



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Competition Summary

Panel for the provision of Archaeological Consultancy Services

1. About the Contracting Authority

The Contracting Authority, Dublin City Council, is the largest Local Authority in Ireland, employing approximately 5,900 staff. The 2024 Revenue Budget amounts to €1.34 billion, while the three-year Capital Programme 2024 to 2026 amounts to €4.245 billion. The Council provides a wide and diverse range of services to the citizens of Dublin City (population in excess of 500,000), to businesses and to visitors to the city. Activities are carried out in both the physical works area (e.g., provision and maintenance of housing, roads) and in the areas of arts, sports, recreation and social services (e.g., libraries, sports facilities parks, community development and housing welfare services).

The City Council also provides emergency services through Dublin Fire Brigade. Council facilities are spread geographically throughout the city and are also located outside the Dublin City Council area. The Council headquarters are located at Wood Quay, Dublin 8.

Dublin City Council is responsible for the social, economic, infrastructural and cultural development of the city. The range of services provided by Dublin City Council is best summarised by listing the programme group structure used by central government to classify the activities of all local authorities:

- Planning and Property Development
- Housing & Building
- Road Transportation & Safety
- Development Incentives & Controls
- Environmental Protection
- Recreation & Amenity
- Education, Health & Welfare
- Miscellaneous Services

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

2. Scope of Services

2.1 Services Required

The Archaeology Section of Dublin City Council's Planning and Property Development Department is seeking to establish a Panel for the provision of Archaeological Consultancy and services for a wide variety of projects.

It is expected that this panel may be used by other Departments in Dublin City Council, when archaeological consultancy services are required.

Panel members will be required to provide archaeological consultancy and associated services for stages (i)-(v) of the Capital Works Management Framework (CWMF) and will be engaged using the COE2 Standard Conditions of Engagement for Consultancy Services (Archaeology) or other terms and conditions as appropriate.

(<https://constructionprocurement.gov.ie/standard-conditions-of-engagement/>).

The Archaeological Consultancy services to be provided will include the following non-exhaustive list: the preparation of archaeological desktop assessments including documentary research, site inspections, field-walking, examination of upstanding or visible features or structures, examination of aerial photographs, satellite or other remote sensing imagery, geophysical survey, topographical assessment, general consideration of the archaeological potential of an area or areas based on their environmental characteristics.

Archaeological survey, testing, monitoring, excavation, post excavation, and report writing. The preparation and implementation of archaeological Method Statements, Licences (Section 26), Notifications (Section 12) and Ministerial Consents (Section 14). Archaeological project management and input into / administration of contract documents. Archaeological interpretation. Preparation and implementation of Conservation Management Plans. Preparation of grant applications and implementing grants such as the Community Monuments Fund and Irish Walled Town Network (Department of Housing, Local Government and Heritage).

All projects shall adhere to policy and legislation as outlined in, but not limited to, the *Framework and Principles for the Protection of the Archaeological Heritage* (Dept. Housing, Local Government and Heritage, 1999), the National Monuments Act (as amended), *Policy and Guidelines on Archaeological Excavation* (Dept. Housing, Local Government and Heritage, 1999), the Planning and Development Act 2000 (as amended) and Dublin City Council Development Plan 2022-8 .

Only those Applicants capable of delivering the services listed above (whether in-house or as a grouping/consortium/nominee) will be considered. Therefore, applications relating to one or several of these services only are not acceptable and will be rejected.

Panel members may be required to provide one or more of the following specialist skills for projects as required:

1. Dating services, including for example – Radio Carbon (C14), dendrochronology, Bayesian analysis.
2. Environmental services e.g. sampling, processing & environmental analysis in accordance with *TII Palaeo-environmental Sampling Guidelines: Retrieval, analysis and reporting of plant macro-remains, wood, charcoal, insects and pollen from archaeological excavations* (Transport Infrastructure Ireland, 2015).
3. Osteo-archaeological services in accordance with *The Treatment of Human Remains: Technical Paper for Archaeologists* (Institute of Archaeologists of Ireland, 2004)
4. Historian(s)
5. Archival services
6. Outreach services eg lecturers, archaeological illustration, signage and site interpretation
7. Survey eg geophysical, drone, Geographic Information System (GIS), environmental monitoring, graveyard surveys

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8. Finds specialists eg pottery, lithics,
 9. Archaeological conservator
 10. Community Archaeology
 11. Built heritage and/or industrial archaeology specialist

2.2 Duration

The Panel will operate for a maximum period of four (4) years with the option to terminate at the discretion of the Contracting Authority subject to satisfactory performance and review, budgetary constraints and government policy. The Contracting Authority may publish periodic notices via a Prior Information Notice notifying the market of the continuing availability of the panel.

