



Carlow County Council Guidance for Suppliers

- Responding to tenders on www.etenders.gov.ie

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Introduction

All Public Bodies, also known as Contracting Authorities, operating in Ireland are subject to National and EU procurement rules on the award of contracts for supplies, works and services.

They are obliged to publicly tender all requirements on the Irish Government procurement website www.etenders.gov.ie over certain threshold values (see table on page 4), and in addition to advertise larger value contracts in the Official Journal of the European Union (OJEU).

The etenders website is the primary tool used by Public Bodies (as well as those in receipt of public funding) to advertise their requirements for supplies, works and services. This portal provided by the Government of Ireland through its procurement agency, the Office of Government Procurement, is also part of a larger European Union public procurement platform. It is a fully electronic confidential tool supporting the advertising of tender transactions. Potential users of this site should note that there is **no** charge to self-register as a supplier, to access competition details or receive alerts regarding posted competitions.

Procurement Methods

There are effectively 5 categories of procurement methods:

- (i) **Quotations** – this is where a Contracting Authority has certain discretion over who it chooses to invite to submit a quotation. Currently, all quotations above €5,000 are issued via the Quick Quotes facility on the eTenders platform. Carlow's Threshold and Related Procurement Procedures state that quotes from 3 or more service providers must be sought.
- (ii) **National Tenders** – this is where the Contracting Authority, such as Carlow County Council, must advertise its requirements on the www.etenders.gov.ie and comply with the specific rules and protocols on tendering.
- (iii) **EU Tenders** – this is when the Contracting Authority must advertise its requirements in the European Journal in addition to www.etenders.gov.ie, due to the value of the proposed competition. The competition notice will also appear on the Official Journal of the European Community (OJEU), making it accessible to all EU Member States (in addition to other countries signatory to various EU trade deals such as the European Economic Area and the Government Procurement Agreement of the World Trade Organisation). The official OJEU website is www.ted.europa.eu. The rules of EU tendering are defined by EU legislation¹.

In addition to the above methods, Contracting Authorities may also operate:

- (iv) **Framework Agreement Mini Competitions** - Award contracts via mini competitions under Framework Agreements (FAs) established by Central Purchasing Bodies, by collaborative groups of organisations (such as a number of Local Authorities operating together) or under FAs set up by the Authority itself.

Once a Framework Agreement is established the list of qualified suppliers *cannot* be changed for a fixed number of years (often 4 years). In the case of mini competitions, these are *not* publicly visible, however the previously established framework agreement would have been advertised on www.etenders.gov.ie / OJEU. All qualified members of the Framework Agreement are invited to tender at this mini-competition stage.

¹ Directive 2014/23/EC of the European Parliament and Council of 26 February 2014 on public procurement (transposed in Irish law by SI 284 of 2016 – European Union (Award of Public Authority Contracts) Regulations, 2016)

- (v) **Dynamic Purchasing Systems** - The final method may involve the establishment of Dynamic Purchasing Systems (DPS). These are lists of qualified suppliers (economic operators) for the appropriate supplies or services, and unlike Framework Agreements, they are constantly open for access for potential qualified supplier to apply during the undertaking lifetime. The establishment of a DPS is subject to public advertising, via www.etenders.gov.ie, however, similarly to Framework Agreements, the contracts being awarded under the DPSs are not. All members of the DPS are invited to tender at this contract stage.

One other procedure, not regularly used now, is **Panels** - These are lists of qualified economic operators, and somewhat similar to a DPS, they are *constantly open* for access for potential qualified suppliers to apply. The establishment *is subject* to public advertising, normally via www.etenders.gov.ie. Contracts awarded under the Panels are not subject to public advertising. While a panel is an open list with no limit to numbers who qualify, the contracting authority may shortlist and invite a limited number to tender depending on the contract value – the tender list would be identified using one or more of the following methods – rotation, random selection or application of specific criteria based on information already provided. Information on how shortlisting is performed shall be provided in the public advertising by the Contracting Authority. *These can only be set up for national value spend* (but could be used at OJEU level for Title III services only, due to the application of the Light Touch Regime).

