



PROCUREMENT PROCEDURES AND THRESHOLDS

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REVISION 5

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1. Introduction

Public Procurement is the acquisition, whether under formal contract or not, of works, supplies and services by public bodies. The purpose of the procurement process is to obtain value for money and to give all potential suppliers a fair opportunity to tender. This document briefly outlines the procedures and advertising thresholds which staff must follow in relation to procurement of works, supplies and services

Limerick City & County Council (LCCC) spent in excess of €110 million in 2014 on procuring goods and services on behalf of the citizens of Limerick and, through the Public Service Modernisation Agenda; pressure has been increasing on Local Authorities to demonstrate that they are achieving the best possible outcomes for the public. It is essential, therefore, that LCCC is in a position to take advantage of the developments in how expenditure can be better planned and managed in a purchasing environment which is growing more complex. This strategy will become part of the process of the planning and management of expenditure and developing a stronger focus on the management of procurement and the further development of efficiency in both organisations.

This document is intended to give an overview of EU, national and local procurement procedures while providing information as to where more detailed procedures and guidance may be accessed. It is important that staff involved in purchasing or placing contracts are familiar with EU, national and local rules applying and are aware of the legal and policy framework within which procurement must be conducted. Any national policy, guideline or circular that currently exists or issues in the future will take precedence over the contents of this document.

2. Recent developments in public procurement

There are new national organisations, on-line systems and procedures through which Local Authorities are required to work to procure goods, services and works. They include:

- www.procurement.ie
The Office of Government Procurement (OGP) set up National Frameworks which Local Authorities can buy goods and services from. **See Appendix 1**
- www.supplygov.ie
Formerly LAQuotes.ie - on-line framework agreements and quotations system for works and related services. **See Appendix 2**

- **constructionprocurement.gov.ie**
The Capital Works Management Framework (CWMF) is an on-line repository of the templates to be used for public works and construction-related services. **See Appendix 3**

- **www.etenders.gov.ie**
This is the website for advertising tenders above National and EU Thresholds. **See Appendix 4**

- **Tender receipt and opening procedure**
This is a new procedure for Limerick City and County Council. **See Appendix 5**

- **Agresso approval limits -** **See Appendix 6**

3. Procurement in Limerick City and County Council

- 1 A procurement folder has been set up on the intranet where the following information is available:
 - Procurement Procedures and Thresholds Document
 - Procurement Training Notes
 - Procurement related Circulars and Guidelines
 - Template Documents
 - Local developments relating to Procurement
 - Links to information on the National Frameworks

The procurement folder can be accessed on the intranet homepage under links - Procurement

- 2 A Hard Copy Template folder which demonstrates an EU value tender process from start to finish is available for reference from the Procurement Officer in Corporate Services. This folder contains sample letters and tender documents that can be replicated as necessary.

4. Local Purchasing/Accounts Payable Procedures

- The Procurement of goods, services and works is subject, in all cases, to the availability of financial resources. That is:
 - 1 For Revenue Jobs, an approved budget must exist.
 - 2 For Capital Jobs, a Department allocation has been received, which has been formally approved by the CE/DOS and the funding arrangements have been approved by the Head of Finance
 - 3 If the proposed expenditure doesn't have an approved budget, prior approval must be sought from the CE/DOS and the Head of Finance
 - 4 Expenditure and Income Job coding procedures must be completed with the Finance Department
- A valid Purchase Order must be raised in advance of an order being placed for goods or services. At a minimum, the purchase order should specify quantity and price.
- The value of a purchase order must be known before an order is made – as prior approval of spend is always required. This ensures there is adequate budget available, the supplier is set up and approved and that the supplier has a valid tax clearance certificate.
- Any business providing goods or services to the Council, the aggregate value of which will exceed €10,000 per annum is required to have a Tax Clearance Certificate. The Tax Clearance Certificate must be inspected prior to the placing of an order for goods or services
- It is the responsibility of the person placing the order to ensure compliance with the proper procedures, and that the transaction has been completed correctly.
- All goods are to be examined on receipt to ensure that they are in order and delivery docket should not be signed until the goods are checked for (1) Quality, (2) Quantity and (3) As ordered on official order.
- An invoice not having a valid purchase order number will be returned to the supplier
- Goods ordered should specify the delivery location.
- Payment of invoices is governed by the Prompt Payment of Accounts Act, 1997 as amended by the Statutory Instrument 580 of 2012, which took effect on 16 March 2013 and transposes EU Directive 2011/7/EU on Combating Late Payment in Commercial Transactions
- The Value for Money principles should be applied to all purchases.
- Prior approval from the CE will be required for departure from the procedures outlined above.
- No purchase may be sub-divided to prevent it coming within a threshold, values are calculated excl. VAT.

Exceptions:

The purchasing procedures as outlined above may not fully apply in the following cases:

- Purchases under Supplygov.ie
- Purchases through Low Value Purchase Cards
- Purchases through Fuel Cards
- Sole suppliers or fixed price products
- Emergency Situations such as flooding, health and safety risks etc.

