

Dynamic Purchasing System

for the provision of

Circuit Solutions

Admission Information

1.	General	3
1.1	Introduction	3
1.2	The roles of Asiera and the Participants	4
1.3	Purpose and Benefits of the DPS	4
1.4	Scope of the DPS	5
1.5	Eligibility Requirements	6
1.6	Applicable Terms and Conditions.....	9
1.7	Estimated Value	10
1.8	Operational lifetime of the DPS	10
1.9	Schedule	11
1.10	Procurement Platform	11
2.	Admission Procedure	12
3.	Tender Procedure	17
4.	Legal Protection and Other Provisions	19

1. General

1.1 Introduction

This document contains the Admission Information for the Asiera Dynamic Purchasing System for the provision of Circuit Solutions. Subject to satisfying qualification criteria, the Dynamic Purchasing System (DPS) enables admitted Economic Operators (hereafter referred to as 'Interested Parties') to submit proposals to provide Dark Fibre, Managed Wired, Managed Wireless, Spectrum and Wavelength services to Asiera in order to facilitate the connectivity requirements of Asiera.

In case there is ambiguity of terms, please do not hesitate to send us your questions if there is anything that needs to be clarified.

Terms	Definitions
Admission Procedure	means the admission procedure laid out in section 2 of the Admission Information document.
Circuit Solutions	means Dark Fibre, Managed Wireless Services, Managed Wired Services, Spectrum Services or Wavelength Services.
Contracting Authority	means Asiera CLG.
Economic Operator	Interested Party means the supplier submitting an application to join the DPS. Candidate means when the Interested Party has been admitted into the DPS. Tenderer means the Candidate who is invited to competition and submits a tender. Contractor means the Tenderer who is awarded a Services Contract under the DPS.
Personal Data	has the meaning given under the Data Protection Laws.
Processing	has the meaning given under the Data Protection Laws.
Request for Admission	means the request made by an Interested Party/supplier/economic operator to join the DPS.
Services Contract	means Annex 4 - Services Contract as set out at 1.6 Applicable Terms and Conditions of the DPS Admission Information.
Tender	means the second step of the Dynamic Purchasing System procedure that is carried out after the Admission Procedure, in which Asiera can post Calls for Tender, to which Candidates can respond by submitting a Tender bid.

1.2 The role of Asiera

Asiera is Ireland's national education and research network. One of Asiera's key tasks is to source Dark Fibre, Managed Wired, Managed Wireless, Spectrum and Wavelength Services in order to provide connectivity to Asiera clients, pop locations, 3rd party co-locations and any other site where Asiera may have networking equipment.

1.3 Purpose and Benefits of the DPS

1.3.1 Purpose

A Dynamic Purchasing System (DPS) is an electronic system hosted on the eTenders procurement platform used by Asiera to purchase goods, works or services. Unlike a traditional framework, Interested Parties can request to join (qualify) at any time during the lifetime of the DPS.

This DPS will be used by Asiera to purchase Dark Fibre, Managed Wired, Managed Wireless, Spectrum and Wavelength Services on demand.

There are two stages in the DPS:

Stage 1 – Admission Procedure (Qualifying Stage)

This is the first step. Interested Parties who submit a Request for Admission to the DPS, and meet the eligibility requirements following evaluation, are admitted to the DPS. Interested Parties admitted to the DPS will be added to the lots for all that are applied for, and for which the eligibility requirements have been met.

Admission requests are processed by Asiera and Interested Parties will receive notification of admission or rejection via eTenders.

Stage 2 – Tender Procedure (Mini Competition)

During this second step, Interested Parties admitted to the DPS are now referred to as Candidates and are free to participate in competitions for the award of a specific contract(s) by Asiera).

If Asiera publishes a Call for Tender in the DPS, all Candidates admitted to the DPS shall receive an invitation to submit a Tender. The Tenderer whose bid scores best against the Award Criteria will be awarded a Services Contract.

