

# **PROCUREMENT POLICY**

2021 - 2023

# **Version History:**

Revision & Date	Description	Compiled	Verified	Adopted
Version 1.1 6.5.2014	Procurement Policy 2014	Noreen Enright		
Version 1.2 4.8.2015	Updated	Noreen Enright		
Version 1.3 8.2.2016	Updated	Joe Coughlan		
Version 1.4 8.5.2018	Updated	Joe Coughlan		
Version 1.5 8.1.2021	Updated	Esther Lane	06.04.2021	12.04.2021
Version 1.6 12.4.2023	Updated in line with Circ. 05/23.	Esther Lane	19.04.2023	
Version 1.7 31.12.2023	Updated EU Thresholds	Esther Lane	01.01.2024	01.01.2024

# Main Changes in this Policy

- Circular 05/2023 Increase in thresholds to provide opportunities to promote SME participation.
- Electronic Tendering is mandatory since October 2018.
- Changes to level of approvers for acceptance of successful tender/quotation in-line with delegation orders.
- Change in the electronic tender opening procedures
  - o Interim arrangement in place for the remote electronic opening
  - o Removed the requirement to have a member of Corporate Services present
  - Removed the requirement to have an elected member present for over EU threshold tender opening
- Role of Procurement Officer defined.
- EU Thresholds revised with effect from 01/01/2024.

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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. Irrespective of the value of the purchase, as this is public monies, all transactions must be in-line with procurement rules. Procurement activities may be audited and you must be in a position to justify the decisions you make and the actions you take.

Limerick City and County Council, (hereafter LCCC) have adopted this procurement policy which will ensure all procurement undertaken is done so in a manner that is consistent with and in adherence to European Directives, National Legislation, Policy and Guidelines.

Where possible, a collaborative approach should be used when procuring supplies, services and works and by a number of departments pooling together it can lead to achieving better value for money and also result in more efficiencies. This collaboration can work if LCCC is self-procuring and also if drawing down from a nationally procured framework.

There must be a separation of duties in the procurement cycle. This means that the person who orders supplies, services or works should not be the same person who approves a requisition (RQ) or who receives or makes payment for them.

As the EU Procurement Directives were transposed into Irish Law, LCCC is obliged to comply with the Directives in its purchasing of works, supplies and services. In so doing, staff must execute the process in a professional, fair and transparent manner and ensure that the integrity of LCCC is protected at all times. The following Council documents sets out the standards of conduct and integrity which staff must abide by, which will uphold public confidence in local government.

- Code of Conduct for Employees (<u>access link</u>)
- Ethics Framework (access link)
- LCCC Fraud and Corruption Policy (access link)

If LCCC is found to be in breach of the Procurement Directive(s) and specifically the principles of procurement, it can have a devastating effect on the Council both financially and on its reputation. The Council can be faced with a high court challenge, which can result in large financial penalties/ compensation against LCCC, public confidence in the Council is jeopardised and unnecessary delays in the project/works, this can all be avoided by complying fully with procurement rules.

This policy gives an overview of EU, National and Local procurement procedures and advertising thresholds, while also 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 and are aware of the legal and policy framework within which procurement must be conducted. Any National policy, guidelines or circulars that currently exists or issues in the future will take precedence over the contents of this document.

# LCCC's Procurement Policy & Procedures is mandated by:

**Directive 2014/24/EU Public Authority Contracts** is transposed into Irish Law: Statutory Instrument No. 284/2016 European Union (Award of Public Authority Contracts) Regulations 2016,

link; <a href="http://www.irishstatutebook.ie/eli/2016/si/284">http://www.irishstatutebook.ie/eli/2016/si/284</a>

**Directive 2014/23/EU Concession Contracts** is transposed into Irish Law: Statutory Instrument No. 203/2017 European Union (Award Concession Contracts) regulations

2017 link; <a href="http://www.irishstatutebook.ie/eli/2017/si/203">http://www.irishstatutebook.ie/eli/2017/si/203</a>

**Directive 2014/25/EU Utility Undertakings** is transposed into Irish Law: Statutory Instrument No. 286/2016 European Law (Award of Contracts by Utility Undertakings) Regulations 2016

link; <a href="http://www.irishstatutebook.ie/eli/2016/si/286">http://www.irishstatutebook.ie/eli/2016/si/286</a>

# "Public Spending Procurement Code"

Department of Public Expenditure and Reform

Link; <a href="https://www.gov.ie/en/publication/public-spending-code/">https://www.gov.ie/en/publication/public-spending-code/</a>

**Construction Procurement Reform** Guidelines for the procurement of capital works and works related services can be found on the Capital Works Management Framework (CWMF).

Link; <a href="http://constructionprocurement.gov.ie">http://constructionprocurement.gov.ie</a>

#### "Corporate Procurement Plan 2020 - 2024"

Ensures best practice in procurement throughout LCCC, as it adopts the principles of procurement while maintaining both European and National Legislation, Policy and Guidelines. <u>Access link here</u>

# "Corporate Plan 2019 – 2024"

Limerick City and County Council's Corporate Plan is a strategic framework for actions over the five years to 2024 and is a central component of our business architecture, linking policy, organisational activity, governance, performance management and actions. Access link here

# "Public Procurement Guidelines for Goods and Services"

Office of Government Procurement, Department of Public Expenditure and Reform, version 2: issued January 2019;

http://ogp.gov.ie/public-procurement-guidelines-for-goods-and-services/

**"Our Sustainable Future"** – A Framework for Sustainable Development in Ireland. Department of Communications Climate Action & Environment. <a href="http://www.dccae.gov.ie/documents/Our%20Sustainable%20Future%20-%202012.pdf">http://www.dccae.gov.ie/documents/Our%20Sustainable%20Future%20-%202012.pdf</a>

"Green Procurement" – Guidance for the Public Sector, Environmental Protection Agency – A process whereby public and semi-public authorities meet their needs for supplies, services and works by choosing solutions that have a reduced impact on the environment throughout their life-cycle, as compared to alternative products/solutions.

https://www.epa.ie/publications/circular-economy/resources/green-procurement-guidance-for-the-public-sector.php

### 2. National Procurement Portals

In October 2018 electronic tendering became mandatory, here are the details of the various on-line systems/platforms which are available to local authorities when seeking a Request for Tenders (RFTs) and/or Requests for Quotations (RFQs) – using the Quick-Quotes facility.

