



NORWEGIAN PETROLEUM
DIRECTORATE

TENDER DOCUMENT

Open tendering competition
published in Doffin and TED

Consultancy services for execution
Of Speculative Surveys in Uganda

NPD ref. no 2012/139

Submission deadline:
07.05.12
12:00 noon local time (Norwegian)

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1 GENERAL DESCRIPTION

1.1 *About Norwegian Petroleum Directorate*

The Norwegian Petroleum Directorate (NPD) is a governmental specialist directorate and administrative body established in 1972.

The paramount objective of the Norwegian Petroleum Directorate is to contribute to creating the greatest possible values for society from the oil and gas activities by means of prudent resource management based on safety, emergency preparedness and safeguarding of the external environment.

In addition, the NPD contributes to competence building for the development aid programme "Oil for Development". This tender is a part of an Oil for Development programme on behalf of Ministry of Energy and Mineral Development in Uganda implemented in Petroleum Exploration and Production Department (PEPD).

For more information about NPD, visit our website www.npd.no.

For more information about PEPD, visit <http://www.petroleum.go.ug>

1.2 *Purpose of the procurement*

Since 2002 a total of 64 Exploration and Appraisal wells have been drilled in Uganda ,most of which have encountered oil and/or gas with a record success rate of over 90%. The discovered resources are estimated at 2.5 billion barrels of oil in place, which accounts for about 1 billion barrels of recoverable reserves. The gas resources are estimated at 12 billion Standard Cubic Feet (SCF). The area of the Albertine Graben explored so far accounts for about 40% of the entire acreage and further exploration will continue when a new regulatory framework has been put in place. Also, some of the discoveries are not yet fully evaluated. Therefore, the resources are expected to increase with further exploration and appraisal of the discovered fields.

The enactment of a new Resource Management Law in the near future will give way to the first ever competitive licensing rounds in Uganda. In preparation for licensing rounds in Uganda, good seismic coverage in the unlicensed areas will enable Government to better define the framework for the bidding rounds and better assess received applications from companies to undertake petroleum operations in the country. It will also enable the applicants to make realistic proposals for work programs and accelerate their exploration programs after the award.

The proposed speculative seismic surveys are new in Uganda and a business model is thus considered where the contractor will fund the surveys and share the revenues of future data sales with the Government.

The preparation for implementation of such surveys in the country will require professional input, preferably, from a Consultant. The consultant working with Government will undertake to develop operational/technical, legal and commercial models and present them to the interested companies prior to receiving their

proposals. However, Government will be solely responsible for monitoring the Speculative seismic surveys.

The consultancy is projected to take one year but this period may be extended.
Economic frame: The project has an economic frame of 1 million NOK in 2012. The NPD has the right to terminate the contract during the project execution if the budget will exceed the total economic frame.

1.3 *Alternative tenders*

Alternative tenders will not be accepted.

1.4 *Announcement*

The competition is announced in Doffin/TED and the Merccell-database.

2 COMPETITION RULES AND REQUIREMENTS TO TENDERS

2.1 *Procedure*

Open tendering competition, cf the Public Procurement Act of 16 July 1999 No. 69 as amended, see also the Regulations relating to public procurement, laid down by Royal Decree on 7 April 2006 No 402.

This type of procedure does not allow for contract negotiations.

Only bidders that fulfil the qualification requirements will have their tenders evaluated.

Bidders are not allowed to change the tender after the submission deadline.

2.2 *Reservations and non-conformity*

If the supplier has reservations regarding parts of the tender documentation, required specifications, contract or other tender documents, it shall be clearly stated in the bid. Any reservations must be specified, including consequences for performance, prices or other conditions.


The same applies to non-conformity. Reservations and non-conformities shall be stated precisely and unambiguously. They shall be stated in the bid letter in such a manner that the contractor can evaluate them without it being necessary to contact the supplier, cf. Section 20-3 of the Public Procurement Act. Substantial reservations, and reservations or non-conformities that can result in uncertainty regarding evaluation of the bid compared to other bids, will result in the bid being disallowed, cf. Section 20-13(1) of The Public Procurement Act.


If the supplier's reference to standardized terms of delivery, or something similar, deviates from existing tender or contract provisions, it will be regarded as a reservation.

2.3 Abidance

The bidder must abide by his/her tender until 2 months after the submission deadline.

2.4 Communication during the tender process

All communication during the process shall be routed via the Mercell-portal, www.mercell.no. This is to assure that all communication will be logged. When you are logged on to the competition, chose the flag marked “Communication”, click on the symbol  “New message”.