In all of the above cases the eTenders portal plays a major role, so it is vital for all suppliers interested in doing business with Public Bodies, is registered on the eTenders system to ensure they do not miss out on quotation and tender opportunities.

Thresholds and Related Procurement Procedures

The thresholds and related procurement procedures relating to the methods listed above can be summarised as follows:

Procurement Method	Supplies	Services	Works
Quotations	Less than €25,000 (excl. VAT)	Less than €25,000 (excl. VAT)	Less than €50,000 (excl. VAT)
National Tenders – Central Government	Between €25,000 and €140,000	Between €25,000 and €140,000	Between €50,000 and €5,382,000
National Tenders – Local Authorities / Bodies Governed by Public Law	Between €25,000 and €215,000	Between €25,000 and €215,000	Between €50,000 and €5,382,000
EU Tenders – Central Government	Greater than €140,000	Greater than €140,000	Greater than €5,382,000

EU Tenders – Local Authorities / Bodies Governed by Public Law	Greater than €215,000	Greater than €215,000	Greater than €5,382,000
EU Tenders TITLE III Services*	n/a	Greater than €750,000	n/a
EU Tenders Concessions**	n/a	Greater than €5,382,000	Greater than €5,382,000

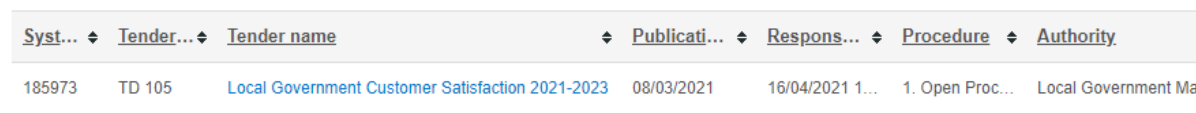
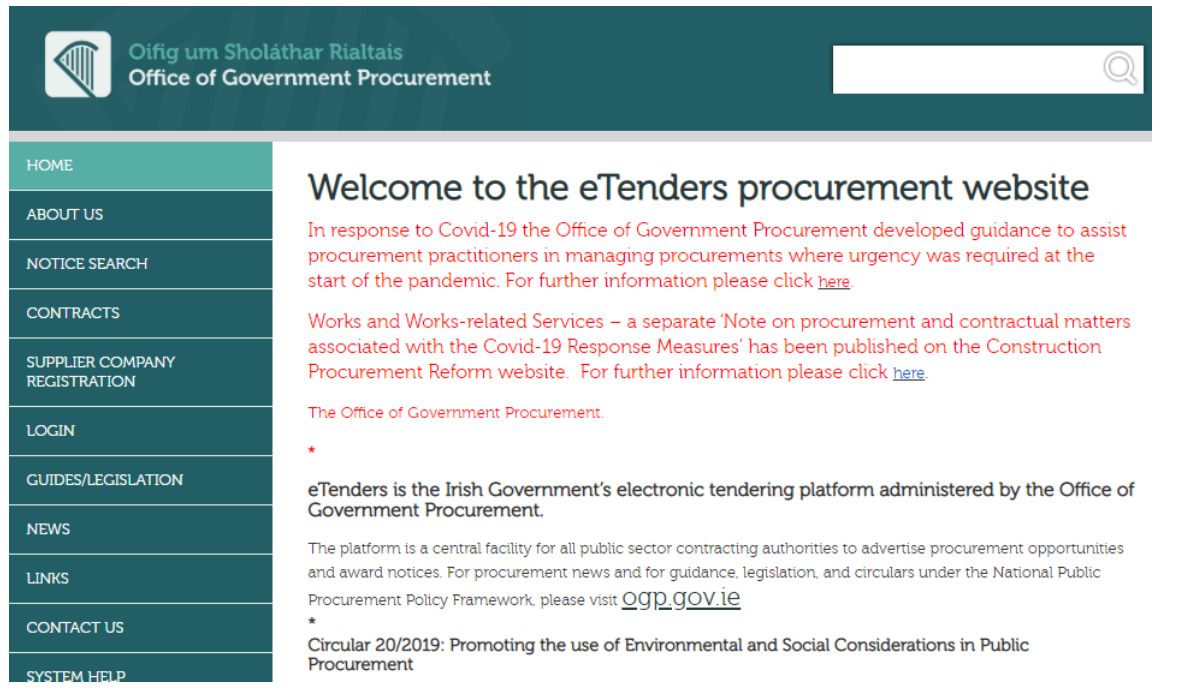
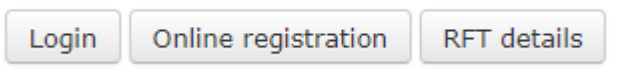
*Title III Services as defined in the Directives include training and education, social and related services, catering and hotel services, security services, etc.

