



## INVITATION FOR PANEL MEMBERSHIP

<b>Establishment of a Panel for</b>	<b>The Provision of Past Exam Papers to Cavan and Monaghan Education and Training Board</b> <b>Lot 1: Past Exam Papers (English version)</b> <b>Lot 2: Past Exam Papers (Irish version)</b>
<b>Duration of Panel</b>	<b>4 years</b>
<b>Issue Date</b>	<b>Friday 03<sup>rd</sup> July 2026</b>
<b>Closing Date for Queries</b>	<b>Friday 17<sup>th</sup> July 2026 @ 12 noon</b>
<b>Contact for Queries</b>	<b>Questions and Answers facility on <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a></b>
<b>Closing Date / Time for receipt of initial applications</b>	<b>Friday 24<sup>th</sup> July 2026 @ 12 noon</b>
<b>Closing Date for Ongoing Applications (relevant to those who miss the initial deadline)</b>	<b>The panel will operate for a 4-year period and is open to applications throughout that period, it will be re-advertised on eTenders on an annual basis.</b>
<p><i>Please note that information relating to this Invitation to Tender, including clarifications and changes, will be published on the Irish Government Procurement Opportunities Portal <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a>. 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.</i></p> <p><i>Applications will be accepted throughout the lifecycle of this panel at any stage, however in order to be considered for the first tranche of contracts, applicants should apply by 24<sup>th</sup> July 2026 at 12noon. Duration of the panel will be 4 years. A notice will be published on an annual basis on <a href="http://www.eTenders.gov.ie">www.eTenders.gov.ie</a> to remind interested parties of the panel's existence.</i></p> <p><i>Format for Application will be completion of the Application Response Document available via <a href="http://www.eTenders.gov.ie">www.eTenders.gov.ie</a></i></p>	



**Rialtas na hÉireann**  
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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 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, applicants are advised to ensure that they return comprehensive tender submissions in order to avoid the risk of elimination from the competition.

Applicants may not rely on anything contained in this document as a representation of fact or promise regarding the future, nor as constituting the basis of a contract that may be concluded in relation to the Services. No enforceable commitment of any kind

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implied or otherwise, or any other legal obligation in relation to the Contracting Authority will exist unless and until a formal written Contract has been executed by or on behalf of the Contracting Authority.

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

### 2 Summary

<b>Contracting Authority:</b>	<b>Cavan and Monaghan Education and Training Board</b>
<b>Nature of procurement:</b>	<b>Establishment of a Panel for the Provision of Past Exam Papers to Cavan and Monaghan Education and Training Board Lot 1: Past Exam Papers (English version) Lot 2: Past Exam Papers (Irish version)</b>
<b>Procurement Type:</b>	<b>Panel</b>
<b>Stage in procedure</b>	<b>1 year with option to extend for three 12-month extensions dependent on expenditure. It will be advertised on an annual basis on the Irish Government Procurement Opportunities Portal <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a></b>

Given the strategic partnership of this service, the Contracting Authority considers the creation of a Panel as the most appropriate and workable procurement process for the provision of online exam papers.

A Panel constitutes a means of assessing the financial and technical capacity of a number of economic operators to whom individual contracts may or may not be awarded over the Panel's duration.

The Contracting Authority is planning to run a two-stage tender process. In the initial stage, all providers who meet the Selection Criteria included in the Tender Response Document will be admitted to the Panel.

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The second stage of this competition is Contracts. Purchase orders will be issued by the Contracting Authority as required with the applicable provider, identifying the terms and conditions including the scope of the services, costs and any other operations terms required.

The purpose of the procedure is to enable the pre-qualification of suitable parties over the contract period. The Panel may be terminated in its entirety at any point at the discretion of the Contracting Authority.

This competition is by way of the open tender procedure with expenditure to be below the open threshold of €216,000 for the panel duration.

Depending on the number of successful panel applicants for the required services, the Contracting Authority will re-advertise this panel competition on an annual basis via [www.etenders.gov.ie](http://www.etenders.gov.ie) (subject to satisfactory performance, business needs, budget constraints and funding, all at the absolute discretion of the Contracting Authority).

### 3 About the Contracting Authority

**Education and Training Boards (ETBs)** are statutory authorities which have responsibility for education and training, youth work and a range of other functions. Formerly known as Vocational Education Committees (VECs) ETBs manage and operate second-level schools, further education colleges, multi-faith community national schools and a range of adult, further education and training centres delivering education and training programmes, including 19 (former FÁS) training centres. There are 16 Education and Training Boards spread throughout the country with over 650 sites under their remit. The Chief Executive (CE) of each ETB carries out the executive functions of the ETB, including those in relation to procurement.

