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## REPORT ON ESTABLISHING A PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS

Prepared by IOTC Secretariat

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IOTC Resolution 06/02 *On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels* calls for all transshipment operations of tuna and tuna like species in the IOTC Area to take place in port except under special conditions. In accordance with this resolution, at sea transshipments will be monitored by IOTC observers. This applies initially to large-scale tuna longline fishing vessels and to carrier vessels authorised to receive transshipments from these vessels at sea.

In view of the scope of establishing a programme for transshipment by large-scale fishing vessels, which is considered to be beyond the current capacity of the Secretariat, this work will be contracted out. It is worthwhile to note that a similar programme of work is being undertaken by a contractor, on behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in the Atlantic Ocean.

The call for tenders will be carried out by the FAO, on behalf of the IOTC. However, the evaluation of tenders will be made by an *Evaluation Panel* to be appointed by the Executive Secretary of the IOTC.

This document provides the Terms of Reference, Technical and Financial requirements for parties interested in tendering for this work, for the consideration of the Compliance Committee. The Committee is invited to discuss these requirements and to also give special consideration to the issue of cost recovery for this programme.

*Paragraph 12, Annex 3* - The costs of implementing this program shall be financed by the flag CPCs of LSTLVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the IOTC Secretariat and the IOTC Secretary shall manage the account for implementing the program

**TERMS OF REFERENCE, TECHNICAL AND FINANCIAL REQUIREMENTS FOR THE IOTC  
REGIONAL OBSERVER PROGRAMME**

**TERMS OF REFERENCE**

**A. CONTRACTOR'S RESPONSIBILITIES**

The contractor will assume all responsibilities identified in the contract for implementing the IOTC Regional Observer Programme.

**A.1 General**

1. Develop, for approval by the IOTC, an IOTC Observer Programme Manual. This manual should include guidelines on observer safety, including during deployment, and a pre-trip safety check list. The Program Manual will be produced within two weeks of the award of the contract.
2. Develop an Observer Training Course for approval by IOTC, which includes safety training and, if needed, language training. The course will be completed as soon as possible after the contract is awarded.
3. Train, test and submit for certification observer candidates. Retrain and test approved observers to maintain skills and to provide updated methods, priorities and protocols.
4. Maintain the corps of trained and certified observers needed to complete the sea-day coverage requirement. The best candidates must be selected for the program.
5. Inform the Secretariat of the need to terminate the employment of observers who fail to abide by established standards of conduct and conflict of interest, or whose performance is determined to be unsatisfactory. Observers must complete at least one trip per year to maintain IOTC Observer status.
6. Support, as specified herein, the observers during each phase of their employment period including training, briefing, travel, data collection at sea, while working dockside and during debriefings.
7. Have all observers sign the Standards of Conduct and submit to the IOTC.
8. Ensure fair compensation for observers, commensurate with academic achievement and other qualifications.
9. Communicate with IOTC and vessel owners to facilitate program operations and attainment of goals.
10. On the instruction of the IOTC, provide all logistical and administrative support necessary to deploy observers to / from ports and vessels from which vessels depart / land.
11. Brief and debrief observers before / after assignments.
12. Facilitate communication between observers and IOTC staff for the purpose of investigating the circumstances of alleged refusals to accept an IOTC observer or any other violation of law, regulation or protocol recorded by the observer in the course of his/her duties.

13. Obtain adequate insurance to cover injury, liability and accidental death for observers during the contract period of performance. Current insurance certificate(s) shall be provided to IOTC within 10 days of contract award.
14. Maintain a database of all observer activities.
15. Submit five day reports to cover six reporting periods in a month, in electronic format, to the IOTC. The report shall include vessel and observer activity and any problems encountered deploying observers. This report shall be submitted via email or facsimile.
16. Ensure all the reporting requirements are met.
17. Provide adequate documentation to determine travel expenses are justified and in accordance with the IOTC guidelines.
18. Report any complaints made by the industry or observer regarding observer/industry activities, as well as any observer injuries aboard vessels.
19. Comply with all safety standards and require strict adherence to the Guidelines on Observer Safety, including the safety checklist developed in accordance with paragraph 1 above.
20. Ensure the highest quality data is provided to IOTC by:
  - a) monitoring all aspects of observer performance;
  - b) interacting with vessels which have carried observers including interviews with the captains to determine if the observer performed his/her job in a professional manner and carried out all required tasks (a random 10% of each observer's trips will have follow-up interviews);
  - c) providing Interview Reports to IOTC within 5 working days of the interview;
  - d) providing the IOTC with a quarterly report regarding the overall data quality including a list of specific observer performance shortcomings and action taken to rectify them,
  - e) providing remedial training for observers when necessary to rectify performance shortcomings.

## **A.2 Data Requirements**

The contractor shall develop protocols for debriefing observers and for data collection, storage, archiving, evaluation, and other aspects of quality assurance and quality control, such as chain of custody matters, for approval by IOTC.

The contractor shall perform data entry at its facilities using programs, software and formats approved by IOTC. The Contractor shall provide the necessary computer equipment.

Data collected by observers will be entered into the IOTC database. The final product in electronic format as well as raw data forms shall be provided within 30 days of the trip completion.

The contractor shall keypunch (transcribe) all the data collected under the programme in accordance with **Resolution 06/02**.

The IOTC retains the right to reject any data entry staff proposed by the Contractor if his or her qualifications do not meet the required standards or if their work has been performed at an unsatisfactory level on previous projects.

### **A.3 Vessel Call-In System**

Notification is required prior to the planned entry into the IOTC area. The vessel is then assigned an observer. The Contractor shall provide personnel to handle a 24-hour notification system. Notification requirement may require e-mail, faxes or telephone calls from the vessel's representative.