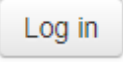

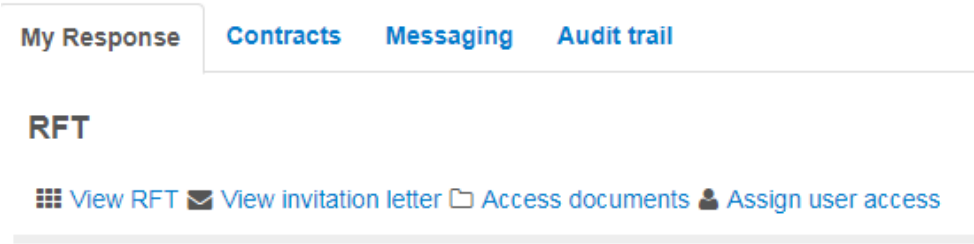
**Concession Contracts are contracts based upon two fundamental aspects – remuneration and risk. The remuneration is paid for by those using the service / work and the risk (being a significant element of the risk involved) must be taken by the concessionaire. A typical service concession is a bank ATM machine or a coffee shop at a public building/facility. A typical works concession is a toll road.

Guidance on Accessing eTenders

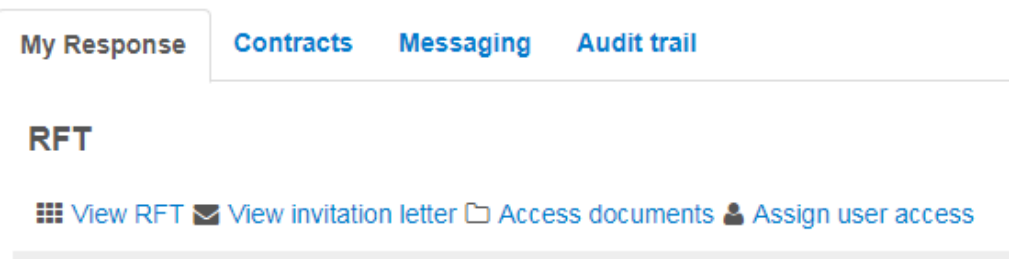
This Guidance Document aims to explain the process involved for economic operators responding to quotations, tenders or mini-competitions via the www.etenders.gov.ie website.

Log on to www.etenders.gov.ie

STEP	ACTION
TO GET THE DOCUMENTS FROM WWW.ETENDERS.GOV.IE	
Step 1	locate the competition under System ID number if known, or via email link from etenders or by searching by the Contracting Authority
 <p>This is accessed via the website Notice Search function</p> 	
Step 2	Click on the hyperlink under the Tender Name – in the blue text, e.g. - Local Government Customer Satisfaction 2021-2023
Step 3	