Enter the information to the authority and then click . The authority will then receive your message. If the question regards all bidders, the authority will answer the inquiry anonymously by giving the answer as additional information. Additional information is available under the flag “Enquiry”, then the flag “Additional information”. You will also receive an e-mail with a link to the additional information. Requests received later than 5 working days prior to the deadline for the offer will not be answered.

3 QUALIFICATION REQUIREMENTS

Definition: The requirements which the bidder must fulfil in order to participate in the competition. If one or several qualification requirements have not been met, the tender will not be considered.

3.1 General requirements

Requirement	Documents required
Circumstances regarding the bidder's tax remittances shall be in order. (This applies only to Norwegian companies)	<ul style="list-style-type: none">• Tax certificate• VAT certificate More information: http://www.skatteetaten.no/no/Alt-om/Skatteattest/
The bidder shall have a HES-system in line with current regulations	A self-declaration from the bidder, confirming that his organisation is working systematically to stay in compliance with an HES system in line with the current regulations. Suggested form: http://www.anskaffelser.no/filearchive/hms-engelsk-versjon.doc

3.2 Company registration

Requirement	Documents required
The bidder shall be registered in the “The Register of Business Enterprises” in Brønnøysund or registration in a trade register or the like as set out in the laws of the country of	<ul style="list-style-type: none">• Copy of company registration Certificate or similar.

Requirement	Documents required
registration of the bidder.	

3.3 Financial strength

Requirement	Documents required
The bidder must have a sufficient financial and economic position to fulfil the assignment.	<ul style="list-style-type: none"> The bidder must submit a statement on company's total turnover for the last 3 accounting years with relevance to this contract.

3.4 Experience

Requirement	Documents required
The bidder must have experience with similar assignments.	Description of the most relevant previous assignments. The description must include an overall description of the assignment, extract of the study, value, timing and contact information of the client.

4 AWARD CRITERIA

Only tenders that is submitted by qualified bidders and that meet the requirements and specifications given in the tender document will be considered.

The Norwegian Petroleum will choose the most economically advantageous tender, based on the following criteria:

Criteria	Weight	Documents required
1. Price	30 %	Man hour rate in NOK, max 3 categories
2. The consultants formal technical qualifications and relevant experience ref Annex no 1 "consultant competencies" and subcriteria below.	55 %	CVs of the consultants. The consultants relevant experience with similar assignments, especially in Africa, must be thoroughly described in the CVs.
3. How the bidder propose to solve the assignment	15 %	Description of how the bidder propose to solve the assignment.

Criterion no 2, subcriteria:

Technical:

- a. competence in various seismic acquisition and processing technologies, counts 15%
- b. competence in logistical requirements involved in land, shallow marine and transitional zone seismic environments, counts 10%

c. Competence in Environment, Health, and Safety Issues related to seismic survey operations, counts 10%

Legal and Commercial:

d. Competence in legal aspects involved in seismic or related contracts **and**

e. competence in commercial aspects involved in seismic contracting and business models for data sales- counts 15%

Others

f. Experience working with projects in developing countries, counts 5%

SUBMISSION AND DISPOSITION OF TENDER

4.1 *Submission of tender*

All tenders shall be submitted electronically via the Mercell portal, www.mercell.no by the tender deadline. Tenders delivered after the deadline will not be accepted. (The system does not permit tenders to be sent electronically via Mercell after the tender deadline.)

If you are not a Mercell customer, or you have questions regarding how the application functions, e.g. how to submit a tender, please contact Mercell Support at tel +47 21 01 88 60, or by e-mail to support@mercell.com. It is recommended to submit the tender in adequate time before the deadline. A minimum of 1 hour before the deadline is suggested.

If the authority should provide additional information that results in you wanting to change your tender before the deadline, you can access your offer, open it, make the necessary changes and send it again right up to the deadline. The last submitted tender will be regarded as the final one.

The tender requires an electronic signature when it is submitted.

When sending the tender electronically, an electronic signature will be requested to confirm that you are the actual bidder who has submitted the tender. An electronic signature can be obtained at www.commfides.com, www.buypass.no or www.bankid.no.

We would like to remind you that it can take some days to acquire an electronic signature, and therefore recommend that this process be initiated as soon as possible.

4.2 *Disposition of tender*

The tender shall be enunciated in English and as in this disposition.

- Cover page:
 - Signed by a responsible/liable representative for the bidder.
 - Confirmation that the NPD's contract terms are accepted. Reservations with reference to specific contract clauses must be quoted with

alternative proposals, as this type of procedure does now allow negotiations.