**Education and Training Boards Ireland (ETBI)**, based in Naas, Co Kildare is the national representative association for ETBs. Its job is to represent ETBs and promote their interests. It also provides services to its members in areas such as Policy, HR/IR, Corporate and Procurement & Reform. ETBI coordinates the **ETB Procurement Network**, which brings procurement personnel from the 16 ETBs together on a quarterly basis.

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The Contracting Authority is an ETB responsible for the delivery of services in the following location: Cavan and Monaghan.

In 2013, the Education and Training Boards Act was enacted, providing for the establishment of 16 Education and Training Boards (ETBs) to replace the existing 33 Vocational Education Committees (VECs). The Cavan and Monaghan Education and Training Board (CMETB) was established as a result of this legislation, with the Monaghan office being designated as the head office and the Cavan office being given sub office status.

CMETB provides a comprehensive range of education services throughout Cavan and Monaghan and is the largest educational provider in counties Cavan and Monaghan. CMETB's educational and training provision includes second-level schools, further education colleges and a range of adult and further education centres delivering education and training programmes, Traineeships and Apprenticeships, Post Leaving Certificate Courses (PLCs), Youthreach centres, Outdoor Education, Prison Education, Arts Education and Youth Services.

Cavan and Monaghan ETB places learning and the learner at the heart of its educational provision.

CMETB provides services to both counties Cavan and Monaghan by employing approximately 1,400 staff and providing full time education to over 13,000 students at second level and PLC and also learners in Adult Education.

The following schools/centres are currently under the auspices of CMETB.

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<b>Administration Offices</b>	
Administration Centre	Market Street, Monaghan, Co. Monaghan
Administration Offices	Church View Square, Cavan
<b>Post Primary Schools</b>	
Ballybay Community College	Ballybay, Co Monaghan
Beech Hill College	Monaghan Town, Co Monaghan
Breifne College	Cootehill Road, Cavan
Castleblayney College	Castleblayney, Co Monaghan
Coláiste Oiriall	Monaghan Town
Dun an Rí College	Kingscourt, Co Cavan
Inver College	Carrickmacross, Co. Monaghan
Largy College	Clones, Co Monaghan
St Bricins College	Belturbet, Co. Cavan
St Mogue's College	Bawnboy, Co. Cavan
Virginia College	Virginia, Co. Cavan
<b>Youthreach Centres</b>	
Castleblayney Youthreach	Castleblayney, Co. Monaghan
Carrickmacross Youthreach	Carrickmacross, Co Monaghan
Cavan Youthreach	Moynehall, Cavan, Co. Cavan
Cootehill Youthreach	Cootehill, Co. Cavan
Monaghan Youthreach	Monaghan Town
Kingscourt Youthreach	Kingscourt, Co. Cavan
<b>Community Special School</b>	
Monaghan Community Special School	Castleblayney, Co. Monaghan
<b>Institute of Further Education</b>	
Cavan Institute	Cathedral Road, Cavan
Monaghan Institute	Monaghan Education Campus, Armagh Road, Monaghan
<b>Outdoor Education</b>	
Tanagh Outdoor Education & Training Centre	Dartry, Co Monaghan

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<b>Theatre</b>	
Garage Theatre	Monaghan Education Campus, Armagh Road, Monaghan
<b>Adult &amp; Community Education</b>	
The Gatehouse	Monaghan Town
Monaghan Adult Education Services	Dún Mhuire, Mullaghmonaghan, Monaghan
Cavan Adult Learning Centre	Church View Square, Cavan
Community Education Office	Church View Square, Cavan
Cavan Further Education & Training Centre	

This is not an exhaustive list. As CMETB range of services develop all existing and new activities etc will be subject of this tendered service.

For more information on ETBs and ETBI go to [www.etbi.ie](http://www.etbi.ie).

### 4 Scope of the Service Required under the Panel

The Contracting Authority proposes to engage in a competitive process for the establishment of a panel from which it will source service providers for the provision of Past Exam Papers to Cavan and Monaghan Education and Training Board.

This will be split into 2 lots:

Lot 1: Past Exam Papers (English version)

Lot 2: Past Exam Papers (Irish version)

#### 4.1 Numbers Admitted to the Panel

There will be no restrictions on the number of applicants who can qualify for the panel, provided the applicant meets requirements.

