

PROCUREMENT GUIDELINES

In order to ensure that all purchases are carried out in accordance with current legislation regarding the awarding of contracts by public bodies to suppliers, please adhere to the conditions set out in this document. Further information is available on the government portal <https://ogp.gov.ie/>

Please ensure that you reference the Gallery's Authorities Matrix in line with this guideline document.

It may also be necessary to consult with the Finance Department to agree a schedule of payments.

Contract Value Thresholds & summary of procedure

1. Less than €5000

Obtain verbal quotes from 1 or 2 competitive suppliers; avoid using the same suppliers on every occasion

- Select lowest price/most suitable

2. €5,000 to €25,000 (see * above also)

Send brief specification via email to a number of suppliers seeking written quotes (at least 3); request permission and access codes to view Tax Clearance online (see point 9 below); avoid using the same suppliers on every occasion

- Evaluate offers objectively against specified requirements using scoring sheet. (See sample in Appendix 1 – this can be amended where necessary to suit criteria specific to each tender)
- Select most suitable offer
- Notify/debrief unsuccessful bidders

3. €25,000 or above

Contracts for **supplies and general services (including exhibition design)** with an estimated value of €25,000 or more must be advertised on www.etenders.gov.ie website. This involves setting up an account on this website and uploading the relevant documentation and information. The Head of Ops and Admin can advise you on this process. Request permission and access codes to view Tax Clearance online (see point 9 below)

- Evaluate offers objectively against specified requirements using scoring sheet (See sample in Appendix 1 – this can be amended where necessary to suit criteria specific to each tender)
- Invite most competitive/suitable bidders to present/elaborate on bids if necessary
- Select most suitable offer
- Place notice on e-tenders that contract has been placed and notify/debrief unsuccessful bidders

4. €50,000 or above

Contracts for **works and related services** with an estimated value of €50,000 or more must also be advertised on www.etenders.gov.ie website. This involves setting up an account on this website and uploading the relevant documentation and information. The Head of Ops and Admin can advise you on this process. Request permission and access codes to view Tax Clearance online (see point 9 below)

- Evaluate offers objectively against specified requirements using a scoring sheet (See sample in Appendix 1 – this can be amended where necessary to suit criteria specific to each tender)
- Invite most competitive/suitable bidders to present/elaborate on bids if necessary
- Select most suitable offer
- Place notice on www.etenders.gov.ie that contract has been placed and notify/debrief unsuccessful bidders

Detailed procedure for the Tendering Process

Preparing your Request for Tender (RFT)

Be very clear in what you are looking for to ensure that you get tenders that fit your needs. Make sure you set out under what criteria the tenders will be evaluated. Clarity and completeness at this stage will help eliminate the need for clarifications later.

Avoid using ambiguous phrases that may be misinterpreted by the suppliers, such as “quality of tender” in the award criteria, and address in the RFT any possible questions that may arise. If appropriate, ask someone not involved in the project to read the documentation and ensure it is clear. You will have a better chance of getting what you want if you are very specific in stating exactly what you will measure (e.g. the extent to which the tender meets the technical requirements specified in a certain paragraph, etc.)

Consider including a return check list (with tick-boxes) for suppliers so that they can be sure that they have satisfied all requirements mentioned in the documents. This can also be helpful to the buyer in summarising what they need from suppliers.

Include any timescales associated with the project early in the notice. This includes the latest date for submission of queries relating to the project, the closing date and time for submission of tenders, etc. Many buyers only state the closing date; however, suppliers often like to know when the evaluation might be completed or when the contract is likely to take effect.

In some projects, it may be useful to indicate a budget for the project

in the RFT. This can give potential suppliers an idea of the range of the project, and they can tailor their submissions to meet this budget.

If possible, upload any tender documentation that may help clarify the tender on to the *etenders* website. This will reduce the need for contracting authorities to send any relevant documentation manually at a later date. Any tender documentation uploaded to *etenders* website should be in PDF format.

Contracting authorities may also include a statement in the RFT prohibiting the RFT being passed to a third party without the authorities' permission. This is particularly relevant in the case of tenders advertised and documentation made available on the *etenders* website. Candidates who register with the site and download tender documents will automatically receive any clarifications or additions to the original documentation. If the documentation is passed on by a third party to a supplier not registered with the site, that supplier may miss out on important additional information.

Allow suppliers sufficient time for submitting the necessary information and preparing the tenders (taking into account holiday periods etc) and/or the complexity of the contract.

Issuing tender documents, supporting documents and clarifications without delay

Responses to requests for information, requests for tender documents and other supporting documentation (if not made available electronically on the *etenders* website) must be issued without delay.

Ensure that additional information supplied to one party, in response to a request, is supplied to all interested parties if it could be significant in the context of preparing a tender. In order to address this issue, upload any additional information requested to *etenders* website as all interested parties will have access to view it there.

