



PROCUREMENT & INVESTMENTS DIVISION

CALL FOR OPEN TENDER 004/2022 FOR THE SALE OF THE TUGBOAT "PELLA", THE STEEL WATER TANK "THESSALONIKI" AND FOUR TOWED BARGES, OF ThPA S.A.

ThPA S.A. LAUNCHES

An **Open Tender**, for the sale of the: **a.** Tugboat "PELLA", **b.** Steel water tank "THESSALONIKI" & **c.** Four towed barges 476,477,485 and 486, owned by ThPA S.A.

The criterion for the award of the tender will be the **Highest Price** to be achieved, after the opening of the offers and the end of the procedure and the submission of any improved offers.

The **Minimum Starting Price** is set for the tugboat "**PELLA**" at the amount of **140,000€**, for the steel water tank "**THESSALONIKI**" at the amount of **210,000€**, for the towed barges No. **476 & 486**, at the amount of **13.000€ each** and for the barges **No. 477 & 485** the amount of **19,000 euros each** plus VAT

Offers can be submitted either for all of the above vessels or for each of them.

Prices below the aforementioned Minimum Starting Prices will be **REJECTED**.

Interested parties can visit the Port of Thessaloniki, at the place of disposal of these vessels, following consultation with the competent Division, tel. 2310593356, in order to assess the vessels to be sold.

Object of the Tender

The object of the tender is the sale and the safe removal outside the Port of Thessaloniki of the following:

1. T/B "PELLA", with Thessaloniki Registry number **N.Θ. 793**, built on 1995, with code 1117, Ministry of Mercantile Marine Reg. Num.: 102 100 411, Distinctive number or letters: "SX 4295" and MMSI: 237 201 300, of gross tonnage 31 GT.

2. "THESSALONIKI" (water tanker), with Thessaloniki Registry number **N.Θ. 226**, built on 1997, dimensions: 39.42Mx6.60m, with gross capacity: 223 register tons, with a propulsion engine of power 455 BHP.

3a. Barge, with Thessaloniki Registry number **476**, built on 1975, dimensions: 20.00X6.00, with gross capacity 87.49 RT,

3b. Barge, with Thessaloniki Registry number 486, built on 1982, dimensions: 19.80X5.80, with gross capacity 75.90 RT.

3c. Barge, with Thessaloniki Registry number **477**, built on 1975, dimensions: 20.00X6.00, with gross capacity 87.49 RT.

3d. Barge, with Thessaloniki Registry number **485**, built on 1982, dimensions: 19.80X5.80, with gross capacity 75.90 RT.

PART 1 - GENERAL TERMS

1. **RIGHT OF PARTICIPATION**

Natural and legal persons or consortia thereof each member of which must meet the conditions hereof may participate in this Open Tender and in particular:

The participants must:

- Not be in a state of bankruptcy, liquidation or compulsory receivership.
- Not have been irrevocably convicted (the administrators for the case of limited partnerships or limited liability companies, the Chairman and the CEO for the case of SAs and the natural persons performing management duties in other cases) for:
 - a) participation in a criminal organization, pursuant to article 2(1) of Joint Action of No. 98/733/JHA of the Council of the European Union;
 - b) bribery, as defined in Article 3 of the Council Act of 26 May 1997(21) and Article 3(1) of the Joint Action No. 98/742/CFSP of the Council;
 - c) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
 - d) money laundering, according to article 1 of the Council Directive 91/308/EEC of 10 June 1991 on the prevention of the use of the financial system for the purpose of money laundering
 - e) embezzlement (article 375 of the Criminal Code)
 - f) fraud (article 386-388 of the Criminal Code)
 - g) extortion (article 385 of the Criminal Code)
 - h) forgery (article 216-218 of the Criminal Code)
 - i) perjury (article 224 of the Criminal Code)
 - j) bribery (article 235-237 of the Criminal Code)
 - k) bankruptcy fraud (article 398 of the Criminal Code)

2. **TIME AND WAY OF CONDUCT OF THE TENDER AND SUBMISSION OF OFFERS**

Participants must submit their offer to ThPA S.A., on working days and hours, **by 10/06/2022 at 15:00**, at the latest, in Greek, not subject to any condition, requirement or reservation.