There is no deadline for applications for admittance to the panel. However, it is anticipated that the panel will be operational from end November 2024, therefore in order to be considered for the first cohort of tenders, applicants should be received before **12pm 4th October 2024.**

2.3 Numbers to be Admitted

There is no limit on the number of service providers which will be admitted to the Panel, provided they meet all the minimum requirements of the application process. Further information on the rules for admittance is included in section 3.1 below.

2.4 Volume of Services

The estimated annual expenditure on contracts under the Panel is in the region of €1,000,000. It is emphasised, however, that this figure is provided strictly for indicative purposes only as there is no guaranteed expenditure under the Panel. The financial threshold for the application of the European public procurement rules in the case of service contracts is currently set at €221,000 (ex. VAT). It is envisaged that the archaeology consultancy fees alone will not exceed this figure in respect of any project under the Panel.

2.5 Health & Safety

The Panel members will be required to comply with all relevant Health and Safety regulations in the delivery of their services, including duties under the *Safety, Health & Welfare at Work (Construction) Regulations 2006-2013*.

3. Establishment and Operation of the Panel

3.1 Establishment

In the first instance, interested parties are required to complete and submit the Suitability Assessment Questionnaire (the '**SAQ**') included with this suite of documents.

Responses received will be assessed on the basis of the minimum financial, economic and technical competency rules (Pass/Fail) set out in the SAQ and, if such minimum rules are passed, the Applicant will be admitted to the panel.

The Contracting Authority will inform the Applicant in writing of the outcome of the assessment and, in the case of unsuccessful applications, the reasons for their rejection. The Contracting Authority invites all unsuccessful applicants to re-submit an application that meets the minimum requirements at any time during the currency of the panel.

Inclusion on the panel does not constitute a contract and the Contracting Authority cannot guarantee that a contract will be awarded to any member of the panel. Inclusion on the panel does not guarantee the member the right to tender in respect of any contract.

It is intended that the following insurances will be required for the various contracts awarded under this panel. However, precise requirements will be provided to panel members on a project by project basis:

- Professional Indemnity - €1,500,000
- Public Liability - €6,500,000
- Employer's Liability - €13,000,000

3.2 Operation

As and when a contract falling within the scope of the Panel arises, the Contracting Authority will apply the following procedure for the award of the contract:

STEP 1: SHORT-LIST

The aim of this step will be to identify the most suitable panel members to be invited to tender. The numbers to be invited will depend on the estimated value (ex. VAT) of the project being awarded:

- | | |
|------------------------|--------------------------|
| • Less than €25,000: | 1 suitable panel members |
| • €25,000 to €50,000: | 3 suitable panel members |
| • €50,001 to €220,000: | 5 suitable panel members |

The procedure will involve the use of Suitability Criteria (Step 1a) and, where necessary, Random Selection (Step 1b).

Step 1a Suitability Criteria

In the first instance, the Contracting Authority will interrogate the information contained in the submitted SAQs under one or more of the following pass/fail suitability criteria, which at all times will be appropriate to the particulars of the contract being awarded:

- Turnover
- Previous Experience – Project Type – Main/Lead Applicant/Archaeology Consultant
- Previous Experience – Project Type – Sub-Consultants/Specialist Skills (this evidence will be required on a project-by-project basis).

If the resultant list is equal or less than the number of suitable panel members sought, the Contracting Authority will invite that number to tender in accordance with Step 2 below. However, if the resultant list is larger than the number of suitable panel members sought, Step 1b will apply.

Step 1b Random Selection

Random selection will be applied to the resultant list of panel members arising from Step 1a in order to select the list of suitable panel members to be invited to tender.

Each panel member of the resultant list will be allocated a number based on the total number parties in that resultant list. Using a computer programme (Random Number Generator), the total number of parties will be ranked at random and the panel members corresponding to the first three or five ranked numbers drawn² will be invited to tender for the call off project.

² The numbers to be drawn at random will depend on the value of the call-off contract. See Step 1 above.

In order to ensure the partiality and integrity of the process, the random selection procedure will be conducted by

- 1 no member of the Dublin City Council Archaeology team, and
- 1 no member of the project team for the call-off contract in question, and
- 1 no member staff from an unrelated independent department in Dublin City Council.

The Contracting Authority will invite the resultant list to tender in accordance with Step 2 below.