#### 4.2 Duration of the Panel

The duration of the panel will be four (4) years, subject to satisfactory annual review of performance by the Contracting Authority, business needs and budgetary constraints. This procedure may be cancelled at any time during this period should a new arrangement commence, which may be more effective to the ETB.

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For the avoidance of doubt, the Contracting Authority confirms that the period of any contracts awarded under the panel may extend beyond the date of expiry of the panel.

**This Panel will commence following review of submissions.**

### 4.3 Estimated Value of the Panel

The level of expenditure cannot be guaranteed in the year. However, the estimated total value of any services pursuant to the panel will be no greater than €221,000 (excluding VAT) over the duration of this panel.

It is emphasised, however, that this figure is provided strictly for indicative purposes only as there is no guaranteed expenditure under this panel.

### 4.4 Awarding Contracts under the Panel

In the case of this multi-party panel contracts will be awarded as follows:

Cavan and Monaghan Education & Training Board will consult the members of the panel and pick the most appropriate member(s) on the basis of the following criteria:

1. Suitability of the proposed exam papers to the curriculum.
2. Lead times
3. Customer Service and Support
4. Value for money

Qualifying for a panel does not constitute an award of a contract nor does it indicate that any contract will be awarded.

### 4.5 Use of the Panel

The Contracting Authority will use this panel as and when requirements within its scope arise. However, there is no obligation upon the Contracting Authority to make use of this panel. Indeed, the Contracting Authority reserves the right to operate outside of the panel agreement at its discretion, particularly should it become apparent that doing so would offer greater value for money. Notwithstanding the foregoing, the panel agreement approach has been adopted to leverage efficiencies and maximise cost savings over the duration of the framework.

## **5 Detailed Scope of the Panel**

### **5.1 Detailed Specification of Requirements**

The purpose of this competition is to establish a Panel from which the Contracting Authority will source service providers for the Provision of Exam Papers to Cavan and Monaghan Education and Training Board Post Primary schools.

The Contracting Authority wishes to appoint qualified and competent service providers to provide exam papers to our Post Primary schools.

CMETB schools will consult with the panel members and choose the most appropriate member(s) based on the following criteria:

1. Suitability of the proposed exam papers to the curriculum.
2. Lead times
3. Customer Service and Support
4. Value for money

#### **Past Exam Papers (hard copy):**

We are seeking suppliers that can provide exam papers for all Junior and Leaving Certificate requirements to support the educational and learning experience. As the curricular demands change the supplier must be able to provide up to date exam papers meeting the curricular needs of the students.

The supplier must have a proven track record in delivering the above and full technical and customer service support for each individual user, that will not require any school or CMETB to resolve any issue that arises.

### **5.2 Annual Volume**

Annual volumes are unknown at this time.

### **5.3 Curriculum Changes**

Over the duration of this requirement, the Department of Education may pilot new subjects, so suppliers need to be aware that the list of subjects in 'Appendix 1 – Sample Subject List', may change over the duration of the panel term.

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### 5.4 Contract Management

CMETB will take overall control of the management of the contracts. However, each school will require a single point of contact to deal with all ordering, delivery and day to day issues that might arise. **Invoicing MUST be by individual school or centre.**

### 5.5 Right to Tender Outside of the Panel

The Contracting Authority intends to use the panel for the procurement of requirements falling within its scope during the specified period; however, it reserves the right to go outside the panel for the procurement of any requirement without reference to the panel member. Admission to a panel does not guarantee the award of any contract to any economic operator, nor does it give the member the right to be consulted in respect of, or tender for, any contract. Admission to the panel will be conditional upon acceptance of the Contracting Authority's terms and conditions.

### 5.6 Fees and Inclusive Rates

Panel members shall not be reimbursed any additional costs or expenses incurred by it, or by Key Personnel in the course of providing the Services unless these are agreed in advance and in writing by the ETB.

## 6 Evaluation Criteria for Admittance to the Panel

### 6.1 Application Requirements

The Contracting Authority is using a process similar to the OPEN procedure for the establishment of this panel, therefore, while all interested parties may apply, only those demonstrating that they have the required level of qualifications, experience and technical capacity will have their application considered.

In order to demonstrate eligibility, applicants are required to provide the following information:

### 6.2 Compliance

Applicants must comply with all legislation and regulation and sign Declaration.