Interested Parties can submit a Request for Admission during the entire operating lifetime of the DPS and, after admission, submit Tenders for Call for Tenders (mini competitions).

However, submitting a Request for Admission in response to a Call for Tender that has already been published on eTenders is not permitted.

Only Interested Parties who have already been admitted to the DPS, i.e. Candidates, prior to the Call for Tender on eTenders will be invited to participate.

1.3.2 Benefits

Below are some benefits to using the DPS.

For Asiera:

- Faster process – short lead time between the Call for Tender and the award of the Contract
- Cost savings
- Stable, high-quality, future-proof, user-friendly solutions.

In each Call for Tender, Asiera will identify the expected value for money (target price/quality ratio) as it relates to the specific Call for Tender.

For Interested Parties:

- Faster process – short lead time between the Call for Tender and the award of the Contract.
- Interested Parties can apply at any time during the operating lifetime of the DPS
- Interested Parties who don't match the qualification criteria first time around may reapply.

1.4 Scope of the DPS

1.4.1 Scope

This DPS is for the provision of Dark Fibre, Managed Wired, Managed Wireless, Spectrum and Wavelength Services including associated support for those technologies. Interested Parties may qualify for admittance to one or more lots

1.4.2 Lots

Each lot will offer the following services

- **Lot 1 Dark Fibre** – Dark fibre services to facilitate the connectivity to Asiera client sites, Pop Locations, 3rd Party Co-Location and any other site where Asiera may have networking equipment.
- **Lot 2 Managed Wired Services** – Managed Wired Services to facilitate the connectivity to Asiera client sites, Pop Locations, 3rd Party Co-Location and any other site where Asiera may have networking equipment.
- **Lot 3 Managed Wireless Services** – Managed Wireless Services to facilitate the connectivity to Asiera client sites, Pop Locations, 3rd Party Co-Location and any other site where Asiera may have networking equipment.
- **Lot 4 Spectrum Services** – Optical spectrum provided over the operator's optical network to facilitate the interconnection of Asiera's coherent DWDM transponders.
- **Lot 5 Wavelength Services** – A single 50 or 100Ghz optical wavelength channel

conforming to the ITU DWDM grid over the operator's optical network to facilitate the interconnection of Asiera's coherent DWDM transponders.

1.5 Eligibility Requirements

Interested Parties requesting admission to the DPS will be assessed on the following eligibility requirements. If a supplier does not meet the applicable eligibility requirements, it will not be admitted to the DPS.

Interested Parties must provide responses to each of the below as set out in the DPS Qualification Questionnaire and where applicable upload required documentation via e-tenders.

Part A only needs to be completed once, regardless of the number of lots for which admittance is requested. It covers items **1.5.1 (excluding 1.5.1.(iv) turnover), 1.5.2, 1.5.3 and 1.5.7 inclusive**.

Part B must be completed separately for each lot for which admittance is requested and covers items **1.5.4 –1.5.6 inclusive and 1.5.1 (iv) turnover**.

1.5.1 Economic and Financial Standing

NOTE:

Interested Parties may also satisfy the Economic and Financial Standing Criteria by submitting a European Single Procurement Document (ESPD) completed in accordance with EU Regulation 2016/7.

Where the Interested Party is unable, for a valid reason, to provide the specified documentation per 1.5.1 iv. below, the Interested Party must inform Asiera of the reason as to why the documentation cannot be supplied and, if the Contracting Authority considers the reason given to be valid, provide such other suitable alternative documentation to prove to the satisfaction of Asiera, their economic and financial capacity.

i. EU Declaration Form / Article 57 Declaration

Interested Parties must complete and sign the EU Declaration Form/ESPD Form on eTenders confirming if any of the situations listed in Article 57 of the Public Sector Directive 2014/24/EU and Reg 57 of S.I. 284 of 2016 applies to the Interested Parties. Interested Parties may be excluded from participation based on the responses made in the declaration.

ii. Statutory Obligations Declaration

Interested Parties must complete and sign the Statutory Obligations Declaration Form on eTenders. Interested Parties may be excluded from participation based on the responses made in the declaration.

iii. Tax Clearance Certificate - Self Declaration

Interested Parties must confirm and declare the company has a current and valid Tax Clearance certificate in place and that its tax affairs are in order.

