PROCUREMENT

GUIDANCE FOR SUPPLIERS RESPONDING TO TENDERS VIA WWW.ETENDERS.GOV.IE

Comhairle Contae Chill Dara
Kildare County Council

This guidance document aims to support and encourage suppliers to respond to quotations, tenders or mini-competitions issued by Kildare County Council including via the www.etenders.gov.ie website.

This guidance document should be read in conjunction with the public procurement guide for Small and Medium Enterprises (SMEs) and Sole Traders which provides a more in-depth guide to public procurement in general available at Introduction.

Kildare County Council takes no responsibility for the accuracy of this content. It is developed in an effort to support interested suppliers responding to tenders published by Kildare County Council, and addresses how to upload and respond to the individual tender competitions. It does not in any way refer to how tenderers should complete the required tender documentation to be submitted. It is possible it is not relevant for all competition types as requirements and tasks may vary.

Contents

What is Public Procurement?

Public Procurement relates to expenditure by organisations funded, or part-funded by the State, for certain value public contracts.

The Office of Government Procurement (OGP), the agency tasked with leading the reform of public procurement in Ireland, defines public procurement as:

"the process by which public bodies purchase works, goods or services from suppliers which they have selected for this purpose. It ranges from the purchase of routine goods or services to large scale contracts for infrastructural projects and involves a wide and diverse range of contracting authorities"[1]

[1] OGP Public Procurement Guidelines for Goods and Services v2 2019

BUYERS ⟵⟶ SELLERS

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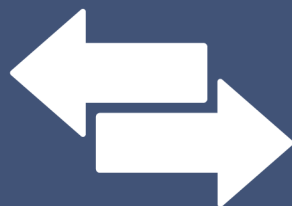
Who is involved in Public Procurement?

The market comprises of two groups – Buyers and Sellers:

BUYERS

In Ireland, contracting authorities comprise of central government departments and agencies, bodies governed by public law (e.g. Enterprise Ireland) and regional and local authorities.

They are subject to national and EU procurement rules when awarding contracts for supplies, works and services. Kildare County Council is known as a contracting authority.

Central Purchasing Bodies[1] (CPB) 'means a contracting authority providing centralised purchasing activities and, possibly, ancillary purchasing activities.

The Local Government Operational Procurement Centre (LGOPC) is a CPB for Local Authorities for certain categories, via arrangements including the SupplyGov system. The Office of Government Procurement (OGP) is also a CPB for a wide range of contracting authorities.

A key activity carried out by CPBs is the setting up of purchasing mechanisms such as frameworks and dynamic purchasing systems (DPS) explained further on, with pre-qualified suppliers who can be awarded contracts and/or invited to tender by identified public bodies.

This avoids duplication of effort by allowing contracting authorities to make purchases using these mechanisms instead of having to go out to the market directly and go through lengthy procurement processes for every purchase.

Public Buyer - Personnel within Kildare County Council will act as public buyers on behalf of the organisation when engaged in procurement activities.

[1] (Art 2(16) of Directive 2014/24/EU)

Who is involved in Public Procurement?

SELLERS

Sellers are often referred to as Economic Operators, this is essentially the legal term for vendors who might submit a bid and/or be awarded a contract, which offers:

▶ the execution of works and/or a design & execution of a work (known as contractors)

▶ the supply of products (known as suppliers) or

▶ the provision of services (known as service providers) on the market [1].

[1] (Art 2(10) of Directive 2014/24/EU)

Key Technical Terms

A **Contract** is a defined requirement, fully specified and priced, involving a commitment to purchase.

A **Framework Agreement** is defined as an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.

This offers a mechanism for awarding contracts of a repetitive nature to economic operators (Sellers)

They may be established as either:

▶ As single supplier framework whereby the single member of the framework is considered for all work within the scope of the framework, or

A multi-supplier framework whereby contracts may be awarded via:

1. mini-competition all members are invited to tender for each contract and/or
2. direct drawdown using the cascade system where the first ranked firm is offered the contract, if they cannot perform the contract the contract is offered to the second ranked firm.

▶ **Dynamic Purchasing System** (DPS) is essentially a list of qualified firms and is fully operated via eTenders. When a contract is being tendered ALL members of the DPS are invited to tender. Unlike a framework agreement, which restricts tenderers joining, tenderers can be added to a DPS at any time subject to the published eligibility criteria.

▶ **Panels** are essentially similar to a DPS, however they can only be used at EU level for certain health social and related services (Title III Services) or below EU value spend. Panels differ from a DPS as they allow the award of contracts by inviting limited numbers of tenderers (recommended at least 5 selected by either random selection, rotation, or the application of specific criteria (i.e. selecting the most qualified members of the Panel.