<u>The Office of Government Procurement</u> (OGP) conducts tendering competitions to set up National Frameworks which Local Authorities can buy supplies and services from whether by mini-tender (in the case of multi-party frameworks) or direct drawdown (in the case of single party frameworks). <a href="www.ogp.gov.ie/">www.ogp.gov.ie/</a>

#### www.etenders.gov.ie

This is the website for advertising tenders above National and EU Thresholds for supplies, services, capital works and related consultancy services and is mandated as the electronic tool for issue and receipt of public tenders. It can also be used to issue and receive quotations and mini-tenders. <a href="www.etenders.gov.ie/">www.etenders.gov.ie/</a>

<u>Supplygov.ie</u> this system has streamlined the procurement process for contracting authorities for plant hire and minor building & civil works. It operates two modules of procuring supplies and services through Requests for Tenders (RFTs) and Requests for Quotations (RFQs). RFTs are mini competitions run under frameworks. <a href="https://www.supplygov.ie/">www.supplygov.ie/</a>

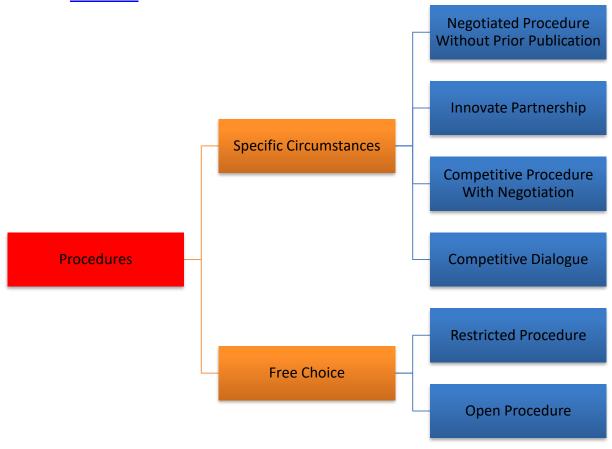
The Capital Works Management Framework (CWMF) is an on-line repository of the templates to be used for public works and construction-related services. The CWMF suite of guidance, standard contracts and template documents will continue to apply to works and works related services as set out in Circular 06/2010. The suite of documents include; standard pre-qualification questionnaires and standard declarations (CWMF Pillar 3) as well as standard Instructions to Tenderers and Forms of Tender (CWMF Pillar 1 for works and Pillar 2 for consultants). These are available to download at <a href="https://constructionprocurement.gov.ie//">https://constructionprocurement.gov.ie//</a>

# 3. Overview of the Types of Procurement Processes

The most frequently used procedure is the <u>Open Procedure</u>. The advantage of this procedure is that it invites an unlimited quantity of tenderers and, therefore, unlimited competition (unlike other procedures there is no maximum number of participants). The disadvantage of using this procedure is the potential administrative burden of having to examine a high number of tender submissions. Therefore, this procedure may not be appropriate for more complex procurements.

The <u>Restricted Procedure</u> is mainly used where there is a need to pre-quality suppliers where there is evidence that the number of potential tenderers could be large or where a contracting authority wants to limit the number of people who will have access to certain sensitive and/or confidential information. The disadvantage of this procedure is that it is two step, 1/ pre-qual, 2/ invitation to tender, so it can take longer time to run.

A more concise description of each of the six procedures and the procurement rules in the 2016 Regulations is set out in the OGP Public Procurement Guidelines for Goods and Services – access link.



# 4. Policy and Procurement at LCCC, Risk Assessment & Conflict of Interest

LCCC has a decentralised procurement system, where the responsibility for following appropriate procurement processes lies with the relevant line manager(s). There is an onus on line managers to ensure that the procurement function is discharged honestly, fairly and in a manner that secures best value for money while operating in compliance with relevant directives, legislation and policies. The Council is committed to conducting all procurement electronically, as this became mandatory in October 2018, via tendering platforms or email depending on the threshold (threshold details on pages 18 - 25)

LCCC has a dedicated Procurement Officer and the procurement function lies within the Support Services Directorate. The role of the Procurement Officer is to;

- Provide support, guidance and oversight in respect of procurement activities
- Monitor procurement compliance
- Measure compliance against spend as a percentage
- Identify where non-compliance occurs and request line manager to address
- Relay up-to-date procurement data, both National and Local data, to staff
- Engage with the Local Government Auditor and Internal Auditor

As there is a vast interest in how public monies are spent, it is vital that LCCC is consistent in its approach in the application of the public procurement rules. Therefore, it is important that all staff engaging in any procurement/competitive process must ensure that they adhere to this Policy. Non-compliance with this Policy may result in disciplinary proceedings.

The Treaty of Rome set the procurement principles which applies to all procurement activity regardless of its value;

**Transparency:** Being open and transparent about the procurement process, providing necessary information to all and decisions/awards should be advertised publicly on the tendering platform.

**Equal Treatment:** Applying the same rules to all, giving everyone the same right of access, making fair decisions and treating all equally.

**Proportionality:** Ensuring that all requirements are necessary and appropriate in relation to the contract. No excessive or disproportionate conditions, criteria, or rules are to be applied.

**Non-discrimination:** The same rules apply to all with equal rights of access. Decisions are to be based on objectivity and fairness.

**Mutual Recognition:** Professional Qualifications, Standards and Specifications, etc., where used must be accompanied by the phrase 'or equal and approved'. Ireland adopted EC Directive 2005/36/EC on the recognition of professional qualifications with the Irish Regulations SI 139 of 2008.

LCCC has regard in all its procurement activities to the EU principle of free movement of supplies, services and works.

The Council will take **Environmental and Social Considerations** into account when conducting procurement, where appropriate, and in accordance with government policy and LCCC objectives. These considerations must be; proportionate to the needs of the buyer, relevant to the subject matter of the contract, be transparent, promote equal treatment and value for money is not adversely affected. There are a number of stages in the procurement cycle/process where it is possible to include these considerations; Specification, Selection Criteria, Award Criteria, Contract Management.

**Social Considerations**, for example, can relate to employment opportunities, provision of training/apprenticeships, promoting social inclusion and accessibility. The OGP has developed an information note on incorporating Social Considerations into Public Procurement and here is the access link to document.

Environmental Considerations/Green Procurement means that public authorities seek to purchase supplies, services and works with a reduced environmental impact throughout their life-cycle compared to supplies, services and works with the same primary function which would otherwise be procured. Sustainable Procurement is a process by which public authorities seek to achieve the appropriate balance between the three pillars of sustainable development – economic, social and environmental – when procuring supplies, services or works at all stages of the project. Access link to Circular

LCCC is committed to supporting **Small Medium Enterprises** (SME's) in public procurement by structuring competitive processes in a manner that facilitates increased participation by SME's while ensuring they are carried out in a manner that is legal, transparent and achieves value for money. LCCC will refer, where necessary, to DPER Circular 05/2023: Initiatives to assist SME's in Public Procurement, for guidance. <u>Access link to circular</u>

LCCC is required to act appropriately to prevent, identify and remedy **conflicts of interest** in the conduct of the procurement procedure to avoid any distortion of competition and to ensure equal treatment of tenderers. Access link to forms

The Council will retain its records of procurement transactions in accordance with National and EU Regulations and Data Retention Policy. Access link to policy

LCCC will, through the Learning and Development Unit via the PMDS Process, support training of relevant staff in the aspects of procurement required to conduct purchasing in compliance with all EU, National and Local Directives / Policies.