The Contracting Authority can verify your tax clearance status through Revenue's online facility [here](#).

Interested Parties must confirm:

- the company grants the Contracting Authority permission to verify its tax cleared position online
- the company's Registration Number (as shown in its Tax Clearance Cert.) or Tax Clearance Access Number
- the company's Certificate Number (as shown in your Tax Clearance Cert.) or Tax Reference Number

OR

- confirm that the company has applied for a Tax Clearance Certificate which will be made available on request.

iv. Turnover

Interested Parties must confirm that turnover exceeded the following in any of the last three financial years, or pro-rata if more recently established.

- Lot 1 – Dark Fibre – €200,000
- Lot 2 – Managed Wired Services – €100,000
- Lot 3 – Managed Wireless Services – €50,000
- Lot 4 – Spectrum Services – €200,000
- Lot 5 – Wavelength Services – €200,000

v. Bank Details – Self Declaration

Interested Parties must confirm:

- that the company holds a bank account and that it is presently in good standing with their bank.
- confirm that the company will submit bank details (bank name and branch, and details of main contact) on request at any time.

vi. Insurances

Interested Parties must submit a statement confirming that the company has the following insurances in place:

Type of Insurance	Indemnity limit
Employer's liability	€12.7 million
Public liability	€6.5 million
Professional indemnity	€6.5 million

Product liability	€6.5 million
Cyber Security Insurance	€1 million

OR

must submit a statement confirming that should the company be awarded the contract, it is willing and able to raise its insurance cover to these levels (in cases where the existing cover levels are lower) and that it will maintain these levels for the duration of the contract.

1.5.2 General Data Processing Regulation Compliance

Interested Parties must be compliant with Irish and EU laws in relation to the processing of data. Data is to be hosted in the EU/EEA or in a country with an adequacy decision from the European Commission.

1.5.3 Social and Environmental / Green Commitment

Interested Parties must submit a statement via eTenders describing their organisation's policies and practices in relation to social and environmental matters and include how these are monitored. The statement of commitment to social and environmental best practice could include, for example, the following:

- Reduction of energy consumption
- Usage of energy generated from renewable sources
- Any additional information in relation to social and environmental commitments specifically related to the delivery of any lots that you are seeking admittance into the DPS.

1.5.4 Requirements for Service Level Standards

Interested Parties must confirm that they can:

- (a) provide 24/7/365 support for any lot that the interested party is requesting admittance into the DPS for.
- (b) supply all relevant information as specified in the Appendix 5 – Service Level Standards document
- (c) supply all relevant information in relation to their Network Operations Centre for any future services that may be awarded in the tendering phase of the DPS.
- (d) Ensure local spare holdings of at least two spares for any equipment used in the delivery of a service for any of the lots that you are requesting admission into the DPS for.

1.5.5 Technical and Professional Proficiency

Interested Parties should demonstrate that they have successfully delivered the services required under this DPS by reference to examples of where they have provided services of a comparable nature and scale to THREE clients/ customers in the last THREE years.

(a) References

Interested Parties must provide:

Evidence of three existing customers for whom they have delivered similar services. For Lots 1,2 and 3 at least one customer must be from the education sector.

Tenderer must submit contact details of the three customers that may be contacted on a confidential basis in relation to these contracts to confirm satisfactory delivery of the contract. Details must include:

- names, addresses and telephone numbers
- a brief outline of their level of involvement with the reference site:
 - what services were provided
 - a brief description of the project
 - number of staff involved
 - duration of contract

1.5.6 Solution Requirements

Interested Parties should refer to the Appendix 6 Solutions Eligibility Requirements document which details the requirement and specifications for each of the lots in this DPS.

