period applicable to that sensitivity. Such designation alone may not prevent disclosure if in the Authority’s reasonable opinion publication is required by applicable legislation or Government policy or where disclosure is required by the Information Commissioner or the First-tier Tribunal (Information Rights).

Additionally, the Government’s transparency agenda requires that tender documents (including ITTs such as this) are published on a designated, publicly searchable web site. The same applies to other tender documents issued by the Authority (including the original advertisement and the pre-qualification questionnaire (if used)), and any contract entered into by the Authority with its preferred supplier once the procurement is complete. By submitting a tender you agree that your participation in this procurement may be made public. The answers you give in this response will not be published on the transparency web site (but may fall to be disclosed under FOIA or EIR (see above)). Where tender documents issued by the Authority or contracts with its suppliers fall to be disclosed the Authority will redact them as it thinks necessary, having regard (inter alia) to the exemptions/exceptions in the FOIA or EIR.

# Data security

The successful tenderer must comply with the Data Protection Act (DPA) 1998 and any information collected, processed and transferred on behalf of the OGA, and in particular personal information, must be held and transferred securely**. Contractors must provide assurances of compliance with the DPA and set out in their proposals details of the practices and systems they have in place for handling data securely including transmission between the field and head office and then to the OGA**. Contractors will have responsibility for ensuring that they and any subcontractor who processes or handles information on behalf of the OGA is conducted securely. The sorts of issues which must be addressed satisfactorily and described in contractors’ submissions include:

* procedures for storing both physical and system data;
* data back-up procedures;
* procedures for the destruction of physical and system data;
* how data is protected;
* data encryption software used;
* use of laptops and electronic removable media;
* details of person/s responsible for data security;
* policies for unauthorised staff access or misuse of confidential/personal data;
* policies for staff awareness and training of DPA;
* physical security of premises.
* How research respondents will be made aware of all potential uses of their data.

# Non-Collusion

No tender will be considered for acceptance if the contractor has indulged or attempted to indulge in any corrupt practice or canvassed the tender with an officer of the OGA. Section 4 contains a "Statement of non-collusion" (declaration 1); any breach of the undertakings covered under items 1 - 3 inclusive will invalidate your tender. If a contractor has indulged or attempted to indulge in such practices and the tender is accepted, then grounds shall exist for the termination of the contract and the claiming damages from the successful contractors. You must not:

* Tell anyone else what your tender price is or will be, before the time limit for delivery of tenders.
* Try to obtain any information about anyone else's tender or proposed tender before the time limit for delivery of tenders.
* Make any arrangements with another organisation about whether or not they should tender, or about their or your tender price.

Offering an inducement of any kind in relation to obtaining this or any other contract with the Authority will disqualify your tender from being considered and may constitute a criminal offence.

**Section 4**

**Declarations to be submitted by the Tenderer**

Invitation to Tender for 21CXRM East Shetland Platform Project – Phase 1

Tender Reference Number: TRN056/10/2016

Deadline for Tender Responses: 28th November 2016, 1300 GMT

**Contents**

Declaration 1: Statement of non-collusion 22

Declaration 2: Form of Tender 23

Declaration 3: Conflict of Interest 24

Declaration 4: Questions for tenderers 26

# Declaration 1: Statement of non-collusion

To: The Oil & Gas Authority

1. We recognise that the essence of competitive tendering is that the Authority will receive a bona fide competitive tender from all persons tendering. We therefore certify that this is a bona fide tender and that we have not fixed or adjusted the amount of the tender or our rates and prices included therein by or in accordance with any agreement or arrangement with any other person.

2. We also certify that we have not done and undertake not to do at any time before the hour and date specified for the return of this tender any of the following acts:

1. communicate to any person other than the Authority the amount or approximate amount of our proposed tender, except where the disclosure, in confidence, of the approximate amount is necessary to obtain any insurance premium quotation required for the preparation of the tender;
2. enter into any agreement or arrangement with any other person that he shall refrain for submitting a tender or as to the amount included in the tender;
3. offer or pay or give or agree to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person doing or having done or causing or having caused to be done, in relation to any other actual or proposed tender for the contract any act, omission or thing of the kind described above.