5. Thresholds and procedures for Supplies and Services (All Ex Vat)		
	Contract Value (exclusive of VAT)	Procurement Procedure
	Less than €1,000 (less than €2,000 for expenditure on non-national roads)	<ul style="list-style-type: none"> Budget holder must be satisfied that value for money is obtained Product details, supplier's details and price should be documented/filed
	€1,001 - €5,000	<ul style="list-style-type: none"> Written quotes (email/fax) from 3 or more competitive suppliers must be obtained and documented/filed When requesting a quote via email, ensure to seek an acknowledgement of receipt and follow up promptly via telephone if this is not received Acceptance to be approved by Senior Staff Officer, Staff Officer, Executive Engineer, Executive Architect, Executive Librarian or Analogous grades Use Supplygov, National or Regional frameworks where possible to seek quotations
	€5,001 - €25,000	<ul style="list-style-type: none"> A brief specification of the goods or services to be documented and sent in writing or via email to at least 3 competitive suppliers When requesting a quote via email, ensure to seek an acknowledgement of receipt and follow up promptly via telephone if this is not received No requirement to adhere to tender receipt and opening guidelines Responses to be evaluated objectively against specified requirements. A scoring sheet may be used Acceptance to be approved by Administrative Officer, Senior Executive Engineer or Analogous Grades Use Supplygov, National or Regional frameworks where possible to seek quotations
National	€25,001 - €50,000 (ICT Services over €10,000)	<ul style="list-style-type: none"> Advertise on eTenders website Open procedure must be used (i.e. without prequalification of tenders) <p style="text-align: center;">OR</p> <p>Use National or Regional Framework Agreements in place on Supplygov, Procurement.ie etc</p> <ul style="list-style-type: none"> Must adhere to tender receipt and opening guidelines Acceptance shall be approved by order of Senior Executive Officer, Senior Engineer, Analogous Grades or Director of Services
	€50,001 - €134,000	<ul style="list-style-type: none"> Advertise on eTenders website Open procedure must be used (i.e. without prequalification of tenders) <p style="text-align: center;">OR</p> <p>Use National or Regional Framework Agreements in place on Supplygov, Procurement.ie etc</p> <ul style="list-style-type: none"> Must adhere to tender receipt and opening guidelines

		<ul style="list-style-type: none"> Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate
National	€134,001 - €209,000 (EU threshold)	<ul style="list-style-type: none"> Advertise on eTenders website Open or restricted procedure can be used <p>OR</p> <p>Use National or Regional Framework Agreements in place on Supplygov, Procurement.ie etc</p> <ul style="list-style-type: none"> Must adhere to tender receipt and opening guidelines Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate
EU	Above the EU threshold €209,000	<ul style="list-style-type: none"> Supplies and Services above this value must be advertised in the OJEU* and on eTenders Use open, restricted, negotiated or competitive dialogue procedure <p>OR</p> <p>Use National or Regional Framework Agreements in place on Supplygov, Procurement.ie etc</p> <ul style="list-style-type: none"> Must adhere to tender receipt and opening guidelines Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate
	€414,000+	<ul style="list-style-type: none"> Utilities Supplies and Services above this value must be advertised in the OJEU* Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate
	€2,000,000+	<ul style="list-style-type: none"> Advise Procurement Officer as Procurement must be listed on Limerick City and County Council website as required by Public Spending Code.

*These thresholds are valid from 1 January 2016 to 31 December 2017. Thresholds are revised every two years.

It is important to note that no purchase may be sub-divided to prevent it coming within a threshold, values are calculated excl. VAT.

Awarding a contract below the EU thresholds without the use of a competitive process should be considered only in cases of emergency.

In the case of all above categories where approval is required, recommendations for acceptance of quotations should clearly specify estimated expenditure, expenditure code and/or funding source.

6. Thresholds and Procedures for <u>Works</u> Related Consultancy Services (All Ex VAT)	
Contract Value (exclusive of VAT)	Procedure
Less than €5,000	<ul style="list-style-type: none"> • Written quotations from 3 or more competitive suppliers must be recorded for audit purposes • No requirement to adhere to tender receipt and opening guidelines • Budget holder must be satisfied that value for money is obtained • Acceptance to be approved by Senior Executive Engineer, Administrative Officer, Senior Staff Officer, Staff Officer, Executive Engineer, Executive Architect, Executive Librarian or Analogous Grades
Less than €50,000	<ul style="list-style-type: none"> • No requirement to publish on eTenders website or OJEU.* • Use the Supplygov, National or Regional frameworks where possible to seek quotations. (5 quotations for non-national roads expenditure). • If not using a Framework then a minimum of 5 quotations must be sought by e-mail, fax or letter on headed paper • When requesting a quote via email, ensure to seek an acknowledgement of receipt and follow up promptly via telephone if this is not received • No requirement to adhere to tender receipt and opening guidelines • Acceptance shall be approved by order of Senior Executive Officer, Senior Engineer, Analogous Grades or Director of Services
Between €50,000 and €209,000	<ul style="list-style-type: none"> • Advertise on eTenders website. • Open procedure must be used (i.e. without pre-qualification of tenders) • Must adhere to tender receipt and opening guidelines • Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate
Above the EU threshold (EU threshold applicable from 01.01.2016 to 31.12.2017 is €209,000)	<ul style="list-style-type: none"> • Must be published on the OJEU and the eTenders website. • Open or restricted procedure may be used. Negotiated or competitive dialogue procedures to be used only in exceptional circumstances specified in Directive 2004/18. • Must adhere to tender receipt and opening guidelines • Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate
€2,000,000+	<ul style="list-style-type: none"> • Advise Procurement Officer as Procurement must be listed on Limerick City and County Council website as required by Public Spending Code.

* While in respect of works projects below €50,000 (including VAT) there is no requirement to advertise on eTenders or elsewhere, the principle of transparency and non-discrimination still needs to be satisfied.

Where a local authority does not advertise for projects below €50,000 and has invited five firms to tender but fewer than five firms submit tenders, the local authority may only proceed with the award if it considers that there has been genuine competition and that the tender selected represents value for money.