▶ **Lots** are mechanisms for splitting up procurements whether contracts are frameworks, DPSs or Panels, to enable economic operators to apply based on the lot limit, e.g. geography, specialism or value of contracts.

▶ **SupplyGov.ie**, Kildare County Council, like many local authorities and other agencies, uses the SupplyGov platform. This is a list of pre-qualified firms established as a DPS or framework. The mini competitions under established frameworks and DPSs can be run through the system. Two key local government spend categories are available via SupplyGov:

1. Minor Works & Civils
2. Plant Hire

Note: The rules governing the award of contracts under any of these mechanisms would have been published with the original procurement documents. For example, a framework could provide for a combination of mini-tender and cascade methods for contract drawn down.

Methods for Awarding Contracts

There are different advertising and purchasing methods available to contracting authorities

When Kildare County Council (KCC) is going directly to the market the following methods can be used depending on the value of procurement in relation to whether it is a contract, framework, DPS or Panel:

▶ **Quotations** – where KCC has discretion over who to invite to submit a quotation. Below are the which this method may be used for (see full details on page 8):

▶ **National Tenders** – where KCC must advertise its requirements on the eTenders platform www.etenders.gov.ie and comply with strict national rules and protocols on tendering.

▶ **EU Tenders** – when the values of the procurement exceed certain values, KCC will be subject to EU Directives on public procurement, therefore the procurements must be advertised in the Official Journal of the European Union (OJEU) in addition to www.etenders.gov.ie. The notice is drafted on eTenders and automatically published in 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 legislation, namely Directive 2014/24/EU as transposed into Irish law by Statutory Instrument 284 of 2016. The EU thresholds change every two years and are currently as follows for Local Authorities:

Kildare County Council may also award contracts to members of Frameworks, DPSs and Panels which have already been established via the methods outlined above.

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The Advertising Thresholds
Summarised

Mechanism	Supplies	Services	Works
Quotations	Less than €50,000	Less than €50,000	Less than €200,000
National Tenders – Central Government	Between €50,000 and €143,000	Between €50,000 and €143,000	Between €200,000 and €5,538,000
National Tenders – Local Authorities / Bodies Governed by Public Law	Between €50,000 and €221,000	Between €50,000 and €221,000	Between €200,000 and €5,538,000
EU Tenders – Central Government	Greater than €143,000	Greater than €143,000	Greater than €5,538,000
EU Tenders – Local Authorities / Bodies Governed by Public Law	Greater than €221,000	Greater than €221,000	Greater than €5,538,000
EU Tenders TITLE III Services*	n/a	Greater than €750,000	n/a
EU Tenders Concessions**	n/a	Greater than €5,538,000	Greater than €5,538,000

*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 operator of the concession. 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. Concessions at EU value are subject to a separate EU directive (2014/23/EU).

What does this mean for Suppliers/Service Providers and Contractors?

For quotations, suppliers should make Kildare County Council aware of goods and services they can provide so that they may be considered as part of invitations to quote for contracts that come within the relevant thresholds.

This is how...

Local Enterprise Offices (LEOs) also often host 'meet the buyer' events and it is a good idea to link in with your local LEO to get information of these opportunities.

For national and EU level procurements suppliers will need to register on eTenders to be notified about these competitions for public contracts. Please see guidance below.

It is important for economic operators to apply for inclusion in Frameworks, Panels and DPSs when they are initially advertised. It is particularly important to do so with Frameworks as unlike Panels and DPSs they will be closed to new suppliers for their defined duration once the closing date has passed.

It is also important for suppliers to make themselves aware of existing DPSs and Panels which they can still apply for inclusion in. There will be existing DPSs established by the OGP and through www.supplygov.ie. It is important that suppliers register on the www.supplygov.ie platform to avail of public procurement opportunities for the local authority sector managed through this platform.

In Summary

There are many opportunities to win public contracts with Kildare County Council, as once off contracts but also to become members of frameworks, panels and DPSs to bid for contracts awarded under these mechanisms. In addition, it is also important to be aware of opportunities such as 'Meet the Buyer' events organised through the local enterprise network.

Finally, to avail of many of these opportunities it is critical to register on the platforms set out in this document, including on the new eTenders website. KCC is providing a step-by-step guide to responding to tenders on www.etenders.gov.ie, set out below at Appendix 1.