When purchasing Supplies, Services or Works it is important that we present our requirements clearly and concisely to the market. An accurate scope with a clear marking scheme must be devised to enable LCCC to select the successful tender on the basis of **Most Economically Advantageous Tender (MEAT).** 

A marking scheme for tenders should include marks and weightings for:

- Quality of the product or service
- Resourcing to deliver the contract
- A cost related criterion this can be price only or a life-cycle costing model such as total cost of ownership over a defined period of say 5 years.

Price alone can be used if the supplies or service has no discernible difference in quality, for example the purchase of diesel.

Careful consideration should always be given to the precise award criteria to be used taking account of the market, existing experiences / dependencies within LCCC and all criteria must be directly linked to the subject matter of the contract.

A central repository folder has been set up on the Staff Portal (access link) and periodically staff are circulated with a reminder or when new information is uploaded to the site, example of contents;

- Procurement Directives
- Corporate Procurement Plan
- Procurement Policy
- Procurement Reference Guidance Document
- OGP / Supplygov / eTenders information and training notes
- Template documents & forms
- Link to information on the National Frameworks
- Circulars relating to Public Procurement

#### **Risk Assessment**

A risk assessment should be undertaken in procurement where:

- The value of the purchase is high
- The procurement process is complex
- Adverse consequences could significantly affect the Councils operation
- Delivering the Councils core services to the community is significantly affected

When risk is being considered with respect to procurement, contract authorities should ensure that risk is assessed in relation to each category of supplies, services or works with reference, for example to the following factors;

- The nature of the supply market, e.g. does it favour the buyer or the supplier
- Probability of supply failure
- Impact on the Council of supply failure
- Strategic importance to the Council.

# **Conflict of Interest**

Appropriate measures to prevent identity and remedy conflicts of interest in the conduct of a procurement procedure to avoid any distortion of competition and to ensure equal treatment of tenderers should be taken. A conflict of interest includes any situation where a relevant staff member has directly or indirectly a financial, economic or other personal interest which might be perceived to compromise his or her impartiality and independence in the context of the procurement procedure.

Any form of personal interest must be disclosed in writing to the line manager. Personal interest includes an interest of a relative or connected person. The line manager must then decide if the exercise should be dealt with by another member of staff or seek further advice. The Council should consider carrying out conflict checks throughout the procurement process, e.g. at the Selection Stage, when the identities of the tenderers become known and at the tender Evaluation Stage.

# 5. Procurement Procedures, Explanatory Table, Requisition & Payment Requirements (Table on page 16 - 17)

## Determining the need/budget approval/procurement process

- First step is to determine the need for the supplies, services and works.
- Check if there is an existing arrangement in place within the Council or nationally which can be used.
- If a procurement process is to be completed, check with other Council departments to see if a collaborative approach can be taken.
- The Procurement of supplies, services and works is subject, to the availability of financial resources. That is:
  - 1 For Revenue Jobs, an approved budget must exist.
  - 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
  - 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 MS7 forms are available on the Staff Portal
  - It is the cumulative cost/spend per Supplier which must be calculated (not per job/item)
- Procurement values are calculated excl. VAT.
- Based on the estimated value, select the appropriate competitive process in-line with the spend threshold.

#### **Request for Tender Process**

- Develop the tender documentation, e.g. specification, selection & award criteria.
- Advertise on the appropriate tender platform & ensure all communications are conducted electronically, on the tendering platform for fairness and transparency.
- Follow tender opening guidelines and evaluation should be carried out by a competent team and confidentiality and conflict of interest declaration forms to be completed prior to evaluation commencing.
- The MEAT principles should be applied when selecting the successful tender, where applicable.
- The appropriate Approved Officer's Order in line with the Approved Delegation Order is required to approve the appointment of the successful tenderer.
- Advise all tenderers of the outcome and adhere to standstill period, where it is applicable.
- Ensure the contract award is completed on the tendering platform.

#### Request a ProcRef

Obtain a Procurement Reference (ProcRef) by emailing <u>procurement@limerick.ie</u> The documents required when seeking a ProcRef,

- Request for Tender (RFT)/Request for Quotation (RFQ) ID & Description (title)
- Copy of the signed contract or completed quotations form
- Full contractual value
- Contract extension details (if applicable)
- If an OGP draw-down, a copy of the award notice/contract or the Notification to activate goods form (NTAGF)
- Commencement & expiry date of contract/arrangement
- Provider/Framework details-ranked panel
- If a framework call-off details, e.g. rotation, cascading, etc.
- Copy of signed evaluation report/marking sheet
- A screenshot of the evaluation & award notice from the tendering platform
- Copy of signed Authorized Officers Order/acceptance approval for selected provider(s)

#### **Requisition Requirements**

- A valid requisition <u>must be raised in advance</u> of an order being placed for supplies, works or services. At a minimum, the requisition should specify quantity, total price & delivery location.
- Where it is not possible to raise a requisition in advance (e.g. emergency call out/ out of hours call-out) – the requisition will need to be accompanied with a completed memo (pre-defined template) outlining the reason(s) why a requisition was not raised in advance of the goods/ services being ordered/received.
- The value of the requisition must be known before the supplies, works or services are ordered as prior approval of spend is always required. This ensures there is adequate budget available and the supplier is set up on the Agresso System. Where an exact value of a requisition cannot be determined in advance e.g. delivery of stone/ gravel a best estimate of the value ordered should be included in the requisition –and under no circumstances should a requisition be submitted with an estimated value lower than the anticipated value of what's ordered.
- The requisition must have a specific procurement reference (ProcRef) cited on it.
- Tax Clearance Regulations must be adhered to and Suppliers aggregating over €10,000 per annum must have valid tax clearance. This can be verified on ROS. Access to ROS can be provided by contacting Finance as required.
- It is the responsibility of the person requesting the requisition to ensure compliance with the proper procedures/policies, and that the transaction has been completed correctly.
- No purchase may be sub-divided to prevent it coming within a threshold (see section 13 (page 30) below for Agresso Approval Thresholds by grade).
- Relevant back up to requisition is attached. See Appendix 1 for guidelines on backup required to be attached to requisitions.
- When a requisition is approved, a Purchase Order Number is generated.