Example below - Project with an estimated construction value of €300,000 (ex. VAT). Following the application of step 1a the resultant list provides 5 panel members

	Number allocated	Numbers to be invited	Ranked numbers generated at random by Computer Programme	Panel Members Invited to tender for call-off contract
Company A	1	Based on the value of the Project, 3 suitable panel members	5	
Company B	2		3	X
Company C	3		2	X
Company D	4		1	
Company E	5		4	X

STEP 2: INVITATION TO TENDER

The selected panel member(s) will be issued with an Invitation to Tender Document (inclusive of the award criteria) and will be asked to respond with a tender submission.

The successful panel member will be awarded the contract (subject always to the approval of the competent authorities) while the unsuccessful panel members who submitted a tender will be informed in writing of the award decision taken and the reasons for their rejection.

STEP 3: AWARD

It will be a condition precedent to appointment to any contract under the panel that the successful tenderer designate provides evidence:

- (i) that the insurances required by that contract are in place;
- (ii) of a Tax Clearance Certificate issued by the Irish Revenue Commissioners for the panel member and any sub-consultant proposed; and
- (iii) where appropriate, any collateral warranties from the proposed sub-consultants/specialists for the benefit of Dublin City Council;
- (iv) of signed Health & Safety declaration (CWMF MF2.5 and/or MF2.4); and
- (v) if requested, verification of the SAQ submission to ensure that there has been no material change to the suitability of that panel member.

The terms and conditions of any contract awarded under the panel will be the *COE2 Standard Conditions of Engagement for Consultancy Services (Archaeology)* as updated by the Department of Public Expenditure and Reform from time to time and available to download

from www.constructionprocurement.gov.ie or other terms and conditions as appropriate

If for any reason it is not possible to conclude the contract with the successful panel member or, if having concluded that contract, the Contracting Authority decides to terminate that contract, the Contracting Authority reserves the right to award the contract to the next highest scoring panel member on the basis of the same terms and as tendered by that party at any time during the tender validity period. This shall be without prejudice to the right of the Contracting Authority to cancel that competitive process and/or initiate a new contract award procedure at its sole discretion.

3.3 Non-Exclusivity

Dublin City Council reserves the right at their sole discretion to engage in a separate procurement procedure outside of the Panel for any service requirements arising during the lifetime of the Panel.

3.4 Updating Information

Panel members can submit updates to their panel information at any time during the currency of the panel. Updates will be assessed by the Contracting Authority to ensure that the panel member continues to meet the minimum requirements for admittance.

Within 4 weeks from the receipt of an updated SAQ, the Contracting Authority will confirm in writing to the Applicant that their information has been updated in the panel. In the event that the updated information has resulted in the panel member no longer meeting the minimum requirements for admittance, the panel member will be informed of the reasons for same.

3.5 Termination of Panel Membership

The Contracting Authority shall have the right (in addition to any other rights which it has at law) to terminate the appointment of a panel member forthwith and without liability for compensation or damages on the happening of any of the following events:

- i if the panel member commits any material breach of any provision of a call-off contract and if such breach is capable of being remedied, fails to remedy such breach to the reasonable satisfaction of the Contracting Authority within fourteen (14) days of the notice given by the Contracting Authority requiring the panel member to do so; or
- ii if the panel member becomes insolvent, becomes bankrupt, is wound up, commences winding up, has a receiving order made against it, makes any arrangement with its creditors generally or takes or suffers any similar action as a result of debt, or an event having an equivalent effect; or
- iii if any event analogous to those contemplated in sub-section ii above occurs to the panel member within the laws of any other jurisdiction; or

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- iv in circumstances where the Contracting Authority becomes aware of that any of the excluding circumstances listed in Article 57 of Directive 2014/24/EU apply to the panel member; or
 - v if any representation made by the panel member in connection with the panel or a call-off contract shall in the opinion of the Contracting Authority, acting reasonably, prove to be untrue or incorrect in a material respect as of the date when made; or
 - vi if the panel member (or any subcontractor, agent or employee) commits any offence under the Prevention of Corruption Acts, 1889 to 2005, or section 38 of the Ethics in Public Office Act 1995, or gives, provides or offers to any staff or agent of the Contracting Authority any gift or consideration or commission 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 any call-off contract. In this instance, the Contracting Authority shall be also entitled to recover the amount of any loss resulting from such termination, including but not limited to recovery from the panelmember of the amount or value of any such gift, consideration or commission.

The panel member will not be entitled to any additional amounts or compensation in the event that their membership of the panel is terminated in accordance with this section.

4. Instructions to Applicants

4.1 Queries

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, misstatement, or omission (negligent or otherwise) in this document, or in any other information given to Applicants.