3. In this certificate, the word “person” shall include any person, body or association, corporate or unincorporated; and “any agreement or arrangement” includes any such information, formal or informal, whether legally binding or not.

……………………………………………………………………………….….

Signature (duly authorised on behalf of the tenderer)

……….………………………………………………………………………….

Print name

…………………………………………………………….…………………….

On behalf of (organisation name)

…………………………………………………………………….…………….

Date

# Declaration 2: Form of Tender

To: The Oil & Gas Authority

1. Having considered the invitation to tender and all accompanying documents

(including without limitation, the terms and conditions of contract and the Specification) we confirm that we are fully satisfied as to our experience and ability to deliver the goods/services in all respects in accordance with the requirements of this invitation to tender.

2. We hereby tender and undertake to provide and complete all the services required to be performed in accordance with the terms and conditions of contract and the Specification for the amount set out in the Pricing Schedule.

3. We agree that any insertion by us of any conditions qualifying this tender or any unauthorised alteration to any of the terms and conditions of contract made by us may result in the rejection of this tender.

4. We agree that this tender shall remain open to be accepted by the Authority for 8 weeks from the date below.

5. We understand that if we are a subsidiary (within the meaning of section 1159 of (and schedule 6 to) the Companies Act 2006) if requested by the Authority we may be required to secure a Deed of Guarantee in favour of the Authority from our holding company or ultimate holding company, as determined by the Authority in their discretion.

6. We understand that the Authority is not bound to accept the lowest or any tender it may receive.

7. We certify that this is a bona fide tender.

…………………………………………………………………………........

Signature (duly authorised on behalf of the tenderer)

…………………………………………………………………………………

Print name

………………………………………………………………………….

On behalf of (organisation name)

………………………………………………………………………….

Email address

………………………………………………………………………….

Telephone Number

………………………………………………………………………….

Date

# Declaration 3: Conflict of Interest

I have nothing to declare with respect to any current or potential interest or conflict in relation to this research (or any potential providers who may be subcontracted to deliver this work, their advisers or other related parties). By conflict of interest, I mean, anything which could be reasonably perceived to affect the impartiality of this research, or to indicate a professional or personal interest in the outcomes from this research.

Signed …………………………………….

Name …………………………………….

Position …………………………………….

***OR***

I wish to declare the following with respect to personal or professional interests related to relevant organisations\*;

*Where a potential conflict of interest has been declared for an individual or organisation within a consortia, please clearly outline the role which this individual or organisation will play in the proposed project and how any conflict of interest has or will be mitigated.*

Signed …………………………………….

Name …………………………………….

Position …………………………………….

Please complete this form and return this with your ITT documentation - Nil returns **are** required.

**\*** These may include (but are not restricted to);

* A professional or personal interest in the outcome of this research
* For evaluation projects, a close working, governance, or commercial involvement in the project under evaluation
* Current or past employment with relevant organisations
* Payment (cash or other) received or likely to be received from relevant organisations for goods or services provided (Including consulting or advisory fees)
* Gifts or entertainment received from relevant organisations
* Shareholdings (excluding those within unit trusts, pension funds etc) in relevant organisations
* Close personal relationship or friendships with individuals employed by or otherwise closely associated with relevant organisations

***All of the above apply both to the individual signing this form and their close family / friends / partners etc.***

If your situation changes during the project in terms of interests or conflicts, you must notify the OGA straight away.

A DECLARATION OF INTEREST WILL NOT NECESSARILY MEAN THE INDIVIDUAL OR ORGANISATION CANNOT WORK ON THE PROJECT; BUT IT IS VITAL THAT ANY INTEREST OR CONFLICT IS DECLARED SO IT CAN BE CONSIDERED OPENLY.