# **Payment & Invoicing**

- Following the appropriate approval of the purchase requisition, a Purchase Order (PO) is automatically raised on Agresso and should be issued to the third party/supplier via email.
- All supplies are to be examined on receipt to ensure that they are in order and the requisition should not be Grn'd until the supplies are checked for (1) quality (2) quantity and (3) as ordered on the requisition/purchase order.
- Suppliers must quote a valid Purchase Order (PO) number on all Invoices.
- An invoice not having a valid Purchase Order Number will be returned to the Supplier by Accounts Payable.
- All invoices must be emailed by Suppliers directly to <u>accountspayable@limerick.ie</u> only and not copied to individual Departments.
- Once Accounts Payable receives the invoice from the supplier, it is checked to ensure
  a valid PO number is referenced on it and the invoice amount matches the PO prior
  to processing.
- Payment of invoices is governed by the Prompt Payment of Accounts Act, 1977 as amended by the Statutory Instrument 580 of 2012, which took effect on the 16th March 2013 and transposes EU Directive 2011/7/EU on Combating Late payment in Commercial Transactions. A government decision was taken to apply a reduced payment period of 15 days to the wider public sector effective from July 11th 2020. This means that LCCC is committed to paying all valid invoices within 15 days from the date of receipt of Invoice in Accounts Payable. Any payments made after 30 days of date of receipt of Invoice in Accounts Payable, will incur prompt payment interest and compensation.

**Invoice Mismatch** (where invoice value is greater than value of original approved requisition)

• In situations where an 'invoice mismatch' may occur, the request to approve the mismatch will be sent to the Approver of the original requisition via Agresso workflow for further approval. The Approver must insert a comment in Agresso before approving, outlining the reason(s) for the invoice-mismatch.

# **Low Value Purchase Card**

- Low Value Purchase Card should not be used to avoid procurement compliance.
- "Under Section 7 of the LVP Policy, Finance reserves the right to cancel without notice any LVP card funded by the Council in cases where policies have not been adhered to or where expenditure recorded is deemed inappropriate.

#### **Potential Deviation from Policy**

This Policy must be complied with under all circumstances. Where any obstacles in compliance are encountered or there is a requirement to deviate from this policy, the respective Head of the Department and the Director of Support Services within LCCC must be contacted and prior written approval for the deviation obtained. Evidence of the correspondence and decision should be attached to the Requisition and also be maintained on file in all instances for auditing purposes. This should be a rare occurrence and only on extreme exceptional circumstances.

# **Corrective Action and Preventative Action Form (CAPA)**

For instances where non-compliance with the procurement rules occurs, a CAPA form should be completed and attached to the RQ's being raised. This form should clearly set out the reason why it is non-compliant, what corrective action is to be taken and the anticipated completion date. An escalation process is being assigned to these, all forms have a life span of 3 months from date it was signed i.e., Level 1 (initial form) is to be signed by an Administrative Officer, Senior Executive Engineer or analogous, if no procurement has taken place a CAPA level 2 form is required and this has to be signed by the Senior Engineer, Senior Executive Officer, analogous and then after a further 3 months it will require the update & signature of the Director of Service

# **Assessment/Adjudication Boards**

The members of any assessment/adjudication Board must always adhere to vindicating the principles of fairness, equity and transparency.

They should always be requested to complete a Confidentiality and Conflict of Interest Declaration prior to commencement of assessment.

### **Exceptions:**

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

- Emergency Situations such as flooding, health and safety risks, circumstances which were unforeseen, e.g., Covid-19, damage due to Storm Ellen.
- Where an emergency occurs, an assessment should be conducted by the line manager of the possibility of it happening again and measures put in place to have the supplies, services, works provider procured
- Sole suppliers or fixed price products

# PROCUREMENT PROCEDURES

Although the method of procurement may vary depending on the nature and value of the Supplies, Services and Works, the applicable steps in the following procedure must be followed in every case.

Determine the need	<ul> <li>Check if there is an existing arrangement in place</li> <li>A robust specification must be set out as precisely as possible</li> <li>The process to be approved at the relevant authorised level</li> <li>The budget should be available</li> </ul>
Budget Approval	The budget holder should establish whether funds are available to meet the purchase, and ensure that all necessary budgetary approvals are in place in adequate time.
Internal Approval Requirements	<ul> <li>Check if there is an existing arrangement in place</li> <li>It is not solely the immediate need of a Once-Off purchase that should be considered but, where possible, future potential requirements, thus, reducing procurement administration and obtaining improved value for money.</li> <li>A robust specification must be set out as precisely as possible</li> <li>The process is to be approved at the relevant authorised level</li> <li>The budget should be available</li> </ul>
Identify your procurement strategy	<ul> <li>Calculate the total life value /thresholds</li> <li>Select the appropriate process in line with the thresholds</li> <li>Determine whether a Single Party or Multi Party Framework is the most appropriate</li> </ul>
Develop the tender documentation	<ul> <li>Select the appropriate template (available on tendering sites i.e. eTenders, Supplygov.ie etc.)</li> <li>Compile Specification</li> <li>Identify Selection Criteria</li> <li>Identify Award Criteria</li> <li>Specify how the supplier will be drawn down if Multi Party Framework.</li> <li>Prepare Evaluation sheet</li> <li>Check that the insurance requirements are clear and appropriate</li> <li>Prepare Contract Terms and Conditions</li> </ul>
Advertise and Publish the RFT	<ul> <li>Clearly specify all tenders are to be submitted electronically</li> <li>Advertise appropriately and manage queries and clarifications via tendering sites</li> </ul>
Receive and Evaluate the tender	<ul> <li>Ensure Compliance with Evaluation Procedures</li> <li>Uphold the principle of Fairness, Transparency, Equality, Non-Discriminatory &amp; Confidentiality.</li> </ul>

Decide and Notify Award	<ul> <li>Identify successful tenderer/s</li> <li>Appropriate Authorised officer to approve the procurement</li> <li>Observe appropriate Standstill procedures</li> <li>Obtain Chief Executive/Delegated Officers order where required</li> </ul>
Conclude Contract	<ul> <li>Sign contract after standstill period has passed</li> <li>Publish Contract Award Notices on-line as required</li> <li>Obtain ProcRef as required by e-mailing procurement@limerick.ie (this will be needed for payment)</li> </ul>
Manage the contract	<ul> <li>Manage the contract, watching for any material change. Manage any disposal involved.</li> </ul>
Review Contract	<ul> <li>Review the contract at the end or in time for any renewal.</li> <li>Implement any lessons learned into future re-tendering</li> </ul>

# **Identifying the appropriate Procurement Process**

The value of the contract will determine the process to be followed;

- The estimated value of a contract is exclusive of VAT, should be inclusive of any
  forms of maintenance fees and renewals and be based on the total life cycle of
  the contract/cumulative cost. Therefore, if a framework initially runs for two
  years with an option for two extensions of up to twelve months each, then the
  estimated value calculation would be four years.
- If the competition is divided into Lots, the value is the total estimated value of all the Lots.
- No purchase may be sub-divided to prevent it coming within a threshold. The
  estimated value of the contract will determine which procurement rules apply,
  local, national or EU.