7. Thresholds and Procedures for Public Works Contracts (All ex VAT)	
Contract Value (exclusive of VAT)	Procedure
Less than €5,000	<ul style="list-style-type: none"> • Verbal/email quotations from 3 or more competitive suppliers must be sought and should be recorded for audit purposes. • No requirement to adhere to tender receipt and opening guidelines • Budget holder must be satisfied that value for money is obtained • Acceptance to be approved by Senior Executive Engineer, Administrative Officer, Senior Staff Officer, Staff Officer, Executive Engineer, Executive Architect, Executive Librarian or Analogous Grade
Less than €50,000	<ul style="list-style-type: none"> • No requirement to publish on eTenders website or OJEU.* • Use the Supplygov, National or Regional frameworks where possible to seek quotations, a minimum of 3 quotations must be sought (5 quotations for non-national roads expenditure) • If not using a framework then a minimum of 5 quotations must be sought by e-mail, fax or letter on headed paper • No requirement to adhere to tender receipt and opening guidelines • Acceptance shall be approved by order of Senior Executive Officer, Senior Engineer, Analogous Grades or Director of Service
Between €50,000 and €250,000	<ul style="list-style-type: none"> • Advertise on eTenders website • Open procedure must be used (i.e. without pre-qualification of tenders) <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Use National Framework Agreements in place on Supplygov • Must adhere to tender receipt and opening guidelines • Acceptance shall be approved by order of the CE, or delegated officer where appropriate
Between €250,000 and the EU threshold (EU threshold applicable from 01.01.2016 to 31.12.2017 is €5,225,000)	<ul style="list-style-type: none"> • Advertise on eTenders website. • Open or restricted procedure (negotiated or competitive dialogue only to be used in exceptional circumstances) <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> • Use National Framework Agreements in place on Supplygov • Must adhere to tender receipt and opening guidelines

	<ul style="list-style-type: none"> Acceptance shall be approved by order of the CE, or delegated officer where appropriate
Above the EU threshold (EU threshold applicable from 01.01.2016 to 31.12.2017 is €5,225,000)	<ul style="list-style-type: none"> Must be published on the OJEU and the eTenders website Competitive Tendering. Open or restricted procedure. Negotiated or competitive dialogue procedures to be used only in exceptional circumstances specified in Directive 2004/18. <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> Use Framework Agreements in place on Supplygov Must adhere to tender receipt and opening guidelines Acceptance shall be approved by order of the CE, or delegated officer where appropriate
€2,000,000+	Advise Procurement Officer as Procurement must be listed on LCCC website as required by Public Spending Code.

* While in respect of works projects below €50,000 (including VAT) there is no requirement to advertise on eTenders or elsewhere, the principle of transparency and non-discrimination still needs to be satisfied. So consideration can be given to publishing the contract notice for such projects on the eTenders website, bearing in mind that the response might be disproportionate with regard to the value of the project.

Where a project below €50,000 has not been advertised and fewer than five firms submit tenders, the local authority may only proceed with the award if it considers that there has been genuine competition and that the tender selected represents value for money.

Use Capital Works Framework available on www.constructionprocurement.gov.ie

A number of multi-party Framework Agreements have been put in place on the Supplygov system and it is recommended that they be used.

8. ADDITIONAL NOTE REGARDING PUBLIC WORKS CONTRACTS

In May 2013 the Supreme Court made a ruling that the legislation underpinning the Registered Employment Agreements (REA's) was deemed to be unconstitutional. As such, they have no legal standing and a contractor cannot be requested to confirm compliance to the REA's. Therefore Reference made to REA's in Contractor Tender Documents and/or Contracts should be removed.

Successful tenderers will be required to fulfil the contractual requirements, for example:

- Produce a valid tax clearance certificate or C2 certificate from the Revenue Commissioners
- Non-resident tenders, are required to produce a statement of suitability on tax grounds from the Irish Revenue Commissioners
- Submit a safety statement prepared in accordance with the Safety, Health & Welfare at Work Act 2005
- Current Public and Employers Liability Insurance
- Contractors must implement the minimum standard conditions and pay rates in line with the National Minimum Wage and/or for Sub Contractors
- Confirm existence of a pension fund/sick pay scheme
- Confirmation of compliance with the statutory requirements in respect of payment of PAYE and PRSI contributions
- Confirmation of compliance with the Organisation Working Time Act 1997

Also in accordance with the Analogue Agreement, all intentions to award a contract must be submitted to the Partnership Facilitator, Human Resources on the template form attached at **Appendix 8** so that the details can be forwarded to the Trade Unions. This notification should be forwarded to Human Resources in advance of commencement of the works, unless the works are of an emergency nature. Objections to any Contractor, which must be factually documented in written form, should be submitted by the Trade Union(s) within one month of receipt of the notification from the Council.

In relation to the engagement of Contractors and/or Sub Contractors please ensure that they are advised of the following as per the Public Service Agreement;

As a matter of public policy, Limerick City and County Council expects that the statutory industrial relations procedures (LRC or Labour Court) will be utilised by tenderers for dispute resolution, consistent with domestic and EU procurement law.

