



Ollscoil
Teicneolaíochta
an Atlantaigh

Atlantic
Technological
University

Dynamic Purchasing System (DPS) 16/23DL for International Higher Education Student Recruitment for Atlantic Technological University

Stage 1 Pre-Qualification Questionnaire

DPS Information Document

INVITATION FOR DYNAMIC PURCHASING SYSTEM FOR INTERNATIONAL HIGHER EDUCATION STUDENT RECRUITMENT FOR ATLANTIC TECHNOLOGICAL UNIVERSITY

Contracting Authority:	Atlantic Technological University
Establishment of DPS for:	ATU wishes to establish a Dynamic Purchasing System (DPS) 16/23DL for International Higher Education Student Recruitment for Atlantic Technological University
Procedure:	Dynamic Purchasing System – Pre-Qualification
Duration of DPS:	The DPS will be established for five (5) years. The DPS is open for applications until 12 Noon on 25 October 2028 as a minimum.
eTenders RFT ID:	2617086
Issue Date:	26 October 2023
Contact for Queries:	Messaging facility on www.etenders.gov.ie
Please note that information relating to this Application, including clarifications and changes, will be published on the Irish Government Procurement Opportunities Portal Registration is free of charge and there is no charge for documents. Please note that the Contracting Authority cannot accept responsibility for information relayed (or not relayed) via third parties.	

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1 Disclaimer

This document issued herewith (“the Document”) is for information only and does not constitute, and shall not be interpreted as, an offer for sale, prospectus, or the basis of a contract.

Applicants are recommended to read the documents thoroughly. While all reasonable steps have been taken to ensure that the information set out in the Document is accurate and up to date, no representation or warranty, express or implied, is or will be made or given in relation to the accuracy or the completeness of any information contained in the Document or otherwise provided by or on behalf of Atlantic Technological University (**ATU**) (hereinafter “the Contracting Authority”) in writing or otherwise to any interested party or its advisers. No responsibility or liability for any loss or damage arising as a result of reliance on these documents, or for the information contained in these documents or for any omission is or will be accepted by the Contracting Authority or by any of its officers, employees, agents or professional advisers. No officer, employee, agent, or professional adviser of the company has any authority to give or make any representation or warranty, express or implied, in relation to such information. The Contracting Authority’s officers, employees, agents and professional advisers expressly disclaim any and all liability arising out of such documentation or information and any errors or omissions in or from the documents and information.

The Contracting Authority shall **NOT** be bound to accept the lowest or any tender proposal and reserves the power to accept any part of any tender proposal unless the bidder expressly stipulates to the contrary at the time of tendering.

Without prejudice to the principle of equal treatment, the Contracting Authority is not obliged to engage in a clarification process in respect of tender submissions with missing or incomplete information and in particular, where failure to provide the required information has already been notified to candidates as a factor which will result in their exclusion from the competition. Therefore, candidates are advised to ensure that they return comprehensive tender submissions in order to avoid the risk of elimination from the competition.

The Contracting Authority reserves the right to discontinue the procurement process at any time.

2 About the Contracting Authority

Atlantic Technological University (hereinafter referred to as the “Contracting Authority”) is the authority responsible for this procurement.

Atlantic Technological University (ATU) is one of the largest multi-campus universities on the island of Ireland, serving a diverse group of learners, staff, communities and organisations from our region and further afield.

The University was established in April 2022. The result of a merger between three institutes of technology, GMIT, LYIT and IT Sligo. It accommodates more than 20,000 students supported by 2,200 staff. ATU will offer almost 600 academic programmes from pre-degree to doctoral level

As a northern and western multi-campus technological university, we are dedicated to enabling sustainable economic, social and cultural development; connected to our region and with a mindset that reaches far beyond it.

As a TU of scale, quality and impact, the University will have greater capacity for collaboration with international partners and ATU graduates will have excellent employment potential nationally and internationally.