The following information shall be clearly displayed on the offer dossier:

* The word "OFFER"

* The title "Tender for the sale of: **a.** tugboat "PELLA", **b.** Steel water tanker "THESSALONIKI" **c.** four barges 476,477,485 and 486 owned by ThPA S.A.

* The tenderer's data (Full name of the tenderer, address, telephone number, email)

Offers shall be sent to the following address:

**Thessaloniki Port Authority SA,
(Administration Division - Secretariat Department)
Gate 11 - Technical Services Building (within the Port),
GR 54625 Thessaloniki**

After the closing date and time, it will no longer be possible to submit offers. Tenders submitted late shall be returned.

ThPA S.A. may continue with one or more rounds, requesting improved offers from participants.

3. **DOSSIER DETAILS**

The offer dossier shall include:

- **Participation documents**
- **Solemn Statement of Law 1599/86**, indicating that:
 - a. the tenderer has become fully aware of the terms herein and accepts them fully and unconditionally
 - b. the tenderer after his visit in the areas where the vessels to be sold are located, namely the tugboat "PELLA", **b.** the steel water tank "THESSALONIKI" and **c.** four towed barges 476,477,485 and 486, took note of their state.
 - c. the tenderer accepts that ThPA S.A. bears no responsibility for material defects, agreed properties or legal defects of the vessels to be sold.
 - d. the tenderer assumes sole responsibility for the legal completion of all works related to the removal, lifting, loading and transport of the vessels to be sold.
- Certificate of registration with the relevant Chamber (domestic economic operators) or corresponding certificate/approval/authorisation by the relevant authority of their country of origin (foreign economic operators), legally translated and certified by a competent Authority.

- Solemn statement that the reasons set out in Article 1 hereof do not apply to the participating company and its legal representatives and that there are no reasons to believe that such impediments will occur during the validity term of the bid and any extensions thereof.
- To prove his legal incorporation and representation, in the cases when the economic operator is a legal person, he shall furnish the appropriate legal incorporation and representation documents (such as articles of incorporation, certificate of changes, Government Gazettes, Board of Directors constituent sitting in the case of SA). The above documents must establish the lawful establishment, the person(s) legally binding the company on the date of the tender (legal representative, right of signature, etc.), any third parties that have been granted the power of representation, and the term of office of the person(s) and/or the members of the management body/legal representative.

Financial Offer

The Financial Offer shall be enclosed in a sealed subfolder within the offer dossier (and be in accordance with the Template provided and the document with the related instructions).

The Financial Offer shall be signed by the tenderer, shall bear the company's stamp and shall include the following:

- The offer price in euros per vessel excluding VAT.
- The time of offer validity which cannot be less than **180 days**.
- The total time of receipt and removal - from the port of Thessaloniki - of the vessels to be sold, included in the offer, **which may not exceed thirty (30) calendar days** from the completion of the procedures for the transfer of ownership of the vessels according to the applicable law.
- Information document on the processing of personal data, within the meaning of Article 13, GDPR 679/2016, signed by the Candidate.
- Any other necessary information, at the discretion of the tenderers.

Participation Guarantee

This guarantee is issued in favor of the participant for an amount corresponding to **5%** of the minimum starting price of each vessel.

Offers without the proper guarantee are rejected as inadmissible.

In place of Letters of Guarantee for Credit and/or other Institutions, Consignment Notes of the Deposits & Loans Fund are accepted if they include: a) the number and date of issuance from the Loans and Reserves Fund, b) the amount covered by the deposit, c) the depositor; d) the data of ThPA S.A. beneficiary e) the cause of the deposit and the Call number and f) does not include a suspensory clause of the deposit following a contractual consideration.

Finally, instead of a letter of guarantee, the corresponding amount of money can be deposited in the Treasury/Bank account of ThPA S.A.

A copy of the passed for payment voucher/deposit slip shall be included in the Offer.

The Participation Guarantee shall be forfeited in favour of ThPA S.A. in the case when the selected Contractor refuses, explicitly or silently, to come forward and sign the corresponding agreement or contract, within the specified deadline.

The Participation Guarantee is returned to the participants after the end of the Tender Procedure and the designation of the Contractor.