# Declaration 4: Questions for tenderers

In some circumstances the Authority is required by law to exclude you from participating further in a procurement. If you cannot answer ‘no’ to every question in this section it is very unlikely that your application will be accepted, and you should contact us for advice before completing this form.

Please state ‘Yes’ or ‘No’ to each question.

|  |  |
| --- | --- |
| **Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** | **Answer** |
| 1. conspiracy within the meaning of [section 1](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23section%251%25sect%251%25num%251977_45a%25&risb=21_T12077301839&bct=A&service=citation&A=0.2630909849289865) or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA; |  |
| 1. corruption within the meaning of [section 1](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23section%251%25sect%251%25num%251889_69a%25&risb=21_T12077301839&bct=A&service=citation&A=0.774070316337072)(2) of the Public Bodies Corrupt Practices Act 1889 or [section 1](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23section%251%25sect%251%25num%251906_34a%25&risb=21_T12077301839&bct=A&service=citation&A=0.24433813672949012) of the Prevention of Corruption Act 1906; where the offence relates to active corruption; |  |
| 1. the offence of bribery, where the offence relates to active corruption; |  |
| 1. bribery within the meaning of section 1 or 6 of the Bribery Act 2010; |  |
| 1. fraud, where the offence relates to fraud affecting the European Communities’ financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities, within the meaning of: |  |
| 1. the offence of cheating the Revenue; |  |
| 1. the offence of conspiracy to defraud; |  |
| 1. fraud or theft within the meaning of the [Theft Act 1968](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23num%251968_60a_Title%25&risb=21_T12077301839&bct=A&service=citation&A=0.35766330215827113), the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978; |  |
| 1. fraudulent trading within the meaning of [section 458](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23section%25458%25sect%25458%25num%251985_6a%25&risb=21_T12077301839&bct=A&service=citation&A=0.5972529271560607) of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006; |  |
| 1. fraudulent evasion within the meaning of section 170 of the [Customs and Excise Management Act 1979](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23num%251979_2a_Title%25&risb=21_T12077301839&bct=A&service=citation&A=0.22540552446837803)  [or section 72 of the Value Added Tax Act 1994](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23num%251994_23a_Title%25&risb=21_T12077301839&bct=A&service=citation&A=0.9838628229561671); |  |
| 1. an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |
| 1. destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of [section 20](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23section%2520%25sect%2520%25num%251968_60a%25&risb=21_T12077301839&bct=A&service=citation&A=0.5036676212568264) of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969; |  |
| 1. fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |
| 1. making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006; |  |
| 1. money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002; |  |
| 1. an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996; or |  |
| 1. an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or |  |
| 1. any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State. |  |

**Annex A: Pricing Schedule**

**Part A – Staff/project team charges**

|  |  |
| --- | --- |
| Set up Costs – please specify |  |
|  |
| Expenses |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **\*Grade/level of staff** | **Daily rate**  **(ex VAT)** | **No. days offered over course of contract** | **Tasks to be undertaken on this project** | **Total price offered per staff member** |
|  | £ |  |  | £ |
|  | £ |  |  | £ |
|  | £ |  |  | £ |
|  | £ |  |  | £ |
|  | £ |  |  | £ |
| **Sub-total** | | |  | **£** |

[\*Suppliers should also include sub-contractors]

**Part B – Non-staff/project team charges**

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **No. of items** | **Price per item**  **(ex VAT)** | **Total price per offered** |
|  |  | £ | £ |
|  |  | £ | £ |
|  |  | £ | £ |
|  |  | £ | £ |
|  |  | £ | £ |
| **Sub-total** | | | **£** |

**Part C – Full price offered**

|  |  |
| --- | --- |
| **Sub-total (Part A + Part B)** | **£** |
| **VAT** | **£** |
| **TOTAL (Sub-total + VAT)** | **£** |