Atlantic Technological University (ATU) has 9 campuses across the counties of Galway, Mayo, Sligo, and Donegal in the West of Ireland, at the following locations:

- ATU Galway City, Dublin Road, Galway, H91 T8NW
- ATU Galway City Centre for Creative Arts and Media, Monivea Road, Galway, H91 DY9Y
- ATU Mayo, Westport Road, Castlebar, Co. Mayo, F23 X853
- ATU Connemara, National Centre for Excellence in Furniture Design and Technology, Letterfrack, Co. Galway, H91 AH5K
- ATU Mountbellew Agricultural College, Mountbellew, Co. Galway, H53WE00
- ATU Sligo, Ash Lane, Sligo, F91 YW50
- ATU St Angela's, Clogherevagh, Lough Gill, Co. Sligo, F91 C634
- ATU Letterkenny, Port Road, Letterkenny, County Donegal, F92 FC93,
- ATU Killybegs, Shore Road, Killybegs, Co. Donegal, F94 DV52

Further information is available at our corporate website www.atu.ie

It is the policy of the Contracting Authority to encourage participation by Small and Medium Enterprises (SMEs) in this competition.

SMEs are encouraged to explore the possibilities of forming relationships with other SMEs or with larger enterprises to meet the financial, economic or technical capacity requirements of the competition, if required.

3 Scope of Requirements

3.1 General Requirements

ATU wishes to establish a Dynamic Purchasing System (DPS) of Education Agents to support the recruitment of non-EU students across all campuses. All applicants who provide the information in the Qualification Questionnaire contained in **Appendix 1**, who clearly demonstrate they operate within this service area will be considered for admittance to the DPS.

The DPS will be available to facilitate the recruitment of international students on behalf of ATU by International Recruitment Agents/Consultants initially for the 2023/24 academic year, commencing at the earliest with the January 2024 intake and for the duration of the DPS (maximum of five years but not guaranteed).

The DPS will be in place for a minimum of 5 years with an approximate spend of €7.5m and will be the main procurement route for ATU's international student recruitment requirements.

The DPS is open for applications until **25 October 2028** as a minimum, however it will become operational with effect from **26 November 2023**.

3.2 Stage in Procedure

The purpose of the Dynamic Purchasing System is to enable the pre-qualification of suitable parties on a continuous basis over the next five years for each of the territories identified. Applicants may apply for one or all of the territories identified.

The DPS is a mechanism for parties interested in being considered for the relevant work to qualify for consideration. Applicants are free to apply for consideration at any time. The DPS will operate for a period of five (5) years with an option to terminate at any time prior to the expiry of the closing date.

Stage I – Qualification

- (i) Interested parties are invited to complete the attached Qualification Questionnaire at **Appendix 1**. While this DPS will remain open for applications for the entire duration of five (5) years.
- (ii) Responses to the Questionnaire will be assessed in accordance with the selection criteria and minimum rules summarised in **Appendix 1** of this document, which is on the basis of the pass/fail criteria set out in the questionnaire. The criteria are aimed at establishing the technical and professional abilities of applicants. It is emphasised that admission to the DPS will be contingent upon attaining a 'pass' score under each criterion.
- (iii) All those who qualify will be admitted to the DPS. **This is not a guarantee of any contract being**

awarded.

Stage II – Tender Stage

As and when requirements arise, and subject to approval from the appropriate ATU International Lead and/or the staff member(s) contractually responsible for international recruitment on the Donegal, Sligo or Galway-Mayo College locations, the Contracting Authority will enter a tender process and discussions with all appropriate providers, admitted to the DPS after Stage 1, in the relevant territories (as set out in Section 3.3.1) and may enter into agreements with one or more providers for each territory.

Stage III – Contract Award Stage

Subject to approval from the appropriate ATU International Lead and/or the staff member(s) contractually responsible for international recruitment on the Donegal, Sligo or Galway-Mayo College locations, a formal agreement will be put in place which will cover the scope of services, obligations on the service provider and fees.