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### 6.3 General Information - Cover Letter

A cover letter on official letterhead with the following information:

- Name of applicant
- Address
- Key contact name
- Key contact email
- Key contact phone / mobile
- Website if applicable
- Other social media platform activities
- Date of establishment
- Legal Status (if any) (Company [Ltd], Partnership, Sole Trader, etc)

### 6.4 Insurance Requirements

Confirmation of insurances in place and commitment to put the following levels in place if successful for the contract:

Type of Insurance	Level Required for Contract
<b>Employers Liability</b>	<b>€13,000,000</b>
<b>Public Liability</b>	<b>€6,500,000</b>
<b>Product Liability</b>	<b>€6,500,000</b>
<b>A notation of Indemnity to CMETB or else an Indemnity to Principals Clause</b>	

Insurance policies must indemnify the Contracting Authority for any loss incurred as a result of actions by the service provider. Must provide evidence of this level of cover being in place or a letter from an Insurance company stating that these levels of cover may be put in place if a contract is awarded within one week of the appointment.

**Rule:** Applicants must confirm the types of insurance in place and agreement to levels required if successful through completion of the Self-Declaration Form contained in the Response Document

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### 6.5 Tax Compliance

Evidence of tax compliance from the Irish Revenue Commissioners.

**Rule:** Tenders should confirm their tax compliance status through completion of the Self-Declaration Form contained in in the Response Document.

### 6.6 Financial Stability

Applicants must provide evidence that their combined turnover relating to the service specified in the Request to Participate in a Panel for the Provision of Online Exam Papers has exceeded €50,000 for each of the past three years (I.E –2025/2024/2023).

Applicants must demonstrate financial stability by providing a letter from their Auditor **or** a copy of your latest financial statement confirming they have the resources to pay their debts, identified on the current statement of assets and liabilities as being the debts as they fall due.

### 6.7 Data Protection

The Applicants must ensure that the security of Personal Data at all times is in line with the Data Protection Acts 1998 and 2003 and guidance issued by the Data Protection Commissioner of Ireland. Applicants are required to be compliant under the EU General Data Protection Regulation (GDPR) replacing the Data Protection Directive 95/46/EC, which came into effect on 25/05/2018.

Please provide a copy of your Data Protection Policy. Applicants may be required to complete a DPIA prior to appointment to the panel.

### 6.8 Health and Safety

Applicants must confirm compliance with all Health & Safety legislation and provide a copy of their health and safety statement on request.

### 6.9 Internal or External Quality Assurance & Accreditation

Tenderers must be able to demonstrate satisfactory internal or external quality assurance mechanisms in place.

### 6.10 Environmental

Details of environmental policies and systems in place and whether 3rd party certified.

### 6.11 Previous Experience

Applicants will be assessed to determine that they have previous relevant experience for the project they are tendering for which cover the current education curriculum.

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## APPENDIX 1 - INSTRUCTIONS TO APPLICANTS

### (a) Submission of Applications

The Contracting Authority is using the Tender Messaging facility and applications must be submitted electronically via the eTenders messaging facility on [www.etenders.gov.ie](http://www.etenders.gov.ie) **and** via email at [tenders@cmetb.ie](mailto:tenders@cmetb.ie). Please refer separately, to the attached PDF entitled “Method of Submission”. Applications submitted by any other means (including but not limited to by fax, post or hand delivery) will **not** be accepted. Applicants must ensure that they give sufficient time to upload their response.

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

In responding to this application, all applicants must follow the format of the tender document and respond to each element of the tender document in the order as set out in this RFT. Applicants should produce their response 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 tender documentation before the closing date/time. Applicants should take into account the fact that upload speeds vary. There is a maximum of 2.14 GB for individual files sent to the electronic postbox and a one-hour limit for upload. In order to submit a document to the electronic postbox, please note that you must click “Submit Response”. After submitting you can still modify and re-send your response up until response deadline. Applicants should be aware that the ‘Submit Response’ button will be disabled automatically upon the expiration of the response deadline.

**Applicants not familiar with uploading on eTenders should ensure they familiarise themselves with the process.**

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](mailto:irish-eproc-helpdesk@eurodyn.com)

Phone: +353-818001459

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### **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

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

It is the responsibility of the Candidate to ensure that their documentation is complete and is uploaded in accordance with the instructions provided on eTenders prior to the deadline as per the front page.

The closing date for receipt of applications is **24<sup>th</sup> July 2027 @ 12noon.**

It is the responsibility of the applicant to ensure that their response is complete and is uploaded by the designated deadline. **Applications that are received late or via other means WILL NOT be considered in this public procurement competition.**

### **(b) Queries**

If you consider that you are missing any documents which would prevent you from submitting a comprehensive response, please contact us as soon as possible.