\*\*\*Where possible, a collaborative procurement approach should be taken when procuring suppliers/works/services as it is the cumulative spend per Supplier for 'same type contractual work' which truly determines the appropriate threshold spend and also is what is taken into account at audit stage.

6.	Thresholds and procedures for Supplies and Services (All ex VAT)	
	Estimated Contract Value (excl. VAT)	Procurement Procedure
	Less than €50,000	<ul> <li>Obtain quotations from at least three competitive suppliers.</li> <li>Use email, eTenders or Supplygov to seek quotations</li> <li>It is recommended to set a closing date and time for receipt of quotes.</li> <li>When requesting a quote via email, ensure to seek an acknowledgement of receipt and follow up promptly via telephone if this is not received.</li> <li>Acceptance to be approved by the Administrative Officer (AO), Senior Executive Engineer (SEE) or Analogous by signing the procurement quotations form.</li> <li>The procurement quotations form &amp; copies of the quotations received to be attached to the requisition.</li> <li>Where quotations are sought via eTenders or Supplygov.ie tendering platforms, the electronic award notice screenshot must be attached to the requisition(s) – (in place of the quotations form &amp; copy of quotations). The appropriate level of approval of acceptance of successful tenderer is also required to be attached to the requisition(s).</li> <li>The budget holder must select on the basis of MEAT.</li> <li>Advise all tenderers of the outcome of the process.</li> </ul>
	€50,001 - €221,000	<ul> <li>Keep all documents and receipts for audit purposes.</li> <li>Must advertise on eTenders platform.</li> <li>Open procedure must be used (i.e. single stage process including specification, selection and award criteria) – No Pre-qualification of tenders. NOTE: The open procedure may not be appropriate where confidential or sensitive information is contained in the tender document and therefore the restricted procedure can be used on such occasions.</li></ul>

		Ensure the contract award is completed on the
		tendering platform & RFT is closed online.
		Keep all documents and receipts for auditing purposes.
	Above the EU	Supplies and Services above this value must be     due this of the Confining law and the Confining law an
	threshold €221,000	advertised in the Official Journal of the European Union (OJEU)* and on eTenders
	*advisable to work	<b>NOTE</b> : (eTenders is the tool to advertise in OJEU – the
	on an estimate 10-	notice will be despatched to the OJEU and it will be
ABOVE	15% less than the	published within 2-3 days on both sites from the date
	threshold when	of despatch).
	deciding whether to	Use open, restricted, negotiated or competitive
	advertise in OJEU.	dialogue procedure
		OR Use existing National or Regional Framework
EU		Agreements in place, where possible.
	For certain services	Set selection criteria and award criteria (MEAT) with
	called Title III – above the EU	weightings.
	threshold of	Must adhere to electronic tender opening guidelines.
	€750,000.	Evaluate tenders based on the published criteria and
		<ul><li>document on a scoring/marking sheet.</li><li>Acceptance shall be approved by order of the CE,</li></ul>
	Relates to social and	Limerick City and County Council or delegated officer
	related services, training, security,	where appropriate.
	legal, etc.	Advise all tenderers of the outcome of the process
	1.584., 515.	ensuring the minimum information is provided – this
THRESHOLD		includes: name of winner, application of standstill
		period (14 days), scores, reasons for rejection and features / characteristics of the winner.
		<ul> <li>Ensure the contract award is completed on the</li> </ul>
		tendering platform & RFT is closed online.
		Keep all documents and receipts for auditing purposes.
	€443,000+	Utilities Supplies and Services above this value must be advertised in the OUTU*
		<ul> <li>advertised in the OJEU*</li> <li>Acceptance shall be approved by order of the CE,</li> </ul>
		Limerick City and County Council or delegated officer
		where appropriate.
		Advise all tenderers of the outcome of the process
		ensuring the minimum information is provided – this
		includes: name of winner, application of standstill
		period (14 days), scores, reasons for rejection and features / characteristics of the winner.
		<ul> <li>Ensure the contract award is completed on the</li> </ul>
		tendering platform & RFT is closed online.
		Keep all documents and receipts for auditing purposes.
	€10,000,000+	The only additional requirement here is to advise
		Procurement Officer as Procurement must be listed on
		Limerick City and County Council website as required
		by Public Spending Code.

	•	Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate. Advise all tenderers of the outcome of the process ensuring the minimum information is provided – this includes: name of winner, application of standstill
		period (14 days), scores, reasons for rejection and
		features / characteristics of the winner.

- Ensure the contract award is completed on the tendering platform & RFT is closed online.
- Keep all documents and receipts for auditing purposes.

# 7. Thresholds and Procedures for <u>Works</u> Related Consultancy Services (All ex VAT)

(All ex VAT)	
<b>Estimated Contract</b>	Procedure
Value	
(exclusive of VAT)	
Less than €5,000	<ul> <li>Obtain quotations from at least three competitive suppliers.</li> <li>Use email, eTenders or Supplygov to seek quotations.</li> <li>It is recommended to set a closing date and time for receipt of quotes.</li> <li>When requesting a quote via email, ensure to seek an acknowledgement of receipt and follow up promptly via telephone if this is not received.</li> <li>The procurement quotations form &amp; copies of the quotations received to be attached to the requisition.</li> <li>Where quotations are sought via eTenders or Supplygov.ie tendering platforms, the electronic award notice screenshot must be attached to</li> </ul>
	the requisition(s) – (in place of the quotations form & copy of quotations).  The budget holder must select on the basis of MEAT.  No requirement to adhere to tender receipt and opening guidelines.  Appointment of Consultant is approved by a Director of Service Order, where the estimated value does not exceed €50k in any one case.  The budget holder must attach the Procurement Quotations form/award screen shot, a copy of quotes obtained & the DoS Order to any requisition being raised.  Advise all tenderers of the outcome of the process.  Keep all documents and receipts for audit purposes.
€5,001 - €50,000	No requirement to publish on eTenders website or OJEU.*
c3,001 c30,000	<ul> <li>Use existing National, Regional or Local frameworks, where possible.</li> <li>If not using a Framework then a minimum of five quotations must be sought electronically, via email or eTenders / Supplygov.</li> <li>Use email, eTenders or Supplygov to seek quotations.</li> <li>It is recommended to set a closing date and time for receipt of quotes.</li> <li>When requesting a quote via email, ensure to seek an acknowledgement of receipt and follow up promptly via telephone if this is not received.</li> </ul>
	<ul> <li>The procurement quotations form &amp; copies of the quotations received to be attached to the requisition.</li> </ul>
	<ul> <li>Where quotations are sought via eTenders or Supplygov.ie tendering platforms, the electronic award notice screenshot must be attached to the requisition(s) – (in place of the quotations form &amp; copy of quotations).</li> </ul>
	The budget holder must select on the basis of MEAT.
	No requirement to adhere to tender receipt and opening guidelines.
	<ul> <li>Appointment of Consultant is approved by a Director of Service Order, where the estimated value does not exceed €50k in any one case.</li> <li>The budget holder must attach the Procurement Quotations form/award screen shot, a copy of quotes obtained &amp; the DoS Order to</li> </ul>
	<ul> <li>any requisition being raised.</li> <li>Advise all tenderers of the outcome of the process.</li> </ul>