Interested parties must adhere to these requirements and specifications, including acceptance of handover, for each lot that they are requesting admittance for. Interested parties will also need to provide supporting documentation to confirm they can meet all the requirements.

1.5.7 Services Contract

Interested Party agrees in advance to the Services Contract terms as per 1.6 below.

1.6 Applicable Terms and Conditions

Services Contract Terms

The Contracts awarded via the DPS are subject to the Appendix 4 – Services Contract terms. By registering for the DPS, the Interested Party agrees in advance to the Services Contract terms.

At the mini-competition stage, Asiera may:

- introduce additional, amended, or substitute contractual terms to the Appendix 4 – Services Contract terms; or
- propose a new contract, which, shall supersede and replace the Appendix 4 – Services Contract.

In such circumstances, each Interested Party will be given the opportunity to tender or decline, depending on whether they accept Asiera's proposed terms or contract.

The term of each service contract(s) shall be outlined at mini competition stage but shall not in any event exceed fifteen (15) years including extensions. To clarify, this does not mean services contracts will be for fifteen (15) years, rather, the maximum possible length is fifteen (15) years which takes into account any extensions. Contract durations will vary, however where dark fibre is required to connect to our optical network, contract terms may be awarded for up to fifteen (15) years to meet the life span expectations of our optical networking equipment.

1.7 Estimated Value

The total value during the operating lifetime of the DPS, is estimated at €24 million Euro's subject to funding over four years, excluding VAT.

Breakdown:

- Lot 1: Dark Fibre – Estimated spend up to €10,000,000 excluding VAT.
- Lot 2: Managed Wired Services – Estimated spend up to €8,000,000 excluding VAT.
- Lot 3: Managed wireless Services- Estimated spend up to €2,000,000 excluding VAT.
- Lot 4: Spectrum Services - Estimated spend up to €2,000,000 excluding VAT.
- Lot 5: Wavelength Services - Estimated spend up to €2,000,000 excluding VAT.

It is emphasised, however, there is no guarantee that expenditure will reach this level.

1.8 Operational lifetime of the DPS

The DPS will be set up initially for four years and can be continued (or prematurely discontinued) by making an appropriate announcement via:

- eTenders;
- by sending a notification to the Interested Parties within eTenders;
- on Asiera's website.

1.9 Schedule

An ***indicative*** time schedule for setting up and operating the DPS is shown below. Any adjustments to this schedule will be published via eTenders.

The finalised schedule will be published on eTenders and prevails over the schedule shown here. It is expressly the case that no rights may be derived from the schedule below.

Action	Date & Time (GMT)
DPS Release	5 th March 2026
Closing date for the submission of questions, answers and/or comments	26 th March 2026 @ 12 noon
Initial closing date for Requests for Admission	9 th April 2026 @12 noon
Confirmation to Interested Parties regarding Admissions from DPS Release to Initial closing date for Requests for Admission	Up to 15 working days
Start of DPS and Tendering Procedure	30 th April
Reopening date for Requests for Admission	30 th April
Timeline for confirmation to Interested Parties regarding Requests for Admission following reopening date above	Within 10 working days of receipt of submission for admittance to the DPS.
DPS Duration	4 years (with opportunity to extend)

1.10 Procurement Platform

The eTenders procurement platform will be used for the DPS.

All communication, such as making procurement documents available, submitting your Request for Admission and submitting your Tender bid for Call for Tender, takes place exclusively via this platform.

2. Admission Procedure

2.1 Response Requirements

Below is the list of documents that need to be reviewed or completed and returned via eTenders.