The Contractor will maintain a database of vessels / observers activities and provide weekly reports to IOTC including, at minimum, a listing of which vessels have been assigned observers, those expected to enter IOTC area, and trips completed.

### **A.4 Equipment and Supplies**

The Contractor shall provide observer equipment as listed below. All other items not listed must be approved by IOTC before purchase.

- 1 Immersion suit
- 1 Personal Floatation Device
- 1 strobe light
- 1 signal mirror
- 1 Emergency Position Indicating Radiobeacon (406 MHz EPIRB, preferably with integral GPS navigation receiver).
- 1 Species ID publication
- 1 Clip board
- 1 Pair binoculars
- Photographic camera (or cameras if single use)
- 1 Calculator
- Data recording forms (IOTC approved)

## **B. TECHNICAL REQUIREMENTS**

### **FACTOR 1 - Technical Requirements**

Tenders should be specific in addressing the technical methodology of creating a fishery observer programme capable of completing up to 3, 200<sup>1</sup> sea days annually (approximately 53 trips of 60 days duration each) and delivering timely, accurate, and quality data. The area covered will be the entire Indian Ocean and adjacent seas. Most transshipment will probably be effected by distant water fisheries. Possible points of embarkation could be in southern Africa, Singapore, China or Japan, but will be identified more precisely according to demand. It is anticipated that the program will need 15 to 20 observers available at any one time.

This schedule is for estimating purposes only as the actual sea day schedule for calendar year 2009 may be different. For subcontracting that is anticipated, the Contractor shall identify the areas of work to be subcontracted and how the subcontracted effort will be managed to ensure satisfactory and timely performance of the work. The details of staffing proposed (by position/skills), both sea going observers and shore based support staff, their location and methodology to be flexible enough to reach the required vessels for coverage.

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<sup>1</sup> Information available to the Secretariat indicates that there are 15 carrier vessels working uniquely in the Indian Ocean, averaging 3.5 trips per year.

This section shall address the Contractor's recruiting and retention strategy and proposed training plan and schedule including training syllabus and lesson plan, sample tests and exams.

The tender shall also address the Contractor's Data Quality Management Program. It shall include a description of the Contractor's corporate policy and objectives for, and commitment to, quality and how it will be applied to the data deliverables under the contract. It should address data validation and quality control procedures.

## **FACTOR 2 - Past Performance**

The second key element in the technical part of the tender describes the Contractor's corporate experience in the management, oversight and execution of providing fishery observer services. Describe, in detail, the relevant past performance in providing fisheries observer services to regional (state or other agency), federal or commercial programs. Describe how this coverage is similar to or different from the current requirement.

Relevant past performance must be demonstrated to be of similar size, scope, and complexity as the IOTC Regional Observer Programme.

## **FACTOR 3 - Contractor Resources**

The Contractor shall describe in detail the skills and experiences of proposed key personnel necessary to properly manage and execute the contract. *Résumés (Curricula vitae)* shall be included. The tender should convey to the IOTC that the Contractor fully understands the complexities of executing the contract. Additionally the tender should describe responsibilities of the proposed management personnel and to what extent various positions have operational authority and include an organizational chart, together with details of operating licence or authorization.

### **Key Personnel**

The Contractor shall assign to this contract the following Key Personnel:

PROGRAMME MANAGER

LOGISTICS COORDINATOR

Programme manager must have at least a University degree relating to fisheries management and 5 years experience involving observer programme management or coordination. Logistics Coordinator must have at least 5 years experience in logistical and travel administration, 3 of which should be related to observer programme implementation, and relevant language skills, including a good knowledge of English.

The Contractor shall obtain the consent of the IOTC prior to assigning Key Personnel or making substitutions. Replacements for Key Personnel must possess qualifications equal to or exceeding the qualifications of the personnel being replaced specified.

Requests for changes shall be submitted to the IOTC at least 15 working days prior to making any permanent substitutions. The request should contain a detailed explanation of the circumstances necessitating the proposed substitutions, complete résumés for the proposed substitutes, and any additional information requested by the IOTC.

The IOTC will notify the Contractor within 10 working days after receipt of all required information of the decision on substitutions. The contract will be modified, through the exchange of letters, to reflect any approved changes.

In addition, data entry and coordination staff, and any other support staff required shall be provided by the Contractor.

## **FACTOR 4 - Management**

The Contractor should describe, to what extent, its facilities, infrastructure, key staff, recruitment capabilities would support their technical methodology. Finally, the Contractor shall describe its corporate policy in terms of human resources, benefits, insurance, leave policy, continuing education, and enforcement of the standards of conduct

### **C – FINANCIAL PROPOSALS.**

All items should be identified, itemized and priced by unit and total, with details of the services to be provided in each item.

#### **Insurance Coverage**

Contractor will be required to present evidence to show, as a minimum, the amounts of insurance coverage indicated below:

- a. Workers Compensation and Employer's Liability.
- b. General Liability.
  - (1) The Contractor shall have bodily injury liability insurance coverage written on the comprehensive form of policy of at least US\$5,000,000 per occurrence.
  - (2) Property Damage Liability Insurance shall be required in the amount of US\$1,000,000
  - (3) Insurance to cover transfer and loss of business costs in the event of illness of an observer while on board, in the amount of US\$150,000 per occurrence
- c. Automobile Liability.
- d. Aircraft Public and Passenger Liability.
- e. Vessel liability.

**N.B.** The Contractor will be fully responsible for Insurance Coverage of observers operating under the IOTC Regional Observer Programme, and for the insurance of any equipment purchased or used in the Programme.