	Maria III da a constant da constant forma del constant
	Keep all documents and receipts for audit purposes.
€50,001 - €221,000	Must advertise on eTenders platform.
	Open procedure must be used (i.e. single stage process including)
	specification, selection and award criteria) – No Pre-qualification of
	tenders. <b>NOTE</b> : The open procedure may not be appropriate where
	confidential or sensitive information is contained in the tender
	document and therefore the restricted procedure can be used on such
	occasions.
	OR
	<ul> <li>Use existing National, Regional or Local frameworks where possible.</li> </ul>
	Set selection criteria and award criteria (MEAT) with weightings.  Notes adhere to electronic tender apparing suidelines.
	Must adhere to electronic tender opening guidelines.
	<ul> <li>Evaluate tenders based on the published criteria and document on a scoring/marking sheet.</li> </ul>
	Acceptance shall be approved by order of the CE if estimated value
	exceeds €50k in any one case (excl. vat)
	Advise all tenderers of the outcome of the process (giving sufficient)
	information to enable tenderer to understand the reasons they were
	unsuccessful)
	Ensure the contract award is completed on the tendering platform & RFT
	is closed online.
	Keep all documents and receipts for auditing purposes.
Above the EU	Must be published on the OJEU and the eTenders website.
threshold	Open or restricted procedure may be used. Negotiated or competitive
(EU threshold	dialogue procedures to be used only in exceptional circumstances
applicable from	specified in Directive 2014/24/EU.
01.01.2024 to	Must adhere to tender receipt and opening guidelines
31.12.2025 is	Acceptance shall be approved by order of the CE if estimated value
€221,000)	exceeds €50k in any one case (excl. vat).
	Advise all tenderers of the outcome of the process ensuring the
	minimum information is provided – this includes: name of winner,
	application of standstill period (14 days), scores, reasons for rejection
	and features / characteristics of the winner.
	<ul> <li>Ensure the contract award is completed on the tendering platform &amp; RFT</li> </ul>
	is closed online.
	<ul> <li>Keep all documents and receipts for auditing purposes</li> </ul>
	neep an accaments and receipts for additing purposes
€10,000,000+	The only additional requirement here is to advise Procurement Officer as
	Procurement must be listed on Limerick City and County Council website
	as required by Public Spending Code.
	Acceptance shall be approved by order of the CE if estimated value
	exceeds €50k in any one case (excl. vat)
	Advise all tenderers of the outcome of the process ensuring the
	minimum information is provided – this includes: name of winner,
	application of standstill period (14 days), scores, reasons for rejection
	and features / characteristics of the winner.
	Ensure the contract award is completed on the tendering platform & RFT
	is closed online.

Keep all documents and receipts for auditing purposes.

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 is consistent with MEAT.

<sup>\*</sup> While in respect of works related consultancy below €50,000 there is no requirement to advertise on eTenders or elsewhere, the principle of transparency and non-discrimination still needs to be satisfied.

# 8. Thresholds and Procedures for Public Works Contracts ( All ex VAT)

Please note: If the project is construction in nature, please ensure that you comply with Health and Safety Policy and Procedure No. 5 for the Management of Construction Projects. Please click on this link to access Construction Policy and Procedures:

<u>Staff Portal - 05 Policy and Procedure for The Management of Construction Projects.pdf - All Documents</u> (sharepoint.com)

Estimated Contract Value	Procedure
(exclusive of VAT)	
Less than €200,000	<ul> <li>Obtain quotations from at least five competitive suppliers.</li> <li>Use email, eTenders or Supplygov to seek quotations</li> <li>It is recommended to set a closing date and time for receipt of quotes.</li> <li>When requesting a quote via email, ensure to seek an acknowledgement of receipt and follow up promptly via telephone if this is not received.</li> <li>Acceptance to be approved by the Administrative Officer (AO), Senior Executive Engineer (SEE) or Analogous by signing the procurement quotations form.</li> <li>The procurement quotations form &amp; copies of the quotations received to be attached to the requisition.</li> <li>Where quotations are sought via eTenders or Supplygov.ie tendering platforms, the electronic award notice screenshot must be attached to the requisition(s) – (in place of the quotations form &amp; copy of quotations). The appropriate level of approval of acceptance of successful tenderer is also required to be attached to the requisition(s).</li> <li>The budget holder must select on the basis of MEAT.</li> <li>Advise all tenderers of the outcome of the process.</li> <li>Keep all documents and receipts for audit purposes.</li> </ul>
€200,001 - €5,538,000	<ul> <li>Must advertise on eTenders platform.</li> <li>Open procedure must be used (i.e. single stage process including specification, selection and award criteria) – No Pre-qualification of tenders.         <ul> <li>OR</li> </ul> </li> <li>Use existing National, Regional or Local frameworks where possible.</li> <li>Set selection criteria and award criteria (MEAT) with weightings.</li> <li>Must adhere to electronic tender opening guidelines.</li> <li>Evaluate tenders based on the published criteria and document on a scoring/marking sheet.</li> <li>Acceptance to be approved by Approved Officer's Order in-line with delegation orders.</li> </ul>

Above the EU threshold of €5,538,000 (EU Threshold applicable from 01.01.2024 to 31.12.2025)	<ul> <li>Advise all tenderers of the outcome of the process (giving sufficient information to enable tenderer to understand the reasons they were unsuccessful).</li> <li>Ensure the contract award is completed on the tendering platform &amp; RFT is closed online.</li> <li>Keep all documents and receipts for auditing purposes.</li> <li>Must be published on the OJEU and the eTenders website.</li> <li>Open or restricted procedure may be used. Negotiated or competitive dialogue procedures to be used only in exceptional circumstances specified in Directive 2014/24/EU.</li> <li>Must adhere to tender receipt and opening guidelines</li> <li>Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate</li> <li>Advise all tenderers of the outcome of the process ensuring the minimum information is provided – this includes: name of winner, application of standstill</li> </ul>
	period (14 days), scores, reasons for rejection and features / characteristics of the winner.  Ensure the contract award is completed on the tendering platform & RFT is closed online.  Keep all documents and receipts for auditing
	purposes
€10,000,000+	<ul> <li>The only additional requirement here is to advise Procurement Officer as Procurement must be listed on Limerick City and County Council website as required by Public Spending Code.</li> <li>Acceptance shall be approved by order of the CE, Limerick City and County Council or delegated officer where appropriate.</li> <li>Advise all tenderers of the outcome of the process ensuring the minimum information is provided – this includes: name of winner, application of standstill</li> </ul>
	<ul> <li>period (14 days), scores, reasons for rejection and features / characteristics of the winner.</li> <li>Ensure the contract award is completed on the tendering platform &amp; RFT is closed online.</li> <li>Keep all documents and receipts for auditing purposes.</li> </ul>

<sup>\*</sup> While in respect of works projects below €200,000 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 **€200,000** 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 is consistent with MEAT.