Document	Document Name and Description	Action for Interested Parties
DPS Admission Qualification Questionnaire (Part A)	DPS_Circuit_Solutions_PartA_Admission_Qualification_Questionnaire.docx This is a form available on eTenders.	Download the form from eTenders, complete and re-upload to eTenders. Answers to Eligibility Requirements are inputted here.
DPS Admission Qualification Questionnaire (Part B)	DPS_Circuit_Solutions_PartB_Lotx_Admission_Qualification_Questionnaire.docx These forms are available on eTenders. There is a separate document for each lot. Complete specific form for each lot you are requesting admission into the DPS for.	Download the forms from eTenders, complete and re-upload to eTenders. Answers to Eligibility Requirements are inputted here. Complete specific form for each lot you are requesting admission into the DPS for.
ESPD Form	EU Declaration Form/ESPD This is a form available on eTenders which is part of the DPS Qualification Questionnaire. It exists as a standalone document. See 2.2 below for more detail.	Download the form from eTenders, complete and re-upload to eTenders.
Appendix 4: Services Contract	Appendix_4_Services_Contract_DPS.docx At the mini-competition stage, Asiera may: - introduce additional, amended, or substitute contractual terms to the Appendix 4 – Services Contract terms; or - propose their own contract, which, shall supersede and replace the Appendix 4 – Services Contract.	Review and acknowledge acceptance of Appendix 4 – Service Contract in DPS Admission Qualification Questionnaire (Part A) .
Appendix 5: Service Level Standards	Appendix_5_Service_Level_Standards_Circuit Solutions_DPS.docx. This document contains the Service Level Standards which are the same for all lots.	Review and acknowledge acceptance of Appendix 5: Service Level Standards in DPS Admission Qualification Questionnaire (Part B) for each specific lot that you are requesting admittance into the DPS for

Appendix 6 Circuit Solutions Requirements	Appendix_6_Circuit Solution_Eligibility_Requirements.docx. This document provides the circuit solution requirements and specifications for all 5 lots.	Review and acknowledge acceptance of Appendix 6: Circuit Solution Requirements in DPS Admission Qualification Questionnaire (Part B) for each specific lot that you are requesting admittance into the DPS for
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2.2 EU Declaration Form / ESPD (European Single Procurement Document)

Tenderers can submit a Request for Admission by completing the process on eTenders and uploading the requested documents, as outlined above in 2.1. The EU Declaration Form / ESPD is set out on eTenders. The replies and documents submitted must be written in English. Tenderers can review the eligibility requirements in section 1.5 and ESPD Grounds for Exclusion section 2.3 of this document.

The EU Declaration Form / ESPD must be signed by an authorised representative of the supplier, whose signatory authority must be demonstrated based on the professional or trade register of the country in which the Interested Party is established.

2.3 ESPD Grounds for Exclusion

Interested Parties may be excluded from admission to the DPS pursuant to mandatory grounds for exclusion.

The European Single Procurement Document (ESPD) sets out the mandatory grounds for exclusion and the optional grounds for exclusion that apply to admission to the DPS. Interested Parties complete the ESPD as a self-declaration and submit it as part of your Request for Admission.

If it is found at any time that the information provided in the ESPD and in any other documentary evidence that has been requested is incorrect, the Interested Party may be excluded from further participation in the DPS. If, after signing a Contract, it is found that the information provided in the ESPD is incorrect, the Contract in question may be terminated.

Furthermore, an Interested Party will be excluded from admission to the DPS when it does not accept Appendix 4 – Services Contract and complete Appendix 5 – Service Level Standards.

2.4 Registering, solely or with other Economic Operators

An Interested Party can register in three ways:

1. Solely
2. As Main Interested Party, with a Subcontractor
3. As a Group

Situation 1 speaks for itself.

In the case of situation 2, Interested Parties may be required to provide details of the Subcontractor with which they are registering during the Tender Procedure. Interested Parties can register with a Subcontractor beforehand at the Request for Admission stage, but, if they prefer, Interested Parties can delay indicating the identity of their Subcontractor until the Tender Procedure.