Technical Offer

The technical offer of the tenderers shall include at least the following:

- A brief presentation of the participating Company
- Project execution schedule

4. VALIDITY OF THE OFFER:

Offers must be valid for at least one hundred eighty (180) days from the date of the Tender Procedure. Offers valid for a shorter period will not be taken into account and will be **DISMISSED** by the Committee as inadmissible.

5. AWARD - METHOD OF PAYMENT

5.1. The selection of the Contractor and the award of the Tender will be done based on a Decision of ThPA S.A. competent body and following the relevant recommendation of the Tender Committee, to the successful bidder(s). After the award of the result of the tender, the successful bidder(s) is invited, with a document of ThPA S.A. to deposit in a Bank account held by ThPA S.A., the exact price of their offer/s and to sign the relevant contract.

5.2. In the event that the successful bidder, to whom the the project was awarded, does not pay the price and/or does not appear for the signing of the contract within the initially set deadline or any extension thereof, or does not receive and remove the sold vessels from the Port of Thessaloniki on time, the Company may revoke the successful bidder. In addition, in the above cases, the participation guarantee is forfeited in favor of ThPA S.A.

Until the removal of the vessel for which the tenderer has submitted a tender, the tenderer is responsible for extending the validity and the guarantee thereof, if it still wants it to be awarded.

In this case, ThPA S.A. may award the vessel to be sold to the next or, in the case of a similar situation, the following successive bidders who are called upon to pay the price they offered.

6. TENDER REPETITION

In case no offers are submitted, as described in detail in Article 2 hereof, on the day and time of the tender procedure, the tender is repeated with the same or another first tender price and with the same or other conditions, after at least ten (10) days. In the event that bidders do not show up in the recurring tender, the Company may decide to sell directly to any interested party.

7. CONTRACTOR OBLIGATIONS

- All required equipment removal works will be carried out under the responsibility, staff and means of the contractor.
- During the delivery of the vessels, if deemed necessary, the Contractor may use machinery of ThPA S.A. by paying the corresponding charges, according to the applicable tariff provided for each one of them and provided the machines are available upon request.
- The procedures for the transfer of ownership of these vessels shall be done at the responsibility and expense of the Contractor, in accordance with the applicable legislation.
- The Contractor has the exclusive civil and criminal liability towards any third party, including the staff of ThPA S.A. for any damage or claims that will arise from his own or his employees' actions or omissions due to deceit or negligence, upon delivery or in connection with them.
- The Contractor shall inform ThPA S.A. of any task performed and shall comply with the instructions of the Competent Division.
- After the payment of the price and the signing of the contract and within no more than thirty (30) days from the completion of the transfer of ownership, the Contractor shall remove completely the vessels to be sold from the Port of Thessaloniki.
- In the event that the Contractor Buyer fails to remove the vessels to be sold from the area where they are located/anchored within the above deadline, ThPA S.A., may set a new deadline for the completion of such removal. ThPA S.A. is not limited in the exercise of this right, which is left to its absolute discretion. In the event that the Contractor Buyer fails to remove the vessels to be sold by the new deadline from the registration in the Register of the transfer of ownership to it, an amount of 300€ for each day for the vessels "PELLA" and "THESSALONIKI" and an amount of 100 euro for the 4 barges for each day, of further delay in removing the vessels to be sold, is forfeited against the Contractor and in favour of ThPA S.A. as unproven damage and penalty for failure to fulfil its obligation on time.
- In the event that the Contractor Buyer fails to remove the Vessel within the original and the subsequent deadlines, its ownership is automatically transferred back to the Seller (termination clause).
- ⇨ The Contractor is fully liable against ThPA S.A. for improper fulfillment or non-fulfillment of its Contractual Obligations within the above deadline, as well as for any damage or third-party claim arising from its own or its employees' actions or omissions as a result of wilful misconduct or negligence.
- ⇨ The Contractor has become fully aware of the terms of the Concession Agreement GG 39/7.3.2018_N.4522/2018.
- ⇨ ThPA S.A. has no responsibility for material or legal defects or lack of properties of the vessels to be sold and has absolutely no obligation to repair any damage or restore any lack of properties thereof. By participating in the tender, it is established that the bidder has acquired own perception of the vessels to be sold and the condition in which they are today, and that they are of his utmost desirability and suitable for the intended use.

8. APPLICABLE PROVISIONS

The said tender shall be performed in accordance with the terms hereof.