Applicants shall immediately notify the Contracting Authority should they become aware of any ambiguity, discrepancy, error or omission in the documents.

The Contracting Authority will, upon receipt of such notification, issue a clarification via eTenders in respect of any such ambiguity, discrepancy, error or omission. Such clarification shall then form part of the Panel Documents.

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All queries regarding this Panel Application should be via the Questions and Answers facility on [www.etenders.gov.ie](http://www.etenders.gov.ie) The closing date for receipt of queries is **17<sup>th</sup> July 2027 @ 12noon.**

Responses to queries will be issued via eTenders to all parties who have expressed an interest in the panel on that site, in order to ensure that no party has an unfair advantage over any other.

For the purpose of circulating responses queries will be edited to avoid disclosing the identity of the querist, and any sensitive information included in the query should be clearly indicated. Please note that the Contracting Authority cannot accept responsibility for information relayed (or not relayed) via third parties.

### **(c) Sufficiency & Accuracy of Application**

Applicants will be deemed to have examined all the documents enclosed and by their own independent observations and enquiries will be held to have fully informed themselves as to the nature and extent of the requirements of the panel application.

Applicants are cautioned to check the accuracy of their panel application prior to submission. An application found containing any clerical errors or omissions may, at the sole discretion of the Contracting Authority, be referred back to the applicant for correction. Any subsequent adjustment(s) must be confirmed in writing.

The Contracting Authority reserves the right to disqualify incomplete applications.

### **(d) Cost of Preparation of Application**

The Contracting Authority will not be liable for any costs, charges or expenses incurred by applicants in the preparation of responses/ proposals or any associated efforts. It is the responsibility of the applicant to ensure that they are fully aware and understand the requirements as laid down in this document. Applicants will be responsible for any costs incurred by them in the event that they are required to attend clarification or other meetings or make a presentation of their proposals.

### **(e) Currency and Payments**

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

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A schedule of payments will be agreed with the successful applicant. The Contracting Authority operates in accordance with the European Communities (Late Payment in Commercial Transactions) Regulations 2012. The method of payment used by the Contracting Authority is normally Electronic Funds Transfer.

**Note:** The Contracting Authority will be rolling out e-invoicing during the term of the contract / framework and applicants may be required to issue their invoices to the sector in an E-invoice format that is compliant with the PEPPOL directive.

### (f) Confidentiality

After the official opening of Applications, information relating to the examination, clarification, evaluation and comparison of Applications and recommendations will not be disclosed to applicants or other persons not officially concerned with such process until the award decision with the successful applicant has been announced and in conformity with national laws.

Applicants shall treat the details of all documents supplied to them in connection with this contract as private and confidential and shall not disclose the contents to a third party without the permission of the Contracting Authority.

Any effort by the applicant to influence the Contracting Authority or their staff in the process of examination, clarification, evaluation and comparison of Applications and in decisions concerning the award of the contract may result in the rejection of that Application.

### (g) 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 application or should be communicated to the Contracting Authority immediately upon such information becoming known to the applicant. The terms 'registrable interest' and 'relative' shall be interpreted as per Section 2 of the Ethics in Public Office Acts, 1995 and 2001. 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.

### (h) Freedom of Information Acts

All responses to this panel application will be treated in confidence and no information contained therein will be communicated to any third party without the written permission of the applicant, except insofar as is specifically required for the consideration and evaluation of the response or as may be required 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).

(i) CMETB proposes that the following information relating to this panel application will be made available on request: name of applicant; qualitative selection criteria; selection criteria; detailed reasons to unsuccessful candidates only as to why their application was rejected.

CMETB undertakes to hold confidential, any information provided by you in this application subject to:

- (a) disclosure of the information specified at (i) above as liable for release to the public
- (b) CMETB's obligations under law, including the Freedom of Information Act, which came into effect on the effective date by the FOI body on 21 April 2008.

**You are asked to consider if any of the information supplied by you in this application should not be disclosed because of its sensitivity**, (other than that referred to at (i) above). If this is the case, you should, when providing the information, identify same and specify the reasons for its sensitivity. CMETB will consult with you about sensitive information before making a decision on any Freedom of Information request received.

If you consider that none of the information supplied by you is sensitive, please make a statement to that effect. Such information may be released in response to an FOI request.