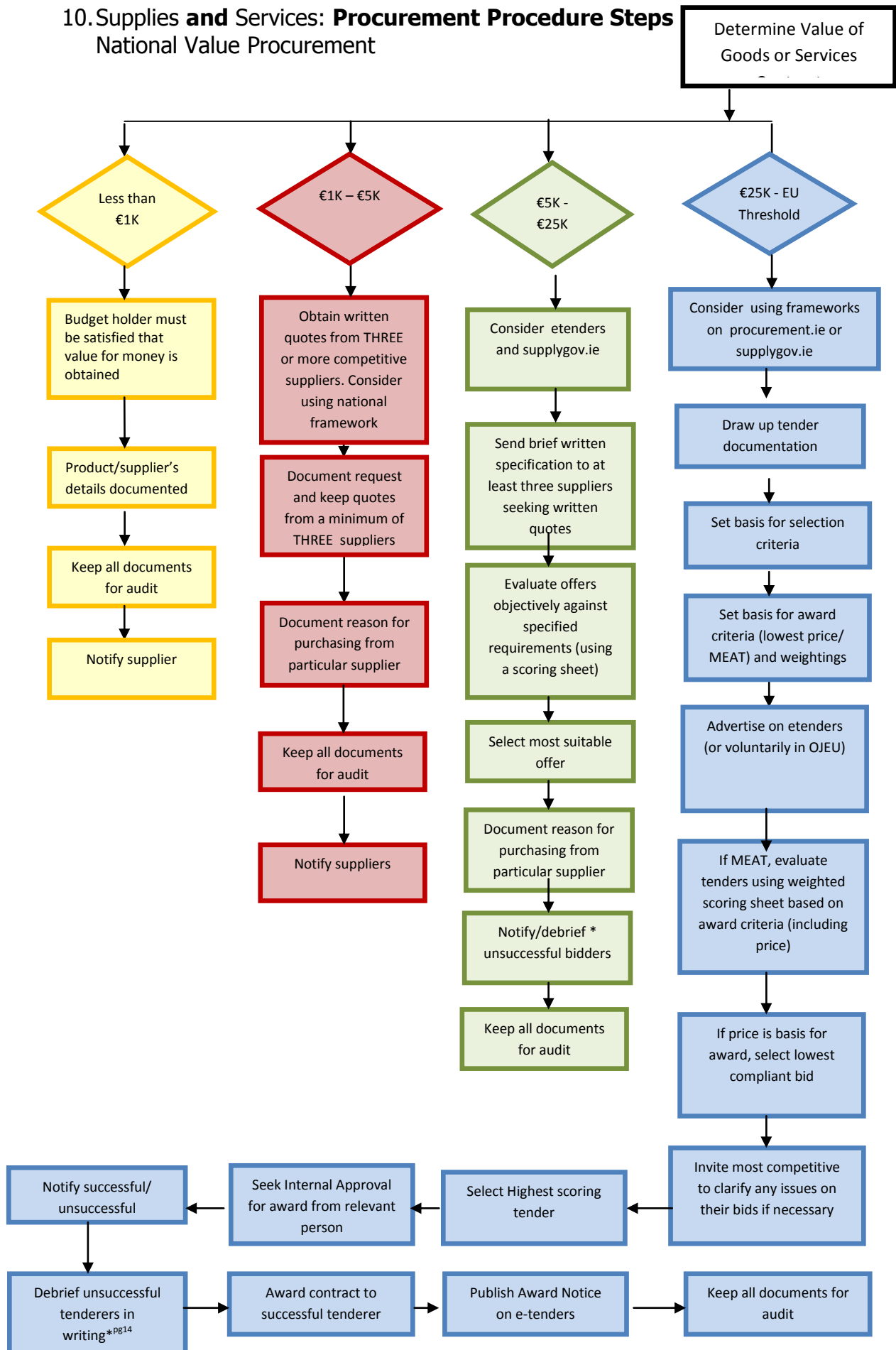
9. EU MONETARY THRESHOLDS

Thresholds (exclusive of VAT) above which advertising of contracts in the Official Journal of the EU is obligatory, applicable from **1 January 2016** :

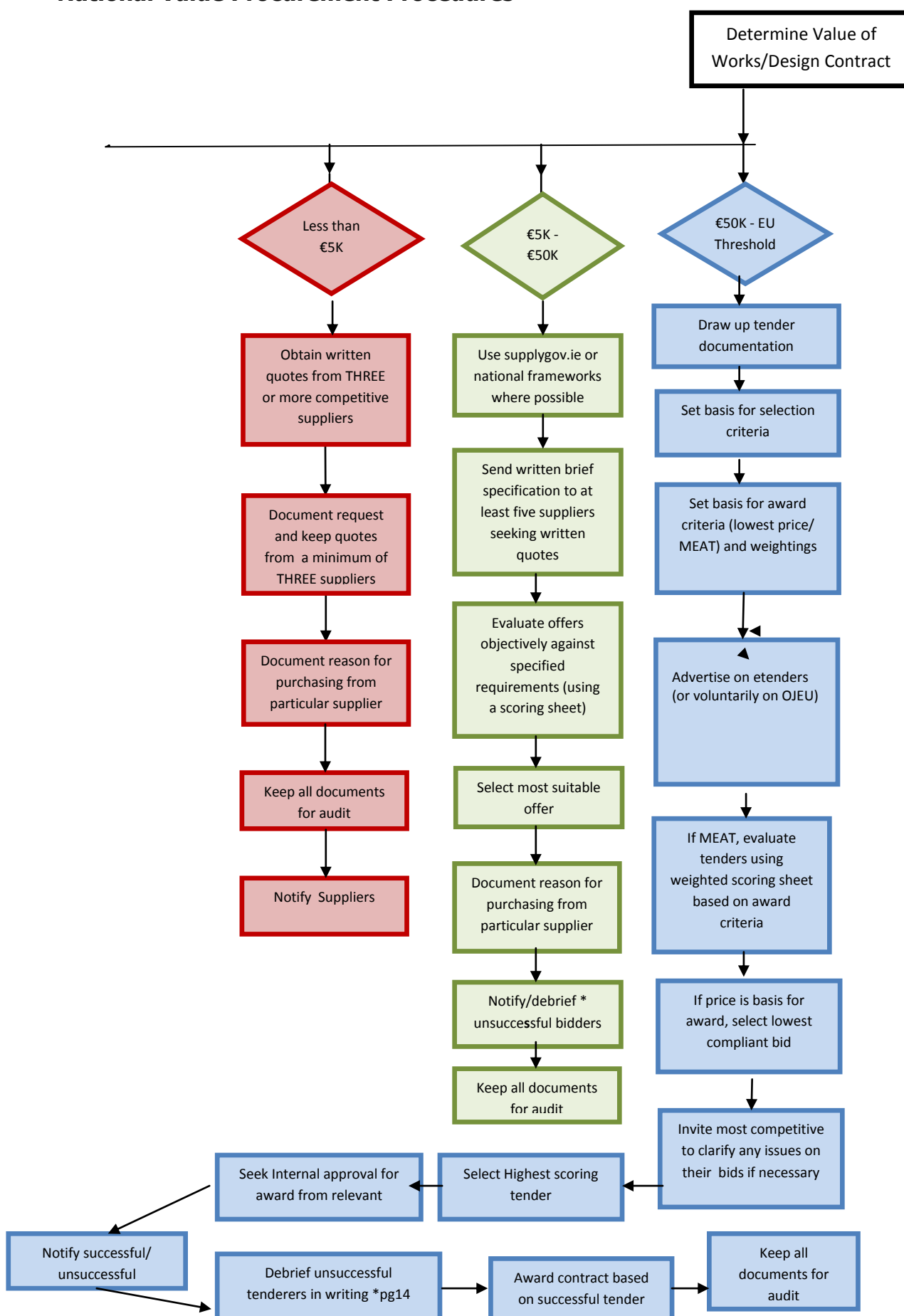
Works		
Contract Notice	€5,225,000	Threshold applies to Government Departments and Offices, Local and Regional Authorities and public bodies
Supplies and Services		
Contract Notice	€135,000	Threshold applies to Government Departments and Offices
Contract Notice	€209,000	Threshold applies to Local and Regional Authorities and public bodies outside the Utilities sector
Utilities		
Works Contracts / Prior Indicative Notice	€5,225,000	For entities in Utilities sector covered by GPA
Supplies and Services	€418,000	For entities in Utilities sector covered by GPA