Appendix 1: Guidance on Accessing eTenders

Registering on eTenders

There is a new eTenders platform which went live in 2023. If you want to respond to calls for competition via eTenders you must register your business on the platform. There are different processes for registering on the new platform depending on whether it is your first time to register or whether you were previously registered on the previous eTender platform

Please see www.etenders.gov.ie for step by step guides to register.

E-Tenders Helpdesk

Any queries on how to access the eTenders platform or other technical issues should be addressed to the eTenders Helpdesk

Email: irish-eproc-helpdesk@eurodyn.com

Phone: +353 818001459

Phone and online support is available between 9.00am and 5.00pm, Monday to Friday.

E-TENDERS TERMINOLOGY

Old term	New term	Meaning
RFT	**CfT**	Call for Tenders – relates to the creation of a new competitive process whether advertised, quotation or mini-tender
Express an Interest	**Associate**	This is similar to Express an Interest in the old eTenders system – suppliers must be associated with a competition to actually be able to participate in it – this is accessed by logging-in to the platform
System ID/ RFT ID	**Resource ID**	System generated unique ID for each CfT – a key number to use to find specific competitions
Quick Quote	**Simplified Process**	Creation of a quotation or mini-tender process where those invited are chosen by the Contracting Authority
n/a	**Workflow**	Selecting which activities go offline/online

Appendix 1: Guidance on Accessing eTenders

Accessing Tenders of Interest – You must Associate

There are multiple ways to find the tender competitions you are interested in, however:

IT IS A MANDATORY REQUIREMENT TO LOG-IN AND ENSURE YOU ASSOCIATE YOUR COMPANY WITH THE COMPETITION IN ORDER TO BE ABLE TO….

➤ Raise and receive clarifications
➤ Submit your tender response

If you access the tender documents without logging in, i.e., if you download without association, you will not be able to raise questions, receive queries or submit your tender.

Do not download by clicking on PROCEED WITHOUT ASSOCIATION.

DOWNLOAD CONTRACT DOCUMENTS

Currently you are not logged in, therefore the system cannot associate you with the CfT so that it can inform you automatically in case new addendums, corrigendas or clarifications are published. To be associated with the competition, you need to first log in

CANCEL DOWNLOAD   PROCEED WITHOUT ASSOCIATION

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Kildare County Council

Appendix 1: Guidance on Accessing eTenders

How to Associate your Organisation with a Call for Tender (CFT)

Go to the home screen and log-in.
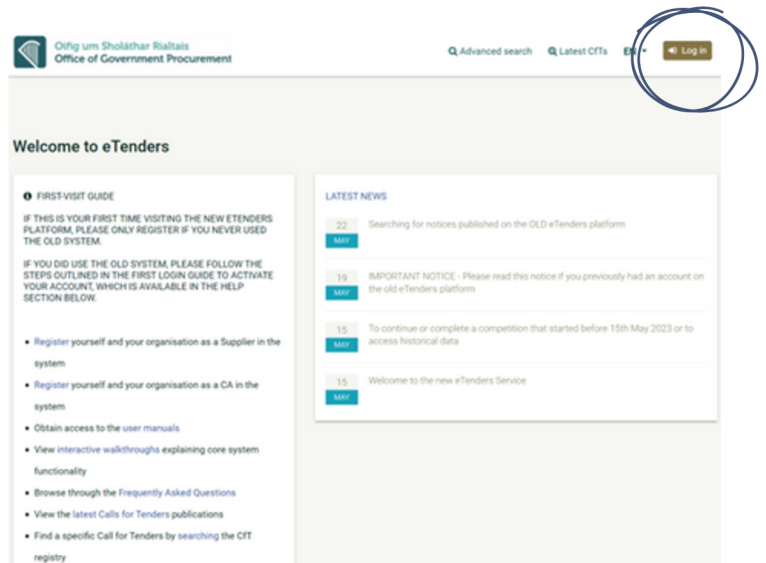
Finding a Tender

Once logged in, click on search button.