Use Capital Works Framework available on <a href="https://constructionprocurement.gov.ie/">https://constructionprocurement.gov.ie/</a>

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

# 9. EU MONETARY THRESHOLDS

Thresholds (exclusive of VAT) above which advertising of contracts in the Official Journal of the EU is obligatory, applicable from <u>1 January 2024:</u>

Works		
Contract Notice	€5,538,000	Threshold applies to Government Departments and Offices, Local and Regional Authorities and public bodies
Supplies and Services	·	•
Contract Notice	€221,000	Threshold applies to Local and Regional Authorities and public bodies outside the Utilities sector
Title III Services	I	
Contract Notice	€750,000	Threshold applies to Local and Regional Authorities for services defined in Annex XIV (Art. 74 – Title III).
Utilities		
Works Contracts	€5,538,000	For contracting entities operating in Utilities sector covered by GPA (water, energy, transport and postal sector)
Supplies and Services	€443,000	For contracting entities operating in Utilities sector covered by GPA (water, energy, transport and postal sector)
Service and Works Conce	ssions	
Concession Notice	€5,538,000	For Local Authorities and Utilities awarding contracts relating to concessions – where the risk is transferred to the private sector (i.e. the concessionaire) and the concessionaire earns their income from exploitation of an asset, i.e. the Contracting Authority does not compensate the concessionaire directly.

<sup>\*</sup>These thresholds are valid from 1 January 2024 to 31 December 2025. Thresholds are revised every two years; next adjustment will be due 1 January 2026.

# 10. Insurance Requirements when Tendering (DPER Circular 10/14)

LCCC 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 the Council for the provision of supplies 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 and cyber 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 LCCC should use the guide below to assessing insurance level requirements. For bespoke and or complex competitions or if the Council has concerns with regard to any aspect relating to subject matter of the procurement then the line manager should contact Irish Public Bodies Insurance for assistance in setting appropriate insurance levels and/or refer to the State Claims Agency (SCA link) to determine the appropriate levels of cover.

Guidance for works and works related services are available on <a href="https://constructionprocurement.gov.ie/">https://constructionprocurement.gov.ie/</a> 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 any one claim or series of claims arising out of a single occurrence (if selfemployed this is not necessary).
Public Liability	€6.5m any one claim or series of claims arising out of a single occurrence.
Environmental Indemnity	€2m
Professional Indemnity	Contract Value (min. €50,000) Risk assess based on potential damage and/or loss (refer to SCA guidance).
Product Liability	Contract Value (min. €50,000) Risk assess based on potential damage and/or loss (refer to SCA guidance).
Cyber Insurance	Risk assess based on potential damage and/or loss (refer to SCA guidance).

# 11. Electronic Tender Opening Protocol

The electronic tender box on the relevant tendering platform, i.e. eTenders, Supplygov., is where tender responses are submitted and this electronic box is open online. It is best practice to identify at least three people, as a minimum of two will be required to open the electronic tender box.

For electronic tender boxes being opened in the office the following steps must be followed;

# Opening of Electronic, OVER and UNDER EU Thresholds, Tender Box

Tender opening is to be arranged by the section/department running the actual tender. The nominated staff should be identified on the tendering site, of which two will open once the closing date and time for submission has been reached.

The tender opening details should be recorded on the 'Confirmation of Tender Opening Form' by the opening committee and the signed form sent to <a href="mailto:liz.creamer@limerick.ie">liz.creamer@limerick.ie</a> (access link to form)

The names and addresses of all persons or firms from whom tenders were received must be circulated, via email by the relevant section/department responsible for the tender, to all the elected members within three working days of the date the electronic tender box was opened.

It is not a requirement to state any of the tender amounts/costs on the notification being circulated to the elected members.

Also, the 'Form to be submitted prior to works contract award' must be emailed to <a href="mailto:ewp@limerick.ie">ewp@limerick.ie</a> as there is a Workplace Partnership agreement with the Trade Unions that they will receive a copy of this form from the Partnership Facilitator (access link to form).

### **Exceptions:**

Requests for quotations via email and Quick-Quotes facilitated on eTenders / Supplygov.ie under the €50,000 threshold for supplies/services & works related consultancy services and under the €200,000 threshold for public works are exempt from the opening and notification protocols above.

# 12. Monitoring and Reporting

#### In-house

The Procurement Officer will monitor procurement compliance as a percentage against spend by directorate.

Management Team will receive a quarterly report on non-compliance per directorate and corrective action will be requested in order to be in adherence to procurement rules.

Single procurements in excess of €10m will be published on the Councils website as per Public Spending Code.

The Procurement Officer will also liaise with both the Internal and Local Government Auditor and arrange for the provision of responses to queries raised.

Regular checks will be conducted on agresso transactions to ensure compliance, examine cumulative spends per supplier, where a collaborative procurement approach could be undertaken.

Corrective action forms being used will be monitored and escalated to next level, where appropriate.

Historical arrangements currently in place which are not compliant will be identified and line managers requested to formalise these in-line with procurement rules.

A centralised contract register to be created and alerts to be incorporated, e.g. 6 & 3 month intervals, to highlight contract expiry date.

# Freedom of Information

Information may be requested on records relating to a tendering procedure under the Freedom of Information Act 2014. Some records may be exempt under the provisions of the Act on grounds of commercial sensitivity or confidentiality. The FOI Officer should be consulted where any issue arises.

#### **Related Party Disclosures**

All staff involved in procurement activity must act in accordance with the ethical framework contained in the Local Government Act 2001 and the Code of Conduct for Employees. Members of a tender assessment team should sign a Declaration of confidentiality and a Conflict-of-Interest form prior to the tender assessment commencing. Staff must disclose any beneficial interest that they or a connected person has in relation to procurement decisions conducted by the staff member on behalf of the Council.

# 13. Agresso MS7 Requisition Approval Levels

Management Team have approved this agresso purchase order approval levels, which are separate from the approver limits to award a tender/contract.