Thresholds are revised every two years. Full and up to date thresholds can be checked on the EU public procurement website <http://www.simap.europa.eu/>.

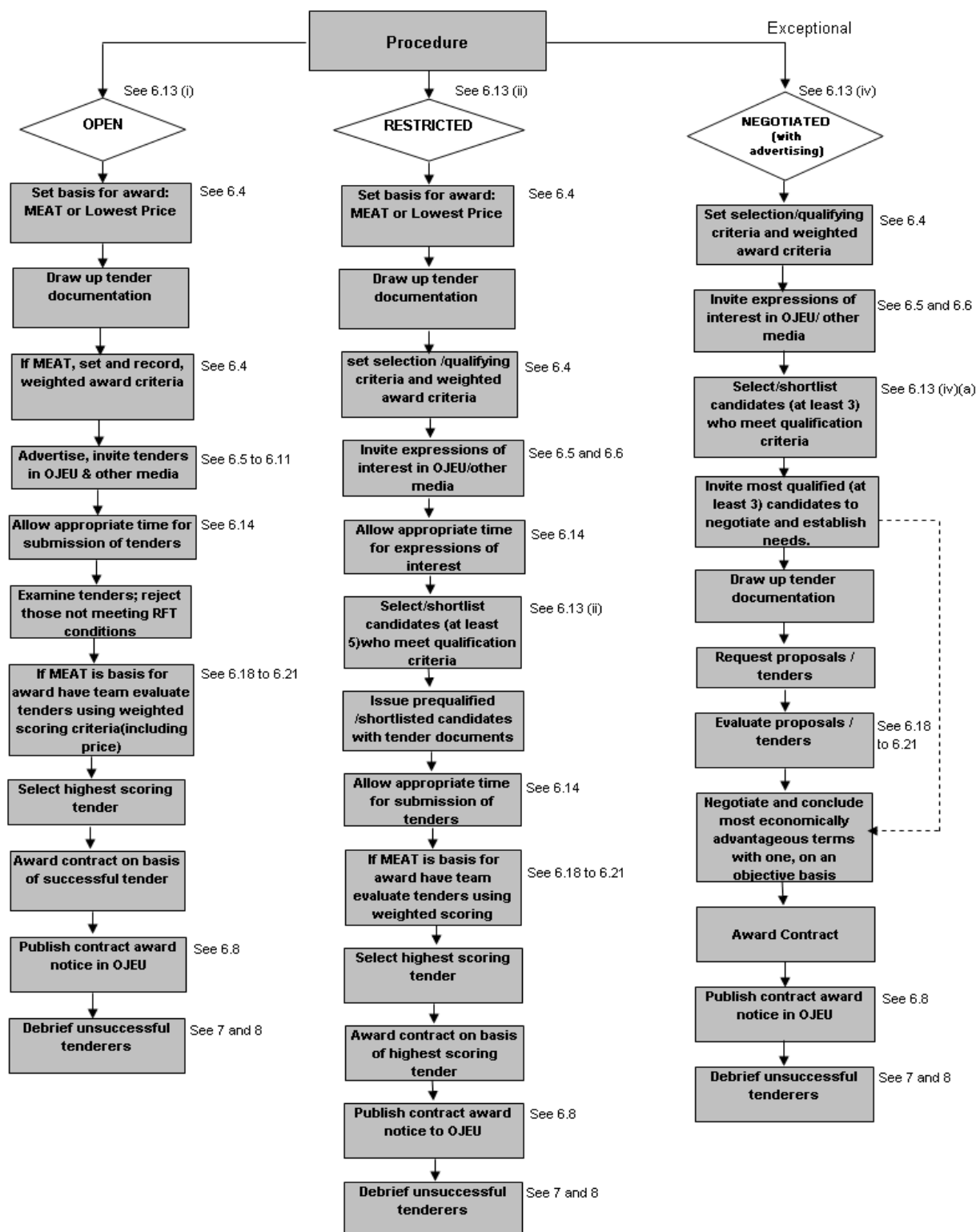
10. Supplies and Services: Procurement Procedure Steps National Value Procurement



11. Works and Works Related Consultancy Services - National Value Procurement Procedures



12. Steps in conducting a Competitive Process for contracts above EU Thresholds¹



¹ For details refer to Sections 6, 7 and 8 of the “Public Procurement Guidelines – Competitive Process” which are available at www.etenders.gov.ie and which provide detailed guidance in conducting a Competitive Process for contracts above EU Thresholds.