Requests for additional information and clarification on any matters must be made by email via www.etenders.gov.ie -

4.2 Completing the SAQ

When completing the SAQ, Applicants should note the following conditions:

- All questions must be completed in full and without reference to other documents or other parts of the SAQ.
- All questions should be answered with relevance to the subject matter of this competition.
- Where a 'rule' is associated with a particular question, Applicants must satisfy the requirements of the rule in order to remain eligible for admittance to the panel.
- The SAQ must be completed in English and where copies of original documents are provided in languages other than English, a complete and accurate English translation

should be provided or the documents will not be considered during the assessment process.

- 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 assessment process.
- 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 will be required to establish legal personality in order to enter into a contract with the beneficiary.
- If the application is from a consortium / joint venture, Applicants are required to provide the information requested in the SAQ separately for each party. The consortium must appoint a single party who will assume overall responsibility for delivery, and who will be authorised to sign a contract on behalf of all consortium members. The Contracting Authority will not act as an arbitrator between members of project consortia.
- Applicants are strictly prohibited from discussing any aspect of their application with other Applicants or otherwise exchanging information or colluding in respect of the panel. Any Applicant who fails to comply with this requirement may have their application rejected or be removed from the panel.
- The Contracting Authority will not be responsible for nor pay for any expense or cost incurred or loss suffered by an Applicant in the preparation or submission of its application.
- Each of the parties will undertake to use their reasonable endeavours to hold confidential any confidential information received from the other party, subject to the Contracting Authority's obligations under law, including (if applicable) the provisions of the Freedom of Information Act 2014. The Applicant agrees that, should it wish any confidential information supplied by it to the Contracting Authority not to be disclosed because of its commercial sensitivity, it will, when supplying such information, identify same and specify the reasons for its sensitivity. The Contracting Authority will consult with the Applicant about such sensitive information before making a decision regarding release of such information under the Freedom of Information Act 2014. However, the Contracting Authority will give no undertaking or assurance that such information will not be released under the provisions of the Freedom of Information Act 2014 and the final decision on whether or not to release such information rests with The Contracting Authority or as set out in the Freedom of Information Act 2014.

4.3 Submission of Applications

The Contracting Authority is using the postbox facility on eTenders, and applications must be submitted electronically via the eTenders postbox facility on www.etenders.gov.ie **only**. Only applications submitted to the electronic postbox will be accepted. Applications submitted by any other means (including but not limited to by email, post or hand delivery) will **not** be accepted.

Applicants must ensure that they give themselves enough time to upload and submit all required documentation before the closing date/time noting the use of the new eTenders platform. Applicants should consider the fact that upload speeds vary. In order to submit a response to the electronic post-box, please note that you must ensure you have submitted the response completely. It is advisable to familiarise yourself with the new platform prior to the closing date. Below we provide an overview of the key steps. Please note that the Contracting Authority take no responsibility for these steps being the totality of the steps required as different processes may require different actions.

If in doubt, please ensure you contact the eTenders helpdesk as follows:

Email: irish-eproc-helpdesk@eurodyn.com

Phone: +353-818001459

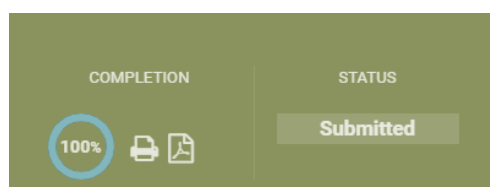
Accessing documents

It is important to note that you must ensure you **ASSOCIATE** your company with this competition in the first instance. To do this you must do the following:

- (a) Log-in to the system
- (b) Locate the competition using the Advanced Search by Contracting Authority or Resource ID
- (c) Click on the hyperlink for the competition which will bring you to the CfT Workspace
- (d) In the Show CfT Menu for the competition click on the “Expression of Interest” in the drop down menu
- (e) Complete the “Association with the CfT” tab
- (f) This will then provide you with a link to “Tender” under the Show CfT Menu

Submitting your Response

In responding to a competition without an electronic ESPD, a number of steps are required. The final step involves clicking on a Submit button and receiving the following status:



If you do not receive a message similar to above, you have not submitted your response. Please note that the screen may say **OFFLINE**, this is a technical feature of etenders and does not mean you cannot submit. Also please note you may see the percentage field also saying 100% before you submit, this still requires you to go through the submit button.

Please upload your response as a **ZIP FILE** to protect the integrity of the file names.

There is no deadline for applications for admittance to the panel. However, it is anticipated that the panel will be operational from November 2024. Applicants are advised to submit their applications by **12 noon on 4th October 2024** to ensure that they are eligible for consideration for the first batch of contracts.