ThPA S.A. reserves the right both in respect of all or part of the sold items, to postpone or cancel the tender procedure and modify the timetable for the completion of the procedure at any time, or to repeat it, at its sole discretion, without bearing any responsibility towards the participants. Participation in the above procedure is the responsibility of the Candidate, who does not draw from it any right to compensation or other than those set out herein. The Tenderer's participation in the tender procedure implies that he fully accepts the tender terms.

PART B - TECHNICAL TERMS

BRIEF DESCRIPTION OF THE VESSELS A. "PELLA" TUGBOAT, B. "THESSALONIKI" STEEL WATER TANKER & C. FOUR BARGES

A. The tugboat "**PELLA**" was used for the towage of "THERMAIKOS" Floated Crane and various Barges and Floats of ThPA S.A., within Thermaikos Gulf. The crew provided for its use is three persons, a master, an engineer and a sailor. It was last used on 25.03.2012 to tow barges num. N.Θ. 485 and 486 from quay 10 to quay 20, as recorded in the boat's logbook.

Since, its engines have been maintained and operated to keep its systems in good condition. The General Inspection Protocol of the vessel expired on 13.03.2019. According to the Technical Report dated 11.05.2018, of the Mechanical Engineer who maintained it: the state of the two propulsion engines, which have less than 1000 hours of operation and of the generator is good. For the fire pump, however, repair or replacement is required. There is a valid license for the installation and operation of a ship telecommunications station with no. 1867/19.10.2018.

1. VESSEL DETAILS

Vessel Type/Name	TUGBOAT / PELLA
Year of construction	1995
Total Length	15.00 m
BR	4.80 m
Main Engines	Diesel 2 x CAT 3306/235BHP
Gross Tonnage	31 GT
Gross Capacity	34.51 GRT
Net Tonnage	15.32 GRT
Construction material	Steel
Flag and Port of Registration	Greek - Thessaloniki 793
Vessel Type	Tugboat
Trading area	Thessaloniki
Length Overall	15.00 m
Length of Registration (LR)	14.02 m
Width from outside	4.80 m
Total power	2x235 BHP (2x175 kW)
GRT	34.51
NRT	15.32
Haulage capacity	Unknown
Construction shipyard	D. Koutalis
Construction: Date and location	1995 /Perama, Greece
Owner	Thessaloniki Port Authority
Classification society	Hellenic Register of Shipping SA
Ultrasonic thickness measuring	21/02/2017

B. The water tanker "**THESSALONIKI**", with Thessaloniki Registry number N.Θ. 226, built on 1997, dimensions 39,42X6,60m, with gross capacity 223 RT; with propulsion engine power 455 BHP (hereinafter referred to as "water tanker").

The Water tank has a minimum crew of four (4) people and is without object and a crew for about 9 years and therefore remains inactive since then. Nonetheless, ThPA S.A. continues to maintain this vessel until today maintaining its seaworthiness. The General Inspection Protocol of this Tugboat is no longer valid.

B1. VESSEL MAIN DETAILS

Vessel name	THESSALONIKI,.....
Flag and Port of Registration	Greek - Thessaloniki 226
Vessel Type	Fresh water tanker
Trading area	Thessaloniki
Length Overall	39.42 m
Length of Registration (LR)	37.73 m
Depth of Registration (DR)	3.50 m
Width from outside	6.60 m
Total power	455 BHP (339,3 kW)
GRT	223.00
NRT	104.67
Speed of vessel/Revolutions per minute (RPM)	10 knots/1850 RPM
Construction shipyard	ANDREAS NTRES
Construction: Date and location	1997 /Perama, Greece
Owner	Thessaloniki Port Authority
Classification society	Unknown
Ultrasonic thickness measuring	28/09/2015

C. Towed Barges 476-477-485-486

Four towed barges and in particular: **a. N.A. 476** year of construction 1975, 20X6,00, gross capacity, 87.49 RT **N.A. 477** year of construction 1975, 20X6,00, gross capacity, 87.49 RT, **c. N.A. 485** year of construction 1982, 19.80X5,80, gross capacity, 75.90 RT and **d. N.A. 486** year of construction 1982, 19.80X5,80, gross capacity, 75.90 RT These are located on quay 10 and do not need special maintenance. The respective General Inspection Certificates are no longer valid for none of the barges.