Any works or works related design procurements should refer to www.constructionprocurement.gov.ie for up to date procedures, forms and templates

*It is Limerick City and County Council policy that unsuccessful Tenderers should be debriefed in writing only.

APPENDIX 1

OFFICE OF GOVERNMENT PROCUREMENT (OGP)/ NATIONAL FRAMEWORKS

Until recently, all public bodies purchased their own goods and services leading to a considerable duplication of effort. In 2012 the Government decided that the public service should go to the market with 'one voice' to get maximise efficiencies and achieve better value for money. To deliver this, the Government established the Office of Government Procurement to oversee all procurement in the public service.

The OGP has centralised procurement arrangements for many common goods and services. LCCC can purchase from the wide range of contracts and framework agreements that the OGP has put in place.

Links to all of the following frameworks giving details of products included and pricing can be accessed on the intranet at: Procurement/Current Framework Arrangements

Information and full current details of contracts and framework agreements available can be also be viewed at www.procurement.ie . **Local Authorities are advised to purchase directly from these framework agreements. Where purchases are made in the below categories other than from the OGP frameworks, the local authority may need to explain the rationale for not using the OGP arrangements and provide a value for money justification that takes account of the full costs incurred in managing its own procurement process. This may be subject to audit.**

Please contact procurement@limerick.ie for assistance in purchasing goods or services from any of the frameworks listed below.

OGP (NPS) contracts/frameworks as of December 2015:

CATEGORY	Arrangement
Professional Services	<ul style="list-style-type: none">• Purchasing Cards Framework Agreement• Photography Services• Multi Supplier Framework Agreements for the Provision of Accounting, Audit and Financial & Economic Services
Facilities Management, Maintenance	<ul style="list-style-type: none">• Supply of service dress & operational uniforms to the Irish Prison Service• Supply & Installation of Desking, Pedestals & Storage Units• Supply of Office Pedestal Seating• Multi Supplier Framework Agreement for the Provision of Pest Control Services• Multi Supplier Framework for the Provision of Waste Management Services• Supply of Badges, Rankmarkings, Epaulettes and Lanyards• Supply of Corporate Uniforms to the Public Service

	<ul style="list-style-type: none"> • Framework Agreement for the Supply and Servicing of Water Coolers
Information and Communication Technology and Office Equipment	<ul style="list-style-type: none"> • Multi supplier Framework Agreement for the provision of ICT Research and Advisory Services • Framework for the Supply of Mobile Voice and Data Services • Multi Supplier Framework Agreement for the provision of Enterprise Application Support Services • Multi Supplier Framework Agreement for the Provision of Microsoft Licencing Solution Partner Services • Framework for the Supply of Fixed Voice and Voice over IP Services • Microsoft Select+ Agreement
Utilities	<ul style="list-style-type: none"> • Bulk Liquid Fuels Framework Agreement • Fuel Charge Card Framework Agreement • Multi Supplier Framework for the Supply of Electricity • Multi Supplier Framework for the Supply of Natural Gas
Marketing, Print and Stationery	<ul style="list-style-type: none"> • Managed Print Services Framework Agreement • Supply of Photocopying and multi-purpose Office Paper • Placement of Advertising in the Print Media • The Irish Times Subscription (digital subscription only) • Supply of ICT Consumables
Fleet and Plant	<ul style="list-style-type: none"> • Framework Agreement for the Supply of SUVs • Multi Supplier Framework for the supply of vans • Framework for the Provision of Hydraulic Excavators • The supply and fitout of motorcycles to An Garda Siochana and other Public Service Bodies • Pickup trucks contract • Cars
Travel, Transport and HR Services	<ul style="list-style-type: none"> • Multi Supplier Framework Agreement for the Provision of External Workplace Investigations Services • Foreign travel insurance • Travel management Services • Framework Agreement for the Provision of Freedom of Information Training

APPENDIX 2

Supplygov (formerly LAQuotes)

Supplygov is an online tendering/quotation solution developed by the Local Government Operational Procurement Centre to streamline procurement processes. It consists of two elements:

- 1 **Multi-party framework agreements**, which must be used for the procurement of the following works, goods and services:

General Construction & Trade Services	Road Making Materials
Bitumen	(Bulk) Fuel
Plant Hire Services	Plant Hire Services
Ready Mix & Concrete Additives	Road Marking Services
Ready Mix Concrete (supply)	Road Making Materials (supply only)
Footpath, Roadway Restoration and Ancillary Works	Road Making Materials (supply and placement)
Plumbing	Electrical

- These framework agreements are compliant with National and EU legislation and do not have the aggregation limitations of the quotation system.
 - The local authorities run 'Mini-Tenders' amongst the suppliers that have qualified for their framework agreement
 - Mini-tenders are conducted via www.supplygov.ie with a full audit trail.
 - These framework agreements/mini-tenders provide a pricing per job.
 - These framework agreements should be used unless there is a strong business case justifying non-use.
- 2 Quotation system for purchases with an aggregated value less than €25,000 in the case of supplies and services and €50,000 in the case of works and related consultancy services.