In the case of situation 3, two or more Economic Operators will be registered together (a Group). Taking this approach means that all Interested Parties belonging to this Group accept joint liability for the fulfilment of the obligations that arise from the Request for Admission and Call for Tender, and from the execution of any Services Contract. The submission must also state which Economic Operator heads up the Group and will act as the coordinator and responsible authorised representative with regard to Asiera. Tenderers can only register as a Group if they have previously made a joint Request for Admission as a Group.

While an Interested Party may act as a Subcontractor for an unlimited number of main Interested Parties, it may not also submit a Request for Admission and tender bid independently or as part of a Group.

If, after admission, a Candidate still wishes to tender with another party in response to a Call for Tender set out in the DPS, it may do so. The Candidate must then indicate in its Tender which form of cooperation applies (2 or 3). In the case of option 2, the Candidate indicates in its Tender bid which part of the services are subcontracted and to which Subcontractor.

2.5 Assessing Requests for Admission

2.5.1 Request for Admission Stage

When a Request for Admission is submitted, Asiera will assess whether each of the following conditions have been met:

- the Request for Admission has been submitted fully and correctly via eTenders
- no reason for exclusion applies, in accordance with Directive 2014/24/EU

2.5.2 Evaluation Stage

Once the above conditions have been met, applications are evaluated against the eligibility requirements set out at 1.5. This will result in one of two outcomes:

- 1) If the application **meets the requirements**, the Interested Party will be admitted to the DPS into the relevant lot(s) and will be notified accordingly via eTenders.

All qualified Interested Parties (“Candidates”) in the DPS will be invited to participate in future competitions in the relevant lots, by Asiera.

- 2) If the application **does not meet the requirements**, the Interested Party will not be admitted to the DPS and will be notified accordingly via eTenders.

There will be an opportunity to re-apply for admittance onto the DPS at any stage should the supplier be able to demonstrate that the requirements can be met.

Within 10/15 days of receipt of the Request for Admission, the Interested Party will receive confirmation of admission to the DPS via eTenders, or if unsuccessful, a rejection providing reasons

2.6 Term of Admission

Admission of a supplier to the DPS remains valid for the entire operating lifetime of the DPS, provided the supplier continues to meet the set requirements.

During the operating lifetime of the system, Asiera are entitled to request an updated self-declaration (European Single Procurement Document) from Interested Parties.

2.7 Period during which a Request for Admission is possible

An Interested Party may submit a Request for Admission both during the Admission Procedure and during the Tendering Procedure of the DPS.

If the Interested Party is not admitted, it may submit a Request for Admission again if the reason for refusing the admission of the Interested Party no longer applies.

If an Interested Party submits a Request for Admission during the operating lifetime of the DPS, it shall not be invited (retrospectively) to submit a Tender for open Request for Tenders that were published prior to the Interested Party's admission.

2.8 Questions and Information Notice

If you are considering submitting a Request for Admission to the DPS, you may ask any questions you deem necessary to correctly interpret the Admission Information and other procurement documents, and to submit a complete Request for Admission. Furthermore, with your questions, you may also submit proposals for improvement and any comments regarding contradictions or inaccuracies in these documents that you may have discovered or draw our attention to any alleged illegalities or irregularities.

- If you fail to inform Asiera of possible contradictions, inaccuracies, illegalities, or irregularities, no later than ten calendar days before the closing date of a Call for Tender, any other (subsequent) claim you make against the alleged illegality or regularity will not be admissible. This also applies to questions you may have in respect of Requests for Tender, unless a different term is stated in the Call for Tender in question.
- The questions and comments must be clearly formulated, written in English and can only be submitted via eTenders.
- Questions can be asked during the entire operating lifetime of the DPS.
- If changes are adopted in the relevant procurement documents, the Contracting Authorities will make the amended document available via eTenders.
- In the event of questions, proposed amendments and reported inaccuracies or irregularities, an Information Notice will be drawn up that contains the Economic Operators' anonymous questions and the Contracting Authorities' answers. The Information Notice containing questions relating to admission shall remain available on eTenders during the operating lifetime of the DPS.
- Following publication on eTenders, the Information Notice becomes an integral part of the

procurement documents. The information set out in the Information Notice prevails over the provisions in the Procurement Documents. Furthermore, an Information Notice that is published subsequently also prevails over an Information Notice published on an earlier date.