3.3 Scope of Requirements

3.3.1 Identified Territories

The Contracting Authority now wishes to accept applications from qualified and competent service providers to the following list of countries located across ten (10) global territories:

TERRITORIES			
1	Africa: <i>Including, but not limited to:</i> Egypt; Nigeria; Ghana; Cameroon; Kenya; Uganda; Rwanda; Ethiopia; Zimbabwe; Tanzania; South Africa;	2	South Asia: India; Pakistan; Sri Lanka; Bangladesh; Nepal
3	East Asia: China; Hong Kong; South Korea; Taiwan; Japan	4	South-East Asia: <i>Including, but not limited to:</i> Indonesia; Malaysia; Thailand; Vietnam
5	Middle East: <i>Including, but not limited to:</i> Oman; United Arab Emirates; Saudi Arabia; Kuwait;	6	North America: Canada; USA

7	South & Central America: <i>Including, but not limited to:</i> Brazil; Mexico	8	Oceania: <i>Including, but not limited to:</i> Australia, New Zealand, Pacific Islands
9	Europe: <i>Including, but not limited to:</i> EU Member States; Turkey; Ukraine; Russia	10	Rest of the World: <i>Including, but not limited to:</i> Any territory not included in Territories 1-9

Applicants can apply to represent ATU in one or more countries across one or more territories, provided they meet the qualification criteria and can demonstrate capacity to conduct effective promotional and recruitment campaigns in the named countries and territories, all of which is required of successful DPS members.

3.3.2 General Requirement

The service providers will:

- a) Provide prospective international students with information in relation to ATU study options and ultimately grow the numbers of international students registered at ATU.
- b) Market and promote ATU to sub-agents, high schools and colleges / universities located in any, or all, of the countries / territories listed. Provide evidence of collaborations with relevant higher-education institutions for the purpose of developing articulation agreements and Joint Programs with ATU.
- c) Assist with in-market creation and publication of ATU print and digital marketing collateral.
- d) Provide a translation service (when and if required).
- e) Manage in-market branded ATU digital / social media platforms (when and if required).
- f) Counsel prospective students to ensure the most appropriate ATU programme selection.
- g) Represent (when and if required) ATU at higher education expos and other exhibitions either virtually or in person within their chosen country / territory.
- h) Demonstrate:
 - (i) an in-market presence with full-time employees in their chosen countries / territories (essential);
 - (ii) an active network of sub-agents (desired);
 - (iii) resources, networks and market intelligence to effectively promote ATU across one or more countries and one of more territories (essential);
 - (iv) a proven track record recruiting international students to post-secondary higher education institutions in Ireland and / or the EU, UK, New Zealand, Australia, USA, Canada (essential); and
 - (v) ethical student recruitment practices - as per the London Statement (essential).

- i) Where relevant, demonstrate effective management of a network of sub-agents (sub-agent identification, training, and activation) in their chosen country or territory.
- j) Manage all aspects of the ATU international student recruitment cycle including application generation & screening, processing & conversion, immigration, pre-& post-arrival support.
- k) Keep ATU informed of developments and educational opportunities arising in the relevant country / territory, providing market intelligence (competitor and data analysis) on the latest trends, threats & opportunities in their chosen country / territory.
- l) Offer an optional Hire & Host dedicated in-market staff member(s) for ATU to 'switch on' anytime. If offered this option should be scalable depending where and when ATU requires in-market staff representation (if at all).
- m) Provide in-market logistical support for visiting ATU staff member(s).
- n) Submit applications to ATU via <https://www.atu.ie/international>
- o) Comply with GDPR legislation, maintain adequate records of prospective and actual student applicants and on request provide ATU with details of applicant names, contact details (email address; phone number).
- p) Notify ATU as soon as reasonably practicable of any prospective student who has withdrawn or declined their application for admission to ATU.

3.4 Duration of the DPS

The DPS will be established for (5) years. The DPS will be continually open for access. Should the DPS cease to operate, all members will be notified via www.etenders.gov.ie. This will not affect the delivery of any contracts awarded under the DPS.

3.5 Estimated Value of the DPS

The level of expenditure cannot be guaranteed in any given year. However, the estimated total value of any purchases pursuant to the DPS is approximately €1,500,000 (excl. VAT) per annum. The total value anticipated over the 5-year term is circa €7,500,000.

It is emphasised, however, that these figures are provided strictly **for indicative purposes only** as there is no guaranteed expenditure.