Agresso Purchase Order Approval Levels as Approved by Management Team			
Approver Grade	Requisition Approval Limits from 1st July 2016 - Euro (Ex. VAT)	Agresso Approval Level	
Chief Executive	Greater Than €1,000,000	Job Code Approval Level 6	
Director of Service	€1,000,000	Job Code Approval Level 5	
Senior Engineer, Senior Executive			
Officer, County Librarian	€100,000	Job Code Approval Level 4	
Senior Executive Engineer, Project			
Administrative Officer	€70,000	Job Code Approval Level 3	
Executive Engineer, Senior Staff			
Officer, Executive Scientist	€40,000	Job Code Approval Level 2	
Senior Executive Technician, Staff			
Officer	€10,000	Job Code Approval Level 1	

# **Requisition Attachment Checklist**

#### **APPENDIX 1**

To assist in the raising of requisitions, we have put together the below checklist which you may use as reference as it outlines what is required to be attached to a requisition when it is being raised;

#### Requisition Not Raised in Advance of provision of Works/Supplies/Services

- A Memo (Requisition not Raised in Advance) needs to be attached to explain why the requisition was not be raised in advance of the commencement or delivery of works or goods.
- No Procurement Reference (ProcRef) being used as no Procurement competitive process was undertaken but the intention is to formalise by engaging in a procurement process then a CAPA is required
  - A Corrective action form levels 1, 2 or 3
     <u>Level 1</u> is available for you to use on the staff portal and the RQ Oversight
     Unit will escalate & provide <u>Level 2 and 3</u> on request. (Each level has a life
     span of 3 months)
  - o The ProcRef must be left blank on the requisition to demonstrate that it has not been procured in line with Procurement Policy 2021-2023
- If you are using Procurement Reference for Quotation based arrangements (3 or 5 quotations/RFQs via email) Q18010000003 or Q18010000005 for the following max values of:
  - o <€50,000 Supplies & Services / <€200,000 Public Works</p>
  - Procurement quotations form signed by the AO / SEE / Analogous as approval of acceptance of the selected supplier
  - Copy of quotations received (any issues with attaching due to size please contact rqoversight@limerick.ie)
- If you are using the Office of Government Procurement (OGP) arrangements (e.g., N00000000558)

For a direct draw down (single supplier framework)

- Where "confirmed" is on the ProcRef description or the ProcRef starts with 'NNAGF'
   no requirement for procurement supporting documents.
- o Where the ProcRef is not marked as "confirmed" Confirmation of account set up between the section & the supplier (can be email) (or notification to activate goods form (NTAGF) is required.

# For a mini competition – multi supplier framework (NSRFT – supplementary Request for tender)

o Copy of award notice/confirmation of successful tenderer.

o Relevant acceptance of approval in line with Procurement Policy 2021-2023.

# • If you are using Supplygov.ie arrangements (e.g., SLL20000117T or SLL20000073Q)

- Screen shot of award notice clearly identifying the successful tenderer(s) & any substitutes
- o The cumulative value must be cited on the attachment where no AOO is provided
- o Relevant AOO where cumulative value will be in excess of €50,000 for supplies/services & in excess of €200,000 for public works as identified above.

# • If you are using eTenders (RFT) / (RFQ-Quick Quotes) (e.g., L00000173340)

- o Award notice or signed tender evaluation marking/ranking sheet clearly showing the successful tenderer
- o Approved Officer's Order where applicable as per Policy Thresholds
- If you are using Sole Suppliers / Non-procurable Arrangements please see screen shot as an example

L00000000008 PROCREF An Post Confirmed Sole Provider

- o If the words 'confirmed' or non-procurable are included in the ProcRef description there is no requirement to complete the online Sole supplier form (SSF).
- → If ProcRef does not exist on Agresso and you require a ProcRef please complete the online Sole supplier form (SSF) and you will be advised as to how to proceed

# If you are using L00000000249 – Good Value for Money under cumulative spend of €5k

 Justification signed by the AO/SEE or analogous outlining reason for supplier selection

### Please note:

**Cumulative spend below EU Thresholds** (i.e. request for quotes / tenders under values below) acceptance of successful supplier to be approved by level identified in Procurement Policy 2021 - 2023;

- o <€50,000 Supplies & Services
- o <€200,000 Public Works

No Approved Officer's Orders required

**Appointment of Works Related Consultancy Services** remains unchanged (is in line with the Delegation Orders:

- o Where the estimated value does not exceed €50k in any one case (excl. vat), the appointment is approved by a Director of Service Order.
- o Appointment to be approved by order of the Chief Executive if the estimated value exceeds €50k in any one case (excl. vat)

I attach here a link for the forms as identified above. Click Here

# ✓ Non-Specific ProcRefs – refer to thresholds on Procurement Policy for further guidance

ProcRef	Description	Requirements
L00000000249	Good Value for Money - cumulative spend under 5k	<ul> <li>A justification signed by the AO/SEE or Analogous, outlining reasons for supplier selection, e.g., suitability, carbon footprint etc.</li> </ul>
L00000000745	Acquisitions Non-Procurable / Sole Provider  (A sole source purchase means that only one supplier (source), to the best of the requester's knowledge and belief, based upon thorough research, (i.e. conducting market research), is capable of providing an item or service, and therefore it is not possible to obtain competitive bids)	<ul> <li>Please fully complete the online Sole Supplier Procurement Setup/ Justification Form available to you on the Staff Portal</li> <li>You will receive a reply by email.</li> <li>Please arrange for this to be uploaded to the Requisition for approval/rejection</li> </ul>
Q18010000003	Three Quotes - attach evidence  < €50,000 - Supplies / Services  < €5,000 - Works Related  Consultancy	<ul> <li>Ensure spend is within the specific thresholds in LCCC Procurement Policy – pages 18-27</li> <li>The Quotations form is to be attached to RQ and signed by the Administrative Officer/ Senior Executive Engineer/ Analogous as approval of acceptance of the selected supplier</li> <li>Copy of the quotes received must also be attached to the RQ</li> </ul>
Q18010000005	Five Quotes - Attach Evidence  €5,001 - €50,000  Works Related Consultancy &  < €200,000 – Public Works	<ul> <li>Ensure spend is within the specific thresholds in LCCC Procurement Policy – pages 18-27</li> <li>The Quotations form is to be attached to RQ and signed by the Administrative Officer/ Senior Executive Engineer/ Analogous as approval of acceptance of the selected supplier</li> <li>Copy of the quotes received must also be attached to the RQ</li> </ul>

The objective of the above is to clarify the requirements when raising requisitions but should you have any further questions please do not hesitate to contact <a href="mailto:RQOversight@limerick.ie">RQOversight@limerick.ie</a> for requisition queries and <a href="mailto:procurement@limerick.ie">procurement@limerick.ie</a> for procurement queries.