- Information given is only binding if and insofar as it is recorded in an Information Notice. Commitments made or information provided verbally or in separate written documents have no legal validity at all.

2.9 Vendor file

When an Interested Party is admitted to the DPS, all documents submitted by that Interested Party shall be kept in a vendor file. This includes the following documents:

- self-declaration (European Single Procurement Document);
- the evidence and proofs requested within the European Single Procurement Document and the eligibility criteria;
- updates of the items of documentary evidence that are valid during the operating lifetime of the DPS;
- the Interested Party's standard contract, including annexes.

If the validity of a document expires, the Interested Party will receive notification that an updated document must be uploaded.

3. Tender Procedure

3.1 Call for Tender

This section provides a general description of the Tender Procedure. In the Call for Tender, the requirements are worked out in detail. Admitted Interested Parties that wish to submit a Tender bid are therefore advised to thoroughly read the Call for Tender in question.

3.1.1 Formal Requirements

The Tender bid must comply with a number of general rules and must also be submitted with all the information requested. If the Tenderer submits an incomplete or unclear Tender bid, it runs the risk of its Tender not being considered. The formal requirements are stated in the Call for Tender.

3.1.2 Statement of Requirements

The Tender bid will be assessed to determine whether it unconditionally meets all the requirements in the Call for Tender. If a Tender bid does not unconditionally meet *all* the requirements set out in the Tender, it will be declared invalid and will not be considered for the contract award.

3.1.3 Call for Tenders within the scope of the DPS-

The Call for Tender(s) will specify the Service solutions that Asiera would like to acquire. Each Call for Tender will be specific to requirements of each of the lots.

The following elements may be included in the Call for Tender by Asiera and are applicable for all Lots within the DPS, including:

- Service Solution Details in relation to the specific Technology.
- Total Cost of Ownership
- Lead Delivery Time
- Diversity Requirements
- Route Details
- Single Party End to End Solution
- Handover Requirements
- Social and Environmental / Green Policy
- Service Level Agreement.

The scope of the tender requirements will be specified in detail by Asiera in the Call for Tender.

Existing contracts shall be honoured and remain in place. Consequently, the scope of the DPS excludes all existing contracts (including possible renewal options) used by Asiera:

- relating to existing services already in place at the time of publication of the DPS.

When any such contract has ended, Asiera may use the DPS to issue a Call for Tender.

The Award Criteria are stated in the Call for Tender. The criteria are categorized in mandatory criteria which must be part of all Tenders and optional criteria which may be part of a Tender. The award criteria are:

Award Criteria	%	Mandatory /Optional
Criterion A: Total Cost of Ownership	20% to 80%	Mandatory
Criterion B: Solution Details	10% to 50%	Mandatory
Criterion C: Lead Delivery Time	5% to 50%	Mandatory
Criterion D: .kmz Provision/Diagram detailing route.	5% to 25%	Mandatory
Criterion E: Diversity	0% to 50%	Optional
Criterion F: Single Provider end to end Solution	0% to 50%	Optional
Criterion G: Social & Environmental / Green	0% to 25%	Optional

3.3 Tender

The way in which the Tender must be submitted is described in the Call for Tender. The minimum duration of a tender being open to submission is 10 calendar days.