Note: Online tutorials are available which provide a step by step guide to using the Supplygov system. Please contact procurement@limerick.ie if you wish to be registered as a User on Supplygov system.

APPENDIX 3

Capital Works Management Framework (CWMF)

The CWMF is hosted at <http://constructionprocurement.gov.ie>. This framework is a structure that has been developed to deliver the Government's objectives in relation to public sector construction procurement reform. It has developed a suite of best practice guidance, standard contracts and generic template documents that form the four pillars that support the Framework. These form the current national procurement rules for public works and construction-related services for contracts falling both above and below the EU thresholds. They include:

- **Pillar 1 Public Works Contracts**

Contracts, model forms, arbitration rules, invitations to tender (works), forms of tender & schedules (works)

- **Pillar 2 Standard Conditions of Engagement**

Standard conditions, arbitration rules, invitations to tender (services), forms of tender & schedules (services)

- **Pillar 3 Cost Planning & Control/Suitability Assessment**

Cost control & planning forms and suitability assessment questionnaires

- **Pillar 4 Guidance Notes & Glossary**

Pillar 4 of the CWMF consists of a comprehensive suite of guidance notes aimed at facilitating the implementation of the Government's reforms in construction procurement.

APPENDIX 4

eTenders website

The OGP is responsible for operating the procurement website www.etenders.gov.ie. Tenders above the National Thresholds and those above the EU Threshold must be advertised on this site. All tenders for supplies and services exceeding €25,000 must be advertised on this site. There is a suite of Template documents that should be used when initiating a tendering process for goods and services. The following templates are available on www.procurement.ie:

- User guide and Template RFTs for GOODS
- User guide and Template RFTs for SERVICES
- User guide to the GOODS contract and Contract for the provision of GOODS
- User guide to the SERVICES contract and Contract for the provision of SERVICES

Please contact procurement@limerick.ie if you wish to be registered as an etenders user.

APPENDIX 5

Insurance Requirements when Tendering (DPER Circular 10/14)

Buyers should only require such types and levels of insurance which are proportionate and reasonable in the context of the particular contract. Factors which may be considered by buyers for the supply of goods and general services should include: the risks involved, the value of the contract and the subject matter of the contract. The required insurance coverage will vary from contract to contract as will the style of insurance cover available to suppliers, particularly in relation to professional indemnity risks. Any requirement for insurance cover should be signalled in the tender documentation. Tenderers should be asked to declare that they can obtain such cover but should not generally be required to have it in place at the time of tendering. Documentary evidence of the required insurance will only be required when a candidate has been identified as a successful tenderer in a procurement competition.

In carrying out competitions for the acquisition of routine low-to-medium-risk goods and services buyers should use the guide below to assessing insurance level requirements. For bespoke and or complex competitions or if the buyer has concerns with regard to any aspect relating to subject matter of the procurement then buyers should contact Irish Public Bodies Insurance for assistance in setting appropriate insurance levels.

Guidance for works and works related services are available on www.constructionprocurement.gov.ie under Pillar 4/Guidance Notes on Minimum Standards for Pre-qualification for Works Contractors and Construction Service Providers.

Guide to Setting Insurance level Requirements

The matrix below can be used as a general guide to setting insurance level requirements for routine low-to- medium-risk goods and services.

Type of Insurance	Indemnity Limit
Employer's Liability	€12.7m
Public Liability	€6.5m
Environmental Indemnity	€2m
Professional Indemnity	Contract Value (min. €50,000)
Product Liability	Contract Value (min. €50,000)

APPENDIX 6

GUIDELINES FOR RECEIPT AND OPENING OF TENDERS

ALL TENDERS FOR THE SUPPLY OF GOODS AND SERVICES WHERE THE ESTIMATED COST IS GREATER THAN €25,000 AND THE EXECUTION OF WORKS WHERE THE ESTIMATED COST IS GREATER THAN €50,000 SHALL BE RECEIVED AND OPENED AS OUTLINED BELOW

REQUEST TO OPEN TENDER BOX

Section to contact Customer Services by e mail (customerservices@limerick.ie) to request that a tender box be opened. This will apply for Tenders/Expressions of Interest/Pre-Qualifications/Quotations.

The following information should be clearly stated in request :

- Location where tender box is to be set up e.g. Dooradoyle or Merchants Quay;
- Name of tender;
- Closing date and time of tender;
- Name of relevant staff member in the relevant department to be contacted with any enquiries relating to the tender;

Customer Services to open and type up label for tender box. Customer Services will notify the relevant department the number of the tender box and confirm it has been opened.

The relevant department must also clearly inform the tenderer of the correct receipt address i.e. Customer Services, Dooradoyle or Customer Services, Merchant's Quay.

It is good practice to include a pre-addressed label with the tender documents to ensure delivery to the correct location. The relevant department should also specify to the tenderer that the Form of Tender should be in a separate envelope cleared marked 'Form of Tender' within the overall tender envelope. The 'Form of Tender' should clearly state the tenderer's name, address, contact details and tender price exclusive of VAT.

Tenderers must be requested to mark the outside of tender envelopes clearly, i.e. the tenderer's company name and address and the name of the tender must be clearly marked on the envelope.

The specified date and time for receipt of tenders must not be extended unless the prior written approval of the appropriate Section Head/S.E./S.E.O. has been obtained.

The Section must advise Customer Services of the revised closing date and time via e mail address customerservices@limerick.ie.

PROCEDURES FOR DEALING WITH TENDERS RECEIVED BY POST

If envelope is marked clearly indicating 'Tender for, do not open but forward it to relevant Customer Services who will date stamp and time record and place directly into relevant Tender Box at Customer Services.