3.6 Awarding Contracts under the DPS

Qualifying for a DPS, does not constitute an award of a contract nor does it indicate that any contract will be awarded. When contracts arise over the duration of the DPS they may be awarded in accordance with the following:

The DPS is a mechanism for parties interested in being considered for the relevant work to qualify for consideration. Applicants are free to apply for consideration at any time. The DPS will operate for a

period of five (5) years with an option to terminate at any time prior to the expiry of the closing date.

Stage I – Qualification

- (i) Interested parties are invited to complete the attached Qualification Questionnaire at **Appendix 1**. While this DPS will remain open for applications for the entire duration of five (5) years.
- (ii) Responses to the Questionnaire will be assessed in accordance with the selection criteria and minimum rules summarised in **Appendix 1** of this document, which is on the basis of the pass/fail criteria set out in the questionnaire. The criteria are aimed at establishing the technical and professional abilities of applicants. It is emphasised that admission to the DPS will be contingent upon attaining a ‘pass’ score under each criterion.
- (iii) All those who qualify will be admitted to the DPS. **This is not a guarantee of any contract being awarded.**

Stage II – Tender Stage

As and when requirements arise, and subject to approval from the appropriate ATU International Lead and/or the staff member contractually responsible for international recruitment on the Donegal, Sligo or Galway-Mayo College locations, the Contracting Authority will enter into a tender process and discussions with all appropriate providers, admitted to the DPS after Stage 1, in the relevant territories (as set out in Section 3.3.1) and may enter into agreements with one or more providers for each territory.

Stage III – Contract Award Stage

Subject to approval from the appropriate ATU International Lead and/or the staff member(s) contractually responsible for international recruitment on the Donegal, Sligo or Galway-Mayo College locations, a formal agreement will be put in place which will cover the scope of services, obligations on the service provider and fees.

4 Instructions to Applicants

4.1 Queries

An application means the submission by an Applicant of a completed Qualification Questionnaire and associated appendices.

Every effort has been made to ensure that this Document contains all the necessary information for the completion of applications. The Contracting Authority does not warrant or represent that this

Document, or any other information given to Applicants, is accurate or complete. No liability is accepted for any error or omission (negligent or otherwise) in this document, or any other information given to Applicants.

Requests for additional information and clarification on any matters must be made by via the messaging portal on eTenders on www.etenders.gov.ie. All clarifications/additional information will be issued via the eTenders website (www.etenders.gov.ie) and will be made available to all potential Applicants who have noted their interest on the eTenders website.

All queries should be submitted in accordance with that time and date as indicated on the title page to enable clarifications to be issued to all interested Applicants in sufficient time prior to the deadline date for the receipt of applications.

4.2 Completing the Qualification Questionnaire

When completing the Qualification Questionnaire at **Appendix 1**, applicants should note the following conditions:

All questions must be completed in full and without reference to other documents or other parts of the Qualification Questionnaire.

All questions should be answered with relevance to the subject matter of this competition. For the avoidance of doubt, it is emphasised that the information requested in the Qualification Questionnaire is aimed solely at determining the suitability and choice of Applicants for entry to the DPS. In order to ensure that entry to the DPS is fair and consistent to all Applicants, you are instructed to respond to the technical questions by giving details of your skill and experience, accurately, honestly and succinctly.

Where a 'Rule' is associated with a particular criterion, Applicants must satisfy the requirements of the rule in order to remain eligible for consideration in the competition.

Applicants are permitted to add lines to the pro-forma tables and boxes set out within the Qualification Questionnaire if required.

All financial information should be denominated in euro (€), except where financial information is being provided in a certified or audited supporting document such as a set of financial statements in which case it is sufficient for the information to remain in its original currency.

Failure to provide a sufficient level of detail or to explain adequately any relevant matters may result in such data or information not being taken into account during the evaluation process.

Applicants are reminded that they may rely on the resources of other entities in order to establish the suitability requirements on condition that they can prove to the satisfaction of the Contracting Authority that they will have these resources at their disposal when necessary.