- Name and contact information of the bidder.
- Tax certificate, as requested in section 3.1 (applies only to Norwegian companies)
- VAT certificate, as requested in section 3.1 (applies only to Norwegian companies)
- HES self-declaration, as requested in section 3.1
- Company registration certificate, as requested in section 3.2
- Statements on company's total turnover, as requested in section 3.3
- Description of the most relevant previous assignments, as requested in section 3.4
- Man hour rate in NOK, max 3 rates
- CVs of the consultants, as requested in section 4
- Description of how the bidder propose to solve the assignment, as requested in section 4

5 ANNEX

- Annex no 1 – Terms of reference
- Annex no 2 – NPD contract terms

Annex no 1 – Terms of reference

Procurement of Consultancy Services for Speculative Seismic Surveys in Uganda

Background

The enactment of the Resource Management Law in the near future will give way to the first ever competitive licensing rounds in Uganda. In preparation for licensing rounds in the Albertine Graben good seismic data coverage will be invaluable.

Good seismic coverage in the unlicensed areas will enable Government to better define the framework for the bidding rounds and better assess received applications from companies to undertake petroleum operations in the country. It will also enable applicants to make realistic proposals for work programs and accelerate their exploration programs after the award.

Speculative seismic surveys are new in Uganda and a business model is thus considered where the contractor will fund the surveys and share the revenues of future data sales with the Government.

The preparation for implementation of such surveys in the country will require professional input preferably from a Consultant. The consultant working with Government will undertake to develop operational/technical, Legal and commercial models and present them to the interested companies prior to receiving their proposals. However, Government will be solely responsible for monitoring the Speculative seismic surveys.

The company of the consultant shall not be eligible for participation in the subsequent bidding of the possible contractors.

Desired Consultant Competencies

- a) The consultant should have good understanding of various seismic acquisition and processing technologies.
- b) The consultant should have good understanding of the logistical requirements involved in land, shallow marine and transitional zone seismic environments.
- c) The consultant should have a good understanding of legal aspects involved in seismic or related contracts.
- d) The consultant must have a good understanding of the commercial aspects involved in seismic contracting.
- e) The consultant should have good knowledge of the industry players in the field of seismic data acquisition and processing.
- f) The consultant should have a good understanding of the Environment, Health and Safety issues related to seismic survey operations.
- g) Working experience in oil and gas operations in Africa.

Consultants main tasks

In consultation with Petroleum Exploration and Production Department (PEPD), the consultant will:

- 1) Formulate the terms of reference document for the seismic contractor.
- 2) Formulate the model contract between Government and the seismic contractor while clearly indicating the negotiable elements therein.
- 3) Define the framework business model for the seismic data acquisition and processing contracts.
- 4) Define the technical specifications to be followed by the contractor in carrying out the work programs, including reporting requirements, data formats, etc.
- 5) Contribute to the tendering process.
 - a. Ensure the process follows the applicable procurement procedures.
 - b. Ensure proper invitation and evaluation of bids.
- 6) Advise on contract execution.
- 7) Liaise with the PEPD existing legal counsel especially in point numbers 2, 3, 5 and 6 above.

Indicative Time Schedule of the Project

The consultancy is projected to take one year but this period may be extended.

	Activity		1	2	3	4	5	6	7	8	9	10	11	12	Remarks
1	Formulate the terms of reference document for the seismic contractor.	2 Months													
2	Formulate the model contract between Government and the seismic acquisition and processing contractors while clearly indicating the negotiable elements.	3 Months													
3	Define the framework business model for the seismic acquisition, processing and data sales contracts.	2 Months													
4	Define the technical specifications to be followed by the seismic contractor in carrying out the project.	2 Months													
5	Contribute to the tendering and contracting process including the signing the contract.	6 Months													
6	Advise on procedures for PEPD to execute the contract.	2 Month													

Deliverables

1. Terms of reference documents
2. Business model
3. Model Contract documents
4. Final Contract documents
5. Tender document(s)
6. Data Sales Contract
7. Monthly progress report
8. Procedures for PEPD to execute the contract

Reporting

The consultant will report monthly and after each defined milestone. The reports should be sent to Commissioner, Petroleum Exploration and Production Department (PEPD) with a copy to the NPD. Reports should be delivered on email if possible, or through a FTP- server when files are bigger than 2MB

Annex no 2 – NPD contract terms

The contract terms are NPD standard terms.

There will also be an anti-corruption clause added to the contract terms as well as the following conditions.

- The supplier is an independent company and the consultant is an employee of the supplier.
- The supplier shall keep his personnel and equipment properly insured according to legal requirements, and at the latest at the signing of the Contract, take out insurance to cover the suppliers liabilities under the Contract, including professional liability and third party liability insurance.
- The supplier is responsible for possible security/safety issues concerning the consultant, and must familiarize with possible official travel advice etc.
- The supplier has the responsibility for accommodation, transport etc
- In addition to covering man hour rate, the NPD will refund documented travel and accommodation expenses according to government rates.