Here you can search by **Calls for Tenders, Organisations or Contract.** However, you can't associate via this search. Instead, we recommend using the 'Advanced Search' function to get more details and to associate with the competition.
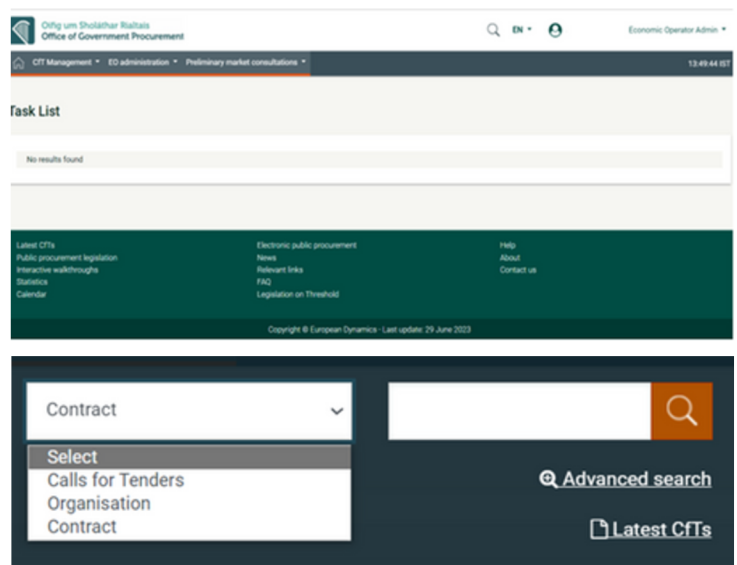
Appendix 1: Guidance on Accessing eTenders

Using the Advanced Search Tab to Associate

Use any of these fields to search for the competition, the most relevant being:
- Enter a key word in Title and competitions containing that key word will appear
- Name of Contracting Authority – e.g. Kildare County Council
- CfT Resource ID – this is the unique competition reference number (this is the 7-digit code relevant to the competition

A list of tender opportunities will appear at the bottom of the search screen.
Click on the hyperlink of chosen competition.

#	Title ▲▼	Resource ID ▲▼	CA ▲▼	Info	Date published ▲▼	Tenders Submission Deadline ▲▼	Procedure ▲▼	Status ▲▼	Notice PDF	Award date ▲▼	Estimated value	Cycle ▲▼
1	Proposed Food, Drinks and Skills Innovation Hub at the Model School, Dublin Road, Athy, Co. Kildare for Kildare County Council	2776700	Kildare County Council_385	ℹ	29/11/2023 10:30:31	29/01/2024 16:00:00	Open	Tender Submission	📄			1
2	Multi-Party Framework Agreement for Planned Building Maintenance Works 2023 - Kildare County Council	2752633	Kildare County Council_385	ℹ	24/11/2023 12:19:08	12/01/2024 12:00:00	Open	Evaluation	📄		2,000,000.00	1
3	2023Nov; Kildare Skills Audit	2690187	Kildare County Council_385	ℹ	13/11/2023 16:06:54	04/12/2023 12:00:00	Open	Awaiting Tender Opening	📄		45,000.00	1
4	Solar PV Design and Installation at Cotton Mills Warehouse Development, Naas, Co. Kildare	2674284	Kildare County Council_385	ℹ	10/11/2023 15:41:47	01/12/2023 12:00:00	Open	Evaluation	📄		120,000.00	1
5	Provision of Out of Hours (Non-Emergency) Call Answering Service	2652999	Kildare County Council_385	ℹ	07/11/2023 10:55:14	11/12/2023 14:00:00	Open	Evaluation	📄		100,000.00	1

You are now in the **CfT Workspace.** The CfT Workspace provides an overview of the competition.

View CfT Workspace

CFT: PROPOSED FOOD, DRINKS AND SKILLS INNOVATION HUB AT THE MODEL SCHOOL, DUBLIN ROAD, ATHY, CO. KILDARE FOR KILDARE COUNTY COUNCIL ▦ Show CfT Menu ▾

TENDER SUBMISSION DEADLINE IN (DAYS/HOURS):	4/19
NAME OF CONTRACTING AUTHORITY:	Kildare County Council_385
TITLE:	Proposed Food, Drinks and Skills Innovation Hub at the Model School, Dublin Road, Athy, Co. Kildare for Kildare County Council
CFT CA UNIQUE ID:	
EVALUATION MECHANISM:	Price/Cost Effectiveness
DESCRIPTION:	Proposed Food, Drinks and Skills Innovation Hub at the Model School, Dublin Road, Athy, Co. Kildare for Kildare County Council
PROCUREMENT TYPE:	Works
DIRECTIVE:	2014/24/EU (Classic)
PROCEDURE:	Open
CFT INVOLVES:	A Public Contract
CPV CODES:	45210000-Building construction work 45350000-Mechanical installations 45351000-Mechanical engineering installation works 45315000-Electrical installation work of heating and other electrical building equipment 45311200-Electrical fitting work 45317000-Other electrical installation work