Applicants for qualification may include individuals, partnerships, limited companies, groupings or any combination of the foregoing with or without legal personality. However, a grouping if successful may be required to establish legal personality in order to enter into a contract.

The Contracting Authority reserves the right, subject to procurement regulations and directives, to request clarification of any matter set out in your responses to the Qualification Questionnaire at **Appendix 1**, or to request additional information from a Service Provider after the date for submission of completed Qualification Questionnaires has expired.

This document is not a contract, or part of a contract, or an offer to make a contract. The procuring entity has no obligation to enter into a contract with any Applicant.

The Contracting Authority is not responsible for and will not pay for any expense or cost incurred or loss suffered by an Applicant in the preparation or submission of its Application or otherwise. Further, the Contracting Authority is not responsible for any travel or accommodation costs incurred by the Applicant unless previously agreed in writing by the Contracting Authority. Each Applicant is fully responsible for the entirety of all expenses and/or costs it incurs in the presentation or submission of an application or in participating in this process and competition.

4.3 Composition of Applicants

Applicants for qualification may include individuals, partnerships, limited companies, groups, or any combination of the foregoing, public or private, with or without legal personality. However, a grouping if successful will be required to establish legal personality to enter into the contract.

Applicants are reminded that they may rely on the resources of other entities in order to establish the qualification requirements on condition that they can prove to the satisfaction of the Contracting Authority that they will have these resources at their disposal when necessary.

If the application is from a consortium / joint venture Applicants must ensure that all the relevant information is provided and where required, provide the information requested separately for each party. The Consortium must appoint a single supplier who will assume overall responsibility for delivery, and who is authorised to sign a contract on behalf of all consortia members. The Contracting Authority will not act as an arbitrator between members of project consortia.

All applicants, members of groups and sub-contractors are strictly prohibited from discussing any aspect of their application with other applicants or otherwise exchanging information or colluding in respect of the project. Any applicant who fails to comply with this requirement will be disqualified.

4.4 Submission of Applications

Applications must be submitted electronically via the eTenders postbox facility on www.etenders.gov.ie only.

All applications must be compiled such that they can be read immediately using PDF readers. The closing date for applications for consideration of initial work to be awarded under the DPS is as indicated on the title page.

The Contracting Authority is not responsible for corruption in electronic documents. Applicants must ensure electronic documents are not corrupt.

Applicants should produce their response using the **DPS Qualification Questionnaire at Appendix 1** as a **SINGLE UPLOADED FILE, if possible, which is clearly labelled, page numbered and indexed.**

Applicants must ensure that they give themselves sufficient time to upload and submit all required documentation only prequalified applicants will be considered for competitions to be awarded under the DPS.

It is the responsibility of the Applicant to ensure that their application is complete and is uploaded

Evaluation of Applications.

Applications will be evaluated in accordance with the selection criteria and rules as specified in the Qualification Questionnaire.

4.5 Evaluation of Applications

An “Application” means the submission by an applicant of a completed Qualification Questionnaire including the associated appendices.

Applications will be evaluated strictly on their merits in accordance with the published selection criteria and minimum rules specified in the Qualification Questionnaire.

4.6 Clarification of Applications

While not being obliged to seek clarifications from Applicants, the Contracting Authority reserves the right, at its absolute discretion, to ask Applicants for clarification or elaboration of their applications to assist in its evaluation of applications.

4.7 Interference

Any effort by the Applicant to unduly influence the Contracting Authority, relevant agency personnel or any other relevant persons or bodies in the process of examination, clarification, evaluation and comparison of Applications and in decisions concerning the award of the contract shall have their Application rejected.

In accordance with Section 38 of the Ethics in Public Office Act 1995 any money, gift or other consideration from a person holding or seeking to obtain a contract will be deemed to have been paid or given corruptly unless the contrary is proved.

4.8 Inducement to Purchase

The Contracting Authority shall be entitled to disqualify an Applicant in one of the following circumstances:

- (a) if the Applicant has offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do, any action in relation to the obtaining or execution of this contract award procedure or showing or forbearing to show favour or disfavour to any person in relation to this contract award procedure or any other contract award procedure with the Contracting Authority, or
- (b) if like acts have been done by any other person employed by the Applicant or acting on its behalf (whether with or without the knowledge of the Applicant).