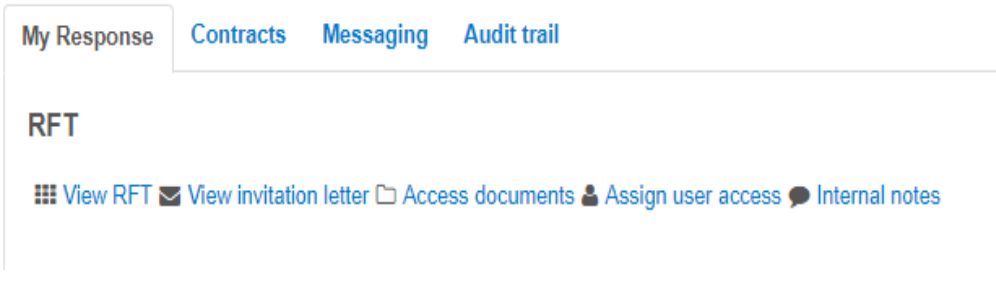
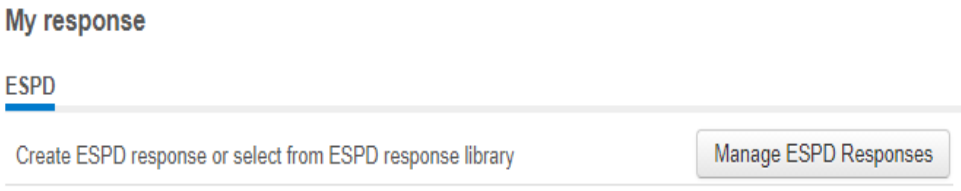
	Check the  button on the top left
Step 4	Enter the username and password
Step 5	Click the  button on the top left
Step 6	Click on the Access Documents Section 
Step 7	Download all the documents – read carefully and ensure you comply with rules for tender submissions.

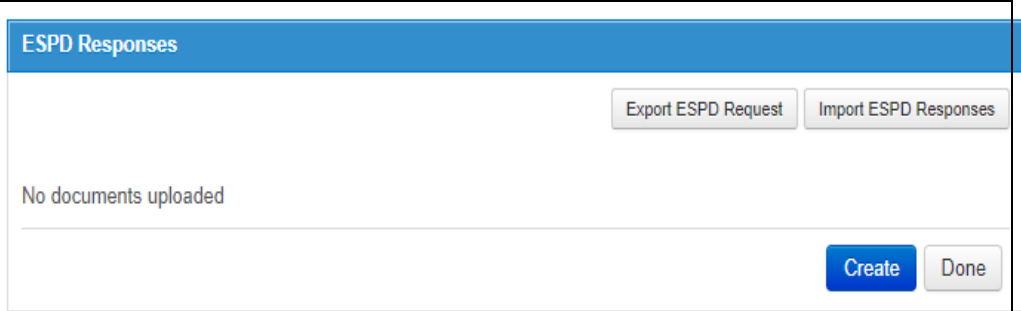
Guidance on using Messaging / Question and Answer Facility

STEP	ACTION
TO ASK QUESTIONS ON WWW.ETENDERS.GOV.IE	
Step 1	Click on the Messaging Tab
	
Step 2	Click on the New Message button
	
Step 3	Complete the message including subject, content and press Send.

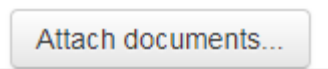
Note #1: Please note that in public tenders, where questions are asked by tenderers, the answers, anonymised are issued to *all* interested parties. Tenderer should always keep this in mind when raising a clarification/question.

Guidance on Submitting the Formal Response

STEP	ACTION
TO SUBMIT A TENDER RESPONSE ON WWW.ETENDERS.GOV.IE	
Step 1	LOGIN
Step 2	On the HOME screen under My Request for Tenders, click on the Tender Competition using the blue hyperlinked text.
Step 3	<p>Step 3 Go to the My Response Section and respond to the sections as follows:</p> 
Step 4	<p>My Response</p> <p>There may be a requirement to complete an ESPD (European Single Procurement Document), if so, click on Manage ESPD Responses where you can create the ESPD from scratch, or import from a previously completed document in addition to exporting the one created for re-use again (remember where you save it to!!). The ESPD relates the requirement to self-declare certain financial, technical and exclusion related selection / suitability criteria. While it can be self-declared, the evidence will be required prior to decision to award / include on a tender list.</p> 



If the RFT asks for Additional Response Documents –upload the response documents ensuring they are properly named under the **Attach Documents button**.