If envelope is not marked, and is subsequently opened, a note of same should be made on the envelope and signed by the person who opened it. The envelope should then be resealed, date stamped, time recorded and forwarded to relevant Customer Services who will place it directly into relevant Tender Box at Customer Services.

PROCEDURE FOR DEALING WITH TENDERS DELIVERED BY INDIVIDUALS OR COURIERS TO CUSTOMER SERVICES

Tender will be taken in by Customer Services Staff who will be responsible for ensuring that the tender is placed in the correct tender box. Customer Services have a procedure in place to deal with tenders that are delivered to the incorrect tender address.

If requested, a receipt will be given by Customer Services Staff.

If a tender is received by Customer Services via post / courier **after** the closing date and time for receipt of tenders, Customer Services staff will mark the tender accordingly and immediately refer it to the contact person in the relevant department for return to the tenderer.

Late tenders should not be opened.

CLOSURE OF TENDER BOX

Customer Services staff will ensure that tender box is closed at specified date and time. It is good practice for a staff member from the relevant section to be present when the tender box is closed.

REMOVAL OF TENDERS FROM CUSTOMER SERVICES

Relevant Section is responsible for opening of box and collection of tenders, keys for boxes are kept by Customer Services.

A contents record of the number of envelopes/packages removed from tender box is completed by person removing the tenders and signed and counter signed by observer.

The relevant Section then takes away the tenders and places them in a secure locked area until official opening.

Selection Questionnaires, pre qualification questionnaires and expressions of interest are subject to the same receipt procedure as any other tender (i.e.)

- customer services requested to open a tender box
- customer services close tender box in presence of staff member from relevant department

However there is no requirement to have a Councillor or Corporate Services present at the opening.

Selection questionnaires, expressions of interest and pre qualification questionnaires can be opened by the Section Head and another staff member in the section. It is good practice to prepare and sign a written record of the applicants

OFFICIAL OPENING OF TENDERS

Tender Openings are arranged and co-ordinated by the relevant Section. The relevant section should book a suitable meeting room and must ensure that the following personnel are available to attend the opening of tenders:

- (i) Liz Creamer, Staff Officer, Corporate Services (liz.creamer@limerick.ie Ext. 7337)
- (ii) Councillor
- (iii) Section Head/SEO/SE/SEE/AO/SSO from Dept responsible for tenders.

At the tender opening, the tender box contents record should be given to Corporate Services and all present informed that the tender prices are subject to checking for accuracy and compliance.

Ensure only one tender is opened at a time.

Ensure the cover of each 'Form of Tender' (or RFT) are signed by the Staff Officer, Corporate Services and Councillor present at opening of tenders.

When opening tenders that include Bills of Quantities or Pricing Documents, it is acceptable to open the form of tender for each tender and the Bill of Quantities or Pricing Document for the lowest tender.

It is good practice to retain the envelopes that the tenders were received in until the contract has been successfully awarded.

A sheet showing tender amounts, dates etc. is to be completed by the relevant Section Head at the tender opening which will be signed, dated and timed by the Staff Officer, Corporate Services, Councillor and relevant Section Head/SEO/SE/SEE/AO/SSO.

After signing and completion of the sheet, return tenders to responsibility of section concerned. Original sheet remains in Corporate Services Department.

It is then the responsibility of the Section Head to ensure that opened tenders are handled in a secure manner.

Particulars of the names and addresses of all persons or firms from whom tenders are received shall be circulated via email by the relevant Department to all Councillors within three days of the date on which the tenders were opened. It is not necessary to state any of the tender amounts on the notice to Councillors.

APPENDIX 7

<u>Agresso Purchase Order Approval Levels</u>		
<u>Limerick City and County Council</u>		
Approver	EURO	Substitute / Approver 2
CE	>€ 1,000,000	Limited - adjusted as required
Director of Service	€ 1,000,000	CE
Senior Engineer/ Co Librarian/Senior Exec. Officer	€ 100,000	Director of Service
Senior Exec. Engineer/Project	€70,000	Senior Engineer/ Co Librarian/Senior Exec. Officer
Admin Officer	€70,000	Senior Engineer/ Co Librarian/Senior Exec. Officer
Exec Engineer/ Exec Scientist	€15,000	Senior Exec. Engineer/Project
Senior Staff Officer	€15,000	Administrative Officer / Senior Executive Engineer
Senior Exec. Technician	€15,000	Administrative Officer / Senior Executive Engineer
Staff Officer	€15,000	Senior Staff Officer / Administrative Officer

Note: The above limits can be adjusted on the basis of a request from the CE or Director of Service as appropriate. It is important that any such requests are in line with Delegation Orders, and this should be managed by the relevant Directorate submitting the request to Finance. If approval level is different as per Delegation Order - provide copy of Delegation Order to Finance to amend Approval levels

APPENDIX 8

FORM TO BE SUBMITTED PRIOR TO WORKS CONTRACT AWARD

To: Ms. Esther Lane

I wish to inform you that Limerick City & County Council is considering awarding a contract to

The details are as follows:

- 1. NAME & ADDRESS OF CONTRACTOR**

- 2. CONTACT PERSON(S) & TELEPHONE NO. (LCCC & Contractor)**

- 3. NATURE OF THE CONTRACT**

- 4. LOCATION OF THE CONTRACT**

- 5. START DATE OF PROJECT**

- 6. END DATE OF PROJECT/DURATION OF THE CONTRACT**

- 7. CONFIRMATION OF COMPLIANCE OF ALL RELEVANT
STATUTORY PROVISIONS & REGULATIONS
(must be in written format)**