C1. MAIN DETAILS OF BARGE 476

Name of barge: Flag and Port of Registration:	476
Greek– Thessaloniki	
Vessel Type:	Barge - Non self-propelled
Trading area:	Thessaloniki
Material:	Steel
Length Overall:	20.00 m
Width from outside:	6.00 m
Depth:	2.00 m
Propulsion:	Non self-propelled
GRT:	87.49
NRT:	66.48
Construction: Date and location:	1975 - Thessaloniki

C2. MAIN DETAILS OF BARGE 477

Name of barge: Flag and Port of Registration:	477
Greek– Thessaloniki	
Vessel Type:	Barge - Non self-propelled
Trading area:	Thessaloniki

Material:	Steel
Length Overall:	20.00 m
Width from outside:	6.00 m
Depth:	2.00 m
Propulsion:	Non self-propelled
GRT:	87.49
NRT:	66.48
Construction: Date and location:	1975 - Thessaloniki

C3. MAIN DETAILS OF BARGE 485

Name of barge: Flag and Port of Registration:	485
Greek– Thessaloniki	
Vessel Type:	Barge - Non self-propelled
Trading area:	Thessaloniki
Material:	Steel
Length Overall:	20.00 m
Width from outside:	5.80 m
Depth:	1.72 m
Propulsion:	Non self-propelled
GRT:	75.90
NRT:	75.90
Construction: Date and location:	1982 - Thessaloniki

C4. MAIN DETAILS OF BARGE 486

Name of barge: Flag and Port of Registration:	486
Greek– Thessaloniki	
Vessel Type:	Barge - Non self-propelled
Trading area:	Thessaloniki
Material:	Steel
Length Overall:	20.00 m
Width from outside:	5.80 m
Depth:	1.72 m
Propulsion:	Non self-propelled
GRT:	75.90
NRT:	75.90
Construction: Date and location:	1982 - Thessaloniki

Attachments:

Annex 1 - Information document on the protection of personal data

Annex 2 - Economical Offer Document

THE MANAGING DIRECTOR– CHIEF EXECUTIVE OFFICER OF THPA SA

FRANCO NICOLA CUPOLO

ANNEX 1 - INFORMATION DOCUMENT ON THE PROCESSING OF PERSONAL DATA

UPDATE ON THE PROCESSING OF PERSONAL DATA, pursuant to Article 13 of the GDPR 679/2016 (accompanies the **Application Forms** in Tenders-Calls-Offers etc. of the Procurement and Investment Division of "ThPA SA").

The Societe Anonyme under the name "Thessaloniki Port Authority" (ThPA SA, Law 2688/99, GG 40A'/1-3-99), having its registered office in Thessaloniki (Pier 1, inside the Port PC: 54625, tel: 2310 593 118-121), as legally represented, hereby **informs** and; in conformity with the provisions of the applicable legislation on the protection of personal data, and, the General Regulation EU 679/2016 in particular, **in its capacity as a "Controller"**, the natural person (*hereinafter the «Data Subject»*), who signs the Application Form, the Offer or other similar form of the Procurement and Investment Division of "ThPA SA" and submits the necessary supporting documents, **either** on its behalf, as a representative of a private company **or** as a natural person -legal representative of the participant in the legal person procedure, **or** in another similar legitimizing capacity, that ThPA SA and its competent Services-Divisions-Departments (*such as its employees, acting under its supervision, by order and on its behalf and within the framework of their powers and, possibly with others, jointly referred to as "Controllers" and "Processors"; third parties or recipients: other participants in the procedure, Ministries, public authorities, Tax Offices, Judicial Authorities etc. based on the compliance with the legal obligation of the "Processor" or in fulfilment of his duty or for performance of a contract*), **collects, processes and keeps** a record of the personal data included in the Application Form, Offer or any other document of the Procurement and Investment Division of "ThPA SA" and in its accompanying documents, which are voluntarily submitted to "ThPA SA" by the "Data Subject" either on his behalf (*private company*) or on behalf of the legal person representing it.