Click on **Show CfT Menu**   ▦ Show CfT Menu ▾

Appendix 1: Guidance on Accessing eTenders

This drop-down menu presents you with a list of actions.
Click on **Expression of Interest**
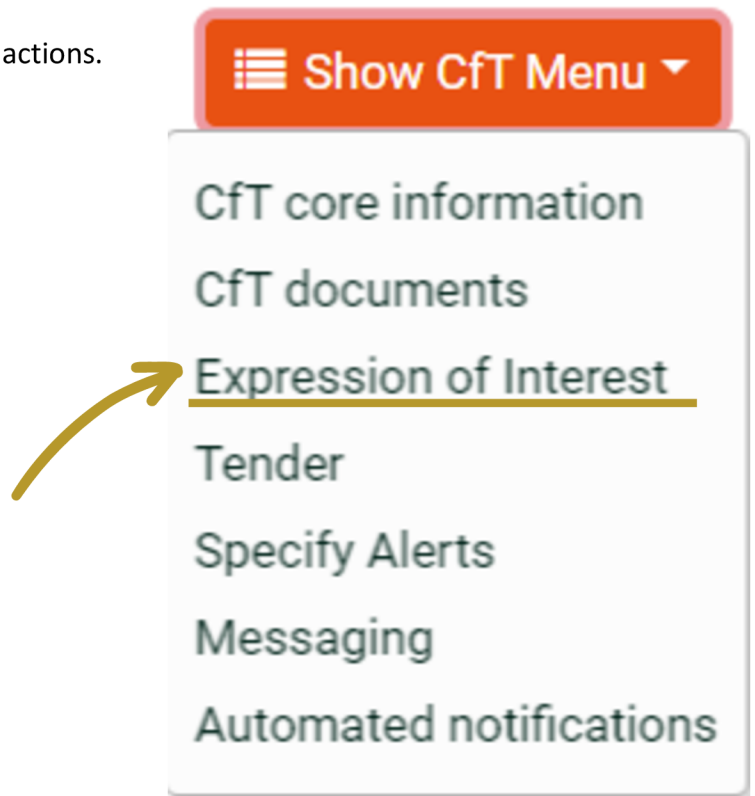
Advisable to click on Option 1 - Associate all users of my Economic Operator with this CfT.

This way all communications will be received by all registered users within your organisation.

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Appendix 1: Guidance on Accessing eTenders

Functionality for Supplier Associated with a Competition
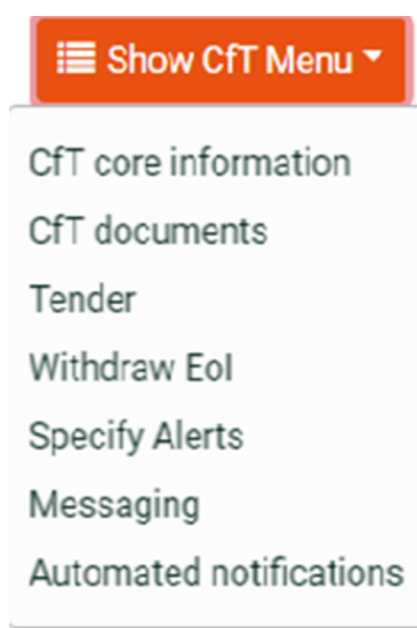
On the CfT drop-down menu you can access the following:

- **CfT Core information** – this provides you with high level information on the competition
- **CfT documents** – this provides you with access to the competition documents
- **Prepare your tender** – this brings you to the tender submission section
- **Withdraw EoI** – this allows you to cancel your interest in the competition
- **Specify Alerts** – you can set alerts to remind yourself of tasks and timelines
- **Messaging** – send, receive and view the messages about queries regarding the competition.
- **Automated notifications** – allows you associate additional members of your team with the competition

Appendix 1: Guidance on Accessing eTenders

Accessing the Tender Documents

Select 'CfT documents' on the Show CfT Menu
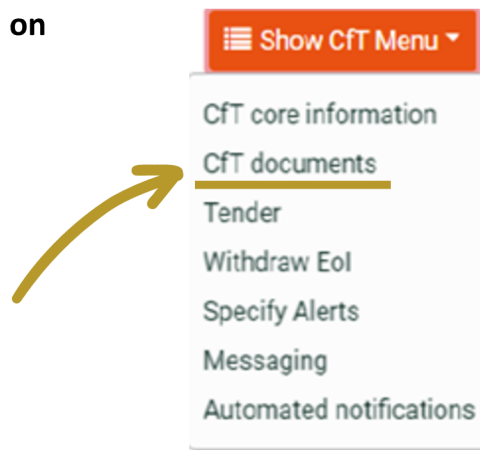
Download the documents individually under the file tab or using the Download Zip File.