4.9 Currency and Payment

The currency and invoices in which all prices and rates shall be tendered, and which payments under the contract will be paid, shall be Euro (€). All prices and rates quoted should be exclusive of VAT.

A schedule of payments will be agreed with the successful DPS member. The Contracting Authority operates in accordance with the European Communities (Late Payment in Commercial Transactions) Regulations 2012.

4.10 Conflict of Interest

Any conflict of interest involving an applicant (or applicants in the event of a consortium bid) must be fully disclosed to the Contracting Authority. Any registrable interest involving the applicant and the Contracting Authority or employees of the Contracting Authority, or their relatives must be fully

disclosed in the submission or should be communicated to the Contracting Authority immediately upon such information becoming known to the applicant, in the event of this information only coming to their notice after the submission of a bid and prior to admittance to the DPS. The terms 'registrable interest' and 'relative' shall be interpreted as per Section 2 of the Ethics in Public Office Act, 1995. Failure to disclose a conflict of interest may disqualify an applicant or invalidate an award of contract, depending on when the conflict of interest comes to light.

4.11 Freedom of Information

Applicants should be aware that, under the Freedom of Information Act 2014, information provided by them at any stage during this Competition may be liable to be disclosed. Applicants are asked to consider if any of the information supplied by them in response to this request should not be disclosed because of its sensitivity. If this is the case, applicants should specify the information that is sensitive and the reasons for its sensitivity. The Contracting Authority cannot guarantee that any information provided by applicants, either in response to this request or while any contract awarded as a result thereof, will not be released pursuant to the Contracting Authority's obligations under law, including the Freedom of Information Act 2014, EU and Irish Government Procurement Procedures or in response to questions, debates or other parliamentary procedures in or of the Oireachtas (the Irish Parliament). The Contracting Authority accepts no liability whatsoever in respect of any information provided which is subsequently released or in respect of any consequential damage suffered as a result of such disclosure.

4.12 Tax Compliance

It will be a condition of award of any contract that the successful DPS member shall, for the term of such contract(s), comply with all EU and domestic tax laws. Applicants are referred to www.revenue.ie for further information. Prior to the award of any contract arising out of this competition, the successful applicant may be required to supply its Tax Clearance Access Number and Tax Reference Number, if not already available, to facilitate online verification of their tax status by the Contracting Authority. By supplying these numbers, the successful DPS member, acknowledges and agrees that the Contracting Authority has the permission of the successful DPS member to verify its tax cleared position online.

4.13 Irish Legislation and Law

Applicants should be aware that national legislation applies in other matters such as Employment, Working Hours, Official Secrets, Data Protection and Health and Safety. Applicants must have regard to statutory terms relating to minimum pay and to legally binding industrial or sectoral agreements in delivering contracts awarded to the Contracting Authority which exist or emerge over the life of the DPS.

The contract(s) awarded on foot of this process will be governed by Irish law.

4.14 Change in the Composition of an Applicant

The Contracting Authority reserves the right, but is not obliged, to disqualify any applicant that makes any change to its composition after submission of a Qualification Questionnaire. However, applicants are entitled to reapply on basis of a new membership structure in the case of consortiums or groupings. It should be noted that lead applicant cannot submit under more than one application.

4.15 Notification of the Evaluation

All applicants will be informed of the outcome of their applications following evaluation and any necessary clarifications. Potential outcomes can be:

- (a) Letter of Intent of admittance to the DPS, subject to agreement to the terms and conditions.
- (b) Letter of Regret providing information on reasons for rejection.

Note: Unsuccessful applicants may reapply at any time.

4.16 Ability to Re-Apply

In the case of applicants whose application is rejected, applicants will be entitled to submit a new application in situations where they can rectify the reason for rejection.

4.17 Policy on Personal Debriefings

Based on the provision of the information to unsuccessful applicants as outlined above and due to resourcing constraints, the Contracting Authority will not be offering individual debriefing meetings to unsuccessful applicants.