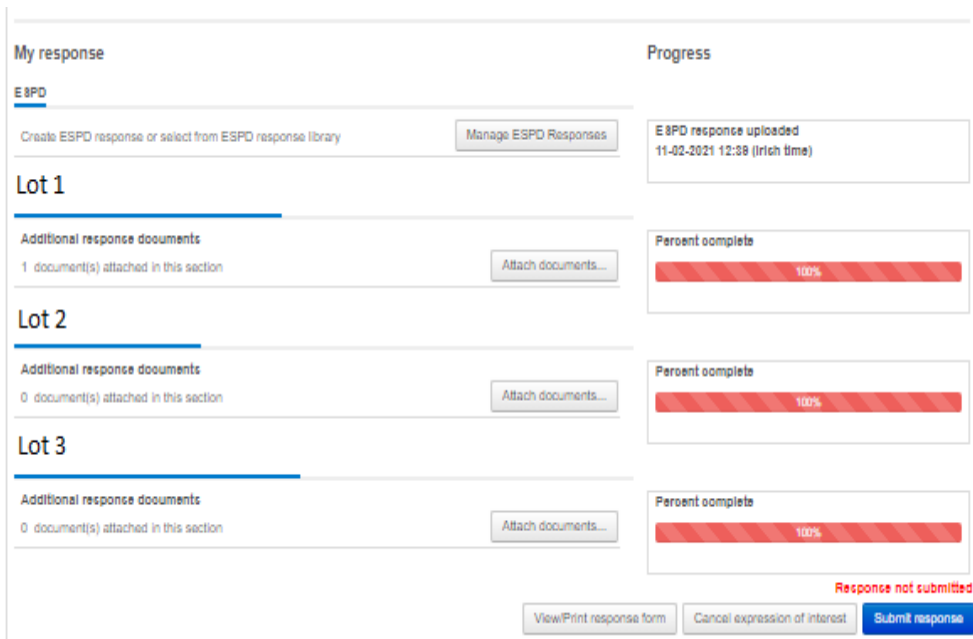


Make sure the documents are:

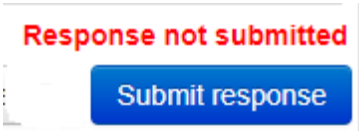
- Named with easily identifiable titles including organisation name;
- Indexed;
- Page numbered;

Step 5

The Percent Complete will turn green when documents are uploaded.



In the sample above, while it says 100% complete, it is still red. It will only go green when you click SUBMIT.

Step 6	<p>When you are ready to submit, press the blue Submit response button:</p> 
Step 7	<p>A request is made for the username and password again – this must be completed to fulfil the submission obligation.</p>
Cancel/ Resubmit	<p>If you need to withdraw, you can press the Cancel expression of interest button and always resubmit.</p>

Note #1: Please note that once uploaded it is possible to cancel the submission and re-upload if required, *once the closing date and time has not passed.*

Note #2: The maximum file size is **2.14Gb**. There is no limit on the number of documents which can be uploaded in a tender response, *unless* limited by the instructions from the Buyer.

Note #3: It is recommended to minimise the number of documents submitted where possible. Please ensure all documents are named correctly and logically, so that the Contracting Authority can easily determine what the file contains.

Note #4: *Please leave sufficient time to upload the documents* taking account of the size / number of files to be uploaded, and the broadband speed and capacity in the local area.

It is possible to log in and practice uploading in advance.

- Don't press submit if practicing
- Make sure to delete any test documents

Note#5: Please note the system will time out after 1 hour, so if it is taking longer, save and exit and start again.

If you run into difficulty, please contact the eTenders Helpdesk at 021 2439277 or email them at etenders@eu-supply.com.