These data will be used for the purposes of handling the Application Form, the Offer or any other similar document of the Procurement and Investment Division of ThPA SA. The purpose of processing may be: The purpose of processing may be: The evaluation of the Application/Offer etc., the verification of the details of the «Data Subject» or the company that it represents, required by the procedure, the evaluation of the suitability of the «Data Subject» or the company it represents, as a candidate counter-party towards the conclusion of a contract with "ThPA SA" or with a view to concluding a contract (*Article 6, par.1b GDPR Expl.44*). Furthermore, "ThPA SA" processes such data in order to communicate with the "Data Subject" whenever it considers it to be necessary, on issues relating to the procedure and for reconciling "ThPA SA" with the requirements of the Regulation and law (*compliance with his legal obligation, Article 6, par 1c GDPR*). These data are kept at the competent Procurement Department **for as long as it is necessary to check the Application/Offer etc. and the data submitted therein, throughout the period needed to complete the procedure, throughout the period of submission of any objections and lodging an appeal that may be provided for internally or by law, throughout the period of fulfillment of both parties' obligations and the period of limitation for bringing claims and, generally, for as long as it is required from the letter and the spirit of the Subcontracting and Procurement Regulation and the relevant law and contracts governing the operation of ThPA SA, as applicable.** Then, they are filed, either on paper or electronically in such a way that access is not authorized to non-authorized employees. After the elapse of the necessary time period, they will be safely destroyed, as provided for by the relevant legislation (*the provisions of Article 191 §2 of Law 4610/2019 (A '70) apply for the period up to 23-3-2018, while, the maximum limitation period laid down in the Civil Code shall apply from then on and for the conversion of the Processor into a SA*). The provision of such data is necessary for this procedure and, failure of the "Data Subject" to provide them will lead to the inability of the Data Subject to participate in the procedure and the impossibility of providing such service.

The "Data Subject" can submit a request to the "Controller" on: Access-information, correction, limitation of the processing of data regarding it, objection to processing, erasure of data and data portability **subject to the conditions and limits laid down by the applicable legislation** (*e.g. 17 par.3, 20 par.3, 23 GDPR*). These rights are exercised either by filling in the relevant application form available on the **Protocol and the Investment and Procurement Division** of "ThPA SA", or by sending a letter to the address: "ThPA SA", Pier 1, within the port, PC: 546, Thessaloniki, tel: 2310 593118-121, or by sending an email to the address: dpo@thpa.gr. The "Controller" provides information to the "Data Subject" about the action held upon request, pursuant to Article 15 to 22 of the GDPR without delay and, in any case, **within one month** from the reception of the request. This deadline **may** be extended for two more months, if required, taking into account the complexity and the number of requests (*see more in detail: Article 12 par. 3-4 of the GDPR*). Also, for any complaint, the "Data Subject" has the right to notify the **Data Protection Authority** either in writing (*address: 1-3 Kifissias Str. P.C. 115 23, Athens*) or by e-mail ([⤵](mailto:)).

Thessaloniki, ___ / ___ /20__

7th Edition/2020

I have become aware of this Update (*signature and in full letters*)

THE MANAGING DIRECTOR - CHIEF EXECUTIVE OFFICER OF ThPA SA

FRANCO NICOLA CUPOLO

Annex 2 - Economical Offer Document

**TEMPLATE
OF FINANCIAL OFFER**

Of the company
 With its headquarters at Address
 TIN Tax Office Postal Code
 Tel..... Fax..... E-Mail:

Having taken note of the terms of the **Tender /2022** for the sale and removal of: **a.** Tugboat "PELLA", **b.** Steel water tank "THESSALONIKI" & **c.** Four towed barges 476,477,485 and 486, owned by ThPA S.A. .
 which are located in the Port of Thessaloniki, I submit this **Financial Offer**, and declare that I fully and unreservedly accept all terms.

	DESCRIPTION	MINIMUM STARTING PRICE	OFFER PRICE €
1	TUGBOAT PELLA	140,000.00 euros	
2	WATER TANKER THESSALONIKI	210,000.00 euros	
3	BARGE 476	13,000.00 euros	
4	BARGE 486	13,000.00 euros	
5	BARGE 477	19,000.00 euros	
6	BARGE 485	19,000.00 euros	

The above prices do not include VAT.

OFFER VALIDITY PERIOD.....:

Vessel Removal Time:

- 1: days
- 2:days
- 3:.....days
- 4:days
- 5:days
- 6:days

**.... /..... /2022
THE TENDERER**

**Signature
Stamp**