3.4 Assessment

When assessing the Tender bids, Asiera checks whether the set (minimum) requirements and conditions have been met. Next, the content of the Tender bids is assessed against the award criteria. To achieve this, the Tender bids are submitted to a competent team of experts in the relevant field, who award points to the Tender bids, except in cases where the lowest price is the only assessment criteria. In the latter case, the assessment is carried out by at least two people.

The method of assessment will be described in further detail in the Call for Tender.

3.5 Award and rejection

Tenderers who meet the set (minimum) requirements and conditions and have been given the highest number of points are eligible for the award of the Services Contract. The Tenderers to which the Contract is not awarded, will be informed that their Tender bid has been rejected and the reasons for rejection will be stated.

4. Legal Protection and Other Provisions

This DPS and the resulting obligations are governed by Irish law. For Asiera the awarding of the contract and implementation between Asiera and Interested Party are governed by Irish law. All disputes arising from this Procurement Procedure, or the obligation(s) arising from it, will be submitted solely to the High Court of Ireland.

4.1 Legal Remedies

If an Interested Party is of the opinion that there are grounds for instituting a legal remedy against any aspect of this Procurement Procedure, that party can deploy a number of instruments to this end:

4.1.1 Complaints procedure

A complaint may relate to acts on the part of:

- Asiera only,

You can submit your complaint to Asiera for all categories. The complaint must relate to an act on the part of Asiera, in relation to the DPS, resulting in a breach of the applicable rules. In the case of complaints in the first category, Asiera will deal with the complaint itself. Submitting a complaint does not automatically suspend the Admission Procedure of the DPS or an ongoing Tender Procedure.

4.1.2 Preliminary relief proceedings

If an Interested Party cannot except the outcome of a complaint handled by Asiera or does not wish to submit a complaint but does not agree with the approach adopted by Asiera, it may, within 10 calendar days of an Award Decision, initiate preliminary relief proceedings against that approach or the Award Decision before the High Court. This must be done by having a writ served at the address of Asiera. The 10-calendar day period is an expiry period.

The 10-calendar day period does not suspend execution of the Contract. For an adequate response to the initiation of legal proceedings, service of the writ must be confirmed to the designated contact for the DPS, specifically via this mail address: Asiera, 3rd Floor, North Dock 2 | 93/94 North Wall Quay | Dublin D01 V8Y6 | Ireland.

4.1.3 Action on merits

A Tenderer wishing to initiate an action on merits before the competent court must do so no later than 6 months after the date of the Communication of the Award Decision. This is also an expiry period, after which the right to commence this action on merits lapses.

4.2 Other provisions

4.2.1 Unconditional consent

By submitting a Tender bid, the Tenderer unconditionally agrees to all provisions of the Procurement Documents, including annexes and any additional information provided.

4.2.2 Confidentiality

All information that the Tenderer or Asiera declares to be confidential or that the Tenderer, Asiera could have reasonably suspected was confidential, must be treated as such. This information must not be made public in any way or used for any purpose other than the one for which it is provided, unless both parties expressly agree to the disclosure or unless any statutory regulation or judicial ruling forces this disclosure.

Asiera are not obliged to disclose to any of the Interested Parties or Tenderers any internal documents that relate to the DPS or to the associated assessment.

4.2.3 Schedule change

Asiera reserves the right to amend the schedule – at any time and without being obliged to pay any form of compensation – insofar as the periods of time laid down by law do not prevent this.

4.2.4 Discontinuation or revocation of the DPS, review or revocation of a Contract Award

Asiera reserves the right, without being obliged to pay any form of damage compensation, to discontinue and/or revoke a Tender Procedure or the DPS at any time up to the Contract award date. If an Award Decision has already been made but is not yet final and confirmed, it may be reviewed or revoked. If Asiera decides to purchase outside the DPS, Asiera cannot be held liable in any way whatsoever for any damage that the Interested Party may suffer as a result. By submitting a Request for Admission, the Interested Party also declares that it agrees to this.