Appendix 1: Guidance on Accessing eTenders

Messaging

Select 'Messaging' on the Show CfT Menu
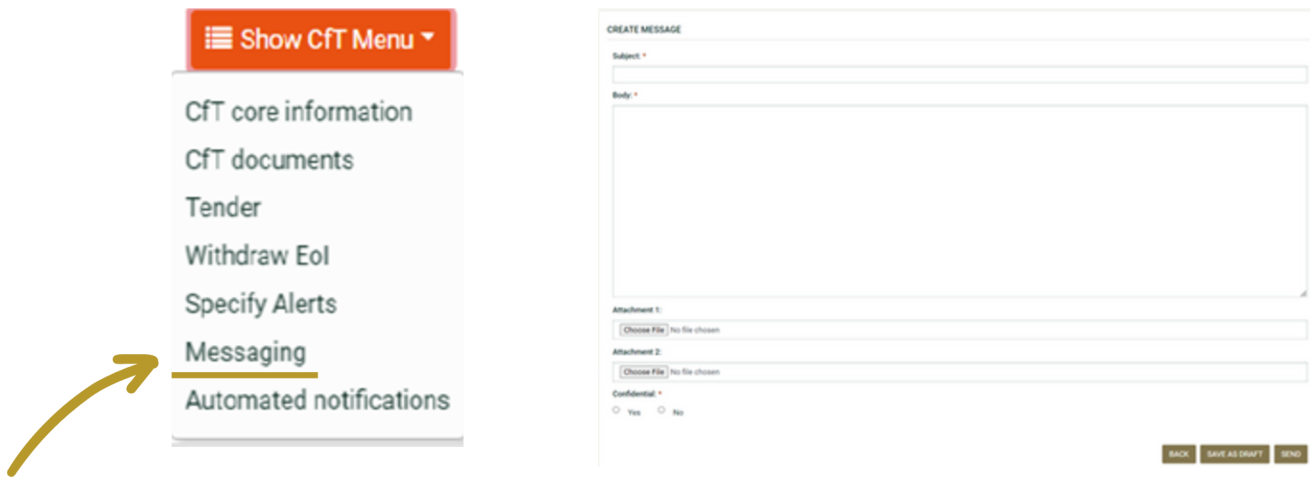
Always use relevant/logical reference in the SUBJECT box when raising queries.

In the BODY write your query.

Attach any documents relevant to the question

THIS IS NOT THE TENDER SUBMISSION AREA!!!!

You may mark your question as Confidential – this does not necessarily mean the answers will not be shared with all the tenderers

You will receive emails when messages are published – to access go to Messaging Tab (above)

Appendix 1: Guidance on Accessing eTenders

Responding to a Tender
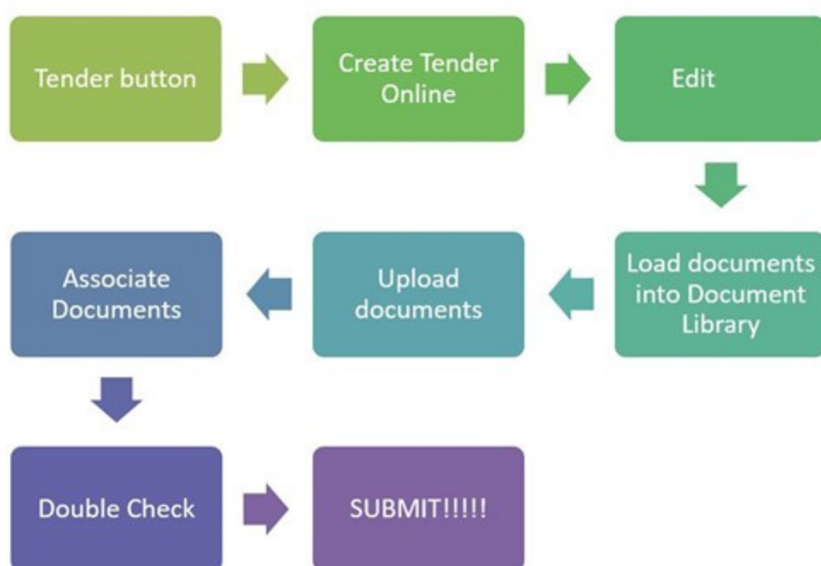
Figure 1 Overview of Important Actions to Respond to a Tender

To Prepare to Respond

Log in (see page 13)

To find the competition – click on List of my CfTs. Go to the relevant competition – in the Core CfT Information click on 'Tender.'