Receipting and opening tenders

Stamp and date all tenders when they arrive

Return late tenders unopened to the tenderer and record their existence and time of arrival.

Open all tenders (received on time) together as soon as possible after the designated latest time and date set for receipt of tenders.

Arrange for the opening of tenders to take place in the presence of at least two members of CAG staff

Clarifying tenders

You may seek additional information in clarifying submitted tenders but ensure that any clarification of tenders does not result in substantive alterations to bids after the deadline for submission has passed.

Evaluating tenders

The evaluation and award process must be demonstrably objective and transparent and based solely on the criteria published in the RFT. This is best achieved by the use of a scoring system based on all the relevant weighted criteria, indicating a comparative assessment of tenders under each criterion.

Arrange for the evaluation of tenders to be carried out by a suitably competent team.

Evaluate price exclusive of VAT.

If price is the sole criterion, award the contract to the lowest priced bid complying with the specified requirements.

If the 'most economically advantageous tender' is the basis for award, award the contract to the tender that best meets the relevant published criteria.

In general, the lowest ultimate cost tender who also meets all of the minimum requirements specified in the tender documents will receive the maximum score achievable under this criterion. The scores of the other valid tenders will be calculated by using the following formula: Number of points = the cost of the lowest valid tender divided by the ultimate cost of the tender in question and multiplied by the maximum score achievable'.

Notifying tenderers

Unsuccessful candidates and tenderers for any public contract should be informed of the results of the tendering process without delay.

In the case of contracts covered by the EU Directives, allow a 14 calendar day interval between notifying unsuccessful tenderers of the outcome of the tendering procedure and the formal award of contract.

Debriefing unsuccessful tenderers

Provide unsuccessful tenderers debriefing when requested.

In the debriefing, provide an objective assessment of the comparative strengths and weaknesses of the unsuccessful tender.

Give due regard to commercial sensitivity and the need to avoid compromising the rights or competitive situation of other tenderers.

Checking tax clearance certificates

Ensure that the supplier or service provider is tax cleared by either verification online or by producing an original current Tax Clearance Certificate: Before a contract is placed the supplier or service provider must hold a current Tax Clearance Certificate. This can be verified online using www.revenue.ie "What can I do online", "Tax Clearance". Prior permission of the applicant must be sought, and the Company Registration number and tax clearance certificate number quoted. For efficiency and to reduce the administrative burden, contracting authorities are encouraged to use this online facility but if the supplier or service provider does not give permission to verify online then an original current Tax Clearance Certificate must be produced before formally awarding the contract.

Awarding the contract

The contract should be awarded to the supplier or service provider that is best able to fulfil your requirements (selected in accordance with the award criteria), whose bid is within budget and in all other respects complies with the RFT, approval requirements, public procurement law and national guidelines.

Publishing a contract award notice (where applicable)

For contracts above the EU thresholds, you are required to publish certain information in the OJEU on contracts awarded within 48 days of the award. For contracts below EU thresholds, you are encouraged to publish a notice on the tenders website, to aid the transparency of the procurement process (and, possibly, reduce or eliminate enquiries from non-participants about the award of a contract) and to facilitate the compilation of statistical information required by the EU Commission.

Managing the contract

The management stage of a contract is where value for money (VFM) gained during the preceding stages is realised. A contract needs to be effectively managed by the user, not just left to the supplier.

Proactive involvement in the management of the contract is essential to maximise VFM

Closing the tender file

The completed tender file should contain the following: Copy of the tender document, submissions received, document signed by those present at the opening of tenders, evaluation sheet signed by all who completed the evaluation and a copy of the actual invoice to ensure costs are in line with tender. A checklist to assist this must be placed in each tender file (See Appendix 3)

APPENDIX 1

Sample Scoring Sheet for general services

Award Criteria	Quality of proposal for providing service detailed at xxxx of RFT.	Management & service structure proposed	Expertise and skills of personnel assigned to this project	Timeframe for delivery	Proposed cost of providing service	Total marks awarded
Total Marks Available	70	30	30	20	50	200
Company A						
Company B						
Company C						
Company D						
Company E						

APPENDIX 2

Sample Award Criterion

	Award Criteria	Weighting	Maximum Score Available
(A)	Creative Proposal	40%	4,000
(B)	Ultimate cost	30%	3,000
(C)	Proposed methodology to ensure the delivery of a quality service including scope of project management	30%	3,000
Total		100%	10,000

APPENDIX 3

CHECKLIST FOR TENDER FILE

- | | |
|--|--------------------------|
| Copy of the tender document | <input type="checkbox"/> |
| Submissions received | <input type="checkbox"/> |
| Tender Register | <input type="checkbox"/> |
| (Document signed by those present at the opening of tenders) | |
| Evaluation sheet signed by all who completed the evaluation | <input type="checkbox"/> |
| Copy of invoice(s) to ensure costs are in line with tender | <input type="checkbox"/> |