Checking before you upload

Once all your documents are ready ensure you:

- Check all documents for completeness – ensure you have completed all relevant sections.
- Ensure file names are logical.
- Check that you followed the font size/page limits and other instructions.
- Make sure you took account of all Queries/Answers provided by the Contracting Authority.
- You are now ready to submit a response.
- You are required to upload as a zip file to protect the integrity of file names.
- It is advisable to give plenty of time - we recommend this is the day before the closing date.

NOTE: No late tenders will be considered.
You must complete the full upload prior to the submission deadline

Appendix 1: Guidance on Accessing eTenders

Starting the Response Upload

Click on the green button 'Create Tender Online'

Give your submission a title.
We recommend you include your firms name in the title with a reference to the subject of the competition, then press 'Save'

Appendix 1: Guidance on Accessing eTenders

Starting the Response Upload

You will be taken to the following screen
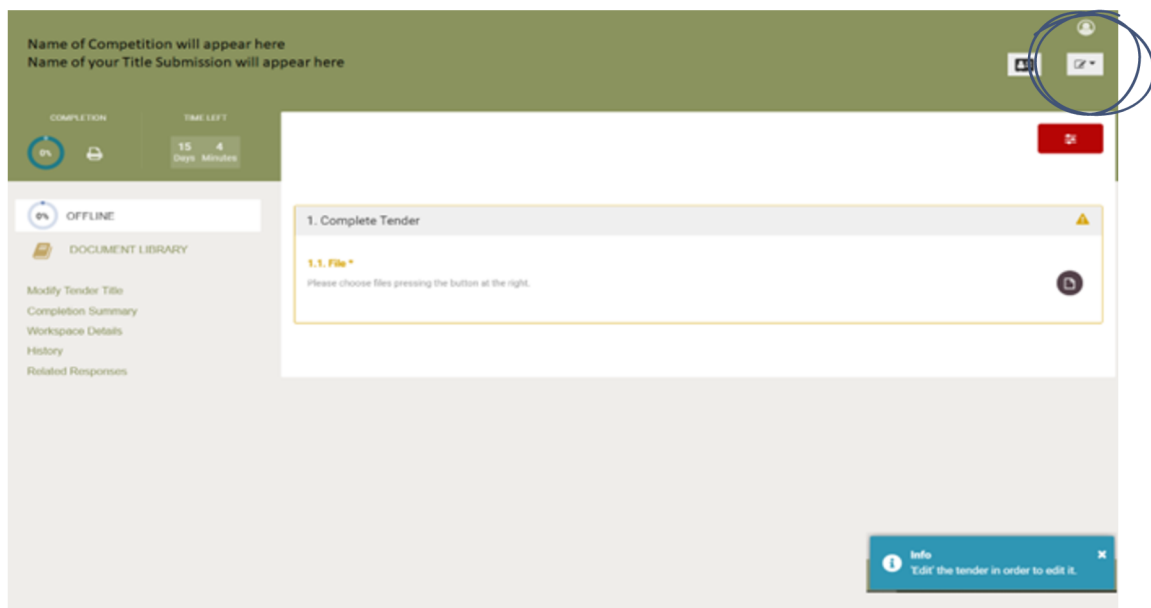
You must select 'Edit' to be able to upload documents
This is available by clicking the little pen box on the right under your log-in logo:
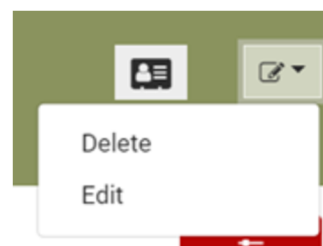
Click on the Document Library to load your documents.
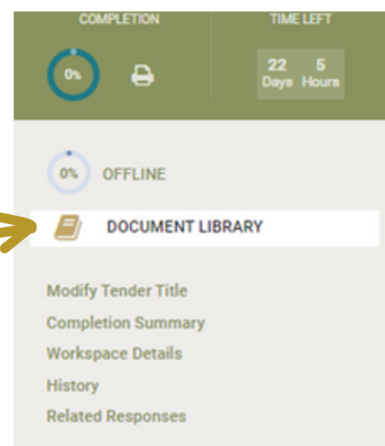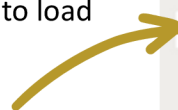
Appendix 1: Guidance on Accessing eTenders

Starting the Response Upload

Use the Choose Files or Drag & Drop button to get them to the Queue. You are requested to upload your documents as a Zip file to protect the integrity of file names.
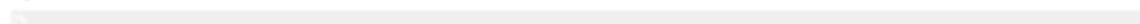
Appendix 1: Guidance on Accessing eTenders

Loading documents from Queue

You still have a remaining task before full submission

When you upload documents, they move to upload queue with 0%. Note the file size limit.

Your documents are not available to submit yet - you still have another task to do to complete the upload

Moving from Queue to Uploaded

The documents available at 100% now have to be uploaded

Click the **upload button** to upload

Even though you see them in the uploaded box below they are greyed out…

YOU MUST NOW ASSOCIATE YOUR DOCUMENTS WITH RELEVANT CRITERIA

To associate documents with the competition, click on the 100% button beside OFFLINE.
Note: 100% does not mean you have submitted yet.

You are now back at the Complete Tender window – you can see that Test IIII is not yet associated.

Appendix 1: Guidance on Accessing eTenders

Loading documents from Queue

Click the relevant files and press save.

Select Reference Files For ✕

> Only files associated with one or more criteria will be submitted.
> If you see "OFFLINE" at the left of the page instead of "Eligibility/Technical/Financial", then please upload a single zip file, with all your tender documents.
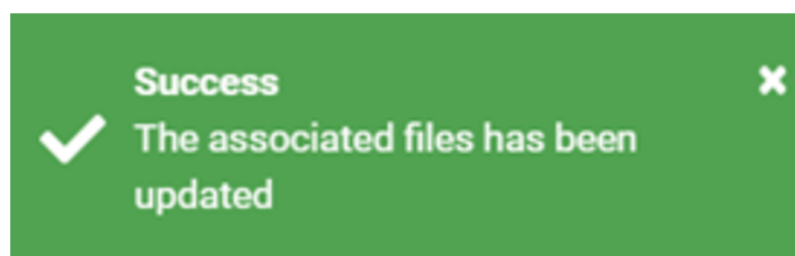
File

☐	Filename	Title	Comment
☑	Test 1 Doc.docx	N/A	Enter comment/s

Upload a new file   Cancel   **Save**

The following will tell you all the files have now been associated:

Success ✕
✓ The associated files has been updated

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Appendix 1: Guidance on Accessing eTenders

Tender Response Documents: Associated or not Associated?

In the example below, the first 3 documents have been associated (white page symbol) and the 4th document has not (grey page symbol).

All the documents must be associated.

Uploaded **47 KB** of the **100 MB** allowed for this response.

| Filename		Title	Size	Remove
Test 1 Doc.docx		N/A	12 KB	✖
Test 2 Doc.docx		N/A	12 KB	✖
Test TRD Doc #1.docx		N/A	12 KB	✖
TESTING 1111.docx		N/A	12 KB	✖

Appendix 1: Guidance on Accessing eTenders

FINAL STEP: Submitting your Tender

Once you are satisfied that all the files are correct and you are happy to submit, click on the 'Submit' button which will appear
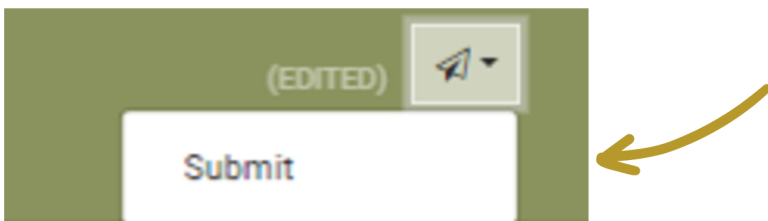
ONLY WHEN SUBMITED APPEARS HAVE YOU ACTUALLY SUBMITTED....
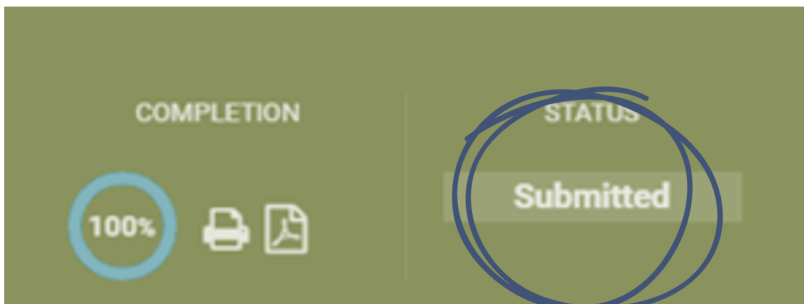
You will receive an e-mail telling you that you have submitted a response.

Procurement Unit Contact Details

Clodagh Lyons – Senior Executive Officer
Sabrina Fogarty – Procurement Officer
Fergus Hogan – Staff Officer

Team contact details
Email: procurement@kildarecoco.ie
Phone: 045-980885

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www.kildarecoco.ie