### (i) Tax Clearance

It will be a condition of admittance to the Panel that successful applicant(s) comply with all EU and national tax laws. Applicants are referred to the Irish Revenue web

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site <http://www.revenue.ie/>. Non-resident applicants should apply to the Office of the Revenue Commissioners, Non Resident Tax Clearance Unit, Office of the Collector General, Sarsfield House, Francis Street, Limerick, Ireland; e-mail:

[nonrestaxclearance@revenue.ie](mailto:nonrestaxclearance@revenue.ie).

The Contracting Authority will satisfy themselves that any applicants being considered for award of a contract are appropriately tax compliant by checking their status via the online system for which applicants are requested to provide their Tax Clearance Access Number and Tax Reference Number to facilitate verification. By supplying these numbers applicants acknowledge and agree that the Contracting Authority has the permission to verify its tax cleared position at any time during the term of the contract.

### **(j) Withholding Tax**

Where applicable, payments shall be subject to Irish 'Professional Services Withholding Tax' at the prevailing rate (currently at 20%) as laid down by the Revenue Commissioners in Ireland. Non-residents may be able to reclaim such deducted Tax from the Office of the Revenue Commissioners in Ireland, International Claims Section located currently at Government Buildings, Nenagh, Co. Tipperary, Ireland (Tel: 353-1-6733533).

### **(k) 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 Contracting Authority tenders and in delivering contracts awarded to them.

### **(l) Dignity at Work**

The successful applicant(s) shall comply with all relevant legislation relating to dignity at work. As a public body and employer, the Contracting Authority is committed to a policy of equality of opportunity for all personnel.

### **(m) Clarification of Applications**

The Contracting Authority is entitled, but not obliged, to seek clarification of applications, including pricing breakdowns in the course of the evaluation process.

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No change in the price or substance of the application shall be sought, offered or permitted. To assist in finalising the application evaluation, selected applicants may be invited to attend clarification meetings with the Contracting Authority.

### **(n) Change in the Composition of an Application**

The Contracting Authority reserves the right, but is not obliged, to disqualify any applicant that makes any change to its composition after submission of an Application.

### **(o) Interference and Inducement to Purchase**

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 Contract shall have their application rejected. The presumptions (including as to any gift, consideration or advantage) and other provisions under the Criminal Justice Act 2018, and all other measures for the time being governing the subject-matter in any applicable jurisdiction, shall be applicable.

### **(p) Notification of Results**

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

- a. Admittance to the Panel
- b. Rejection to the Panel

Applicants who fail to qualify for membership of the panel may re-apply at any time.

### **(q) Award Notices**

Following the formal conclusion of a contract, an award notice will be despatched to eTenders announcing the results of the competition.

### **(r) 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 bidders.

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### **(s) Copyright**

The Contracting Authority will have copyright ownership of any material developed for use by the Contracting Authority under the terms of this application. The service provider may have a non-exclusive licence to use such material but only for its own purposes (to be agreed with the successful applicant).

### **(t) Environmental Aspects**

The Contracting Authority is committed to the principles of environmental management in its activities and it encourages the implementation of sustainability principles in its procurement practices. Applicants should make all reasonable efforts to minimise adverse environmental impact in the methods of services delivery and in materials used.

### **(u) Accessibility**

In line with the Disability Act 2005, accessibility requirements should be clearly stated in request for tenders / quotations where applicable. Under Section 27 of the Act the Contracting Authority is required to ensure that both the goods supplied and services provided to it are accessible to persons with disabilities.

### **(v) Collusive Tendering**

If any Tendering Party is found to have, at any time, offered to give or to have agreed to offer or give to any person, any bribe, gift, gratuity, commission or consideration of any kind as an inducement or reward for taking or forbearing to take any action in relation to the obtaining of its Tenders, or for showing or forbearing to show any favour or disfavour to any person in relation to its Tenders, the bid submitted by such Tendering Part shall be automatically disqualified and the circumstances surrounding such action shall be referred to the appropriate authority.

### **(w) Consortia and Prime Subcontractors**

The Contracting Authority seeks to encourage participation on a fair and equal basis by Small and Medium Enterprises (“SMEs”) in this Competition. SMEs that believe the scope of this Competition is beyond their technical or business capacity are encouraged, subject to this paragraph, to explore the possibilities of forming relationships with other SMEs or with larger enterprises. Through such relationships they can participate and contribute to the successful implementation of any Services

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Contracts that may result from this Competition and therefore increase their social and economic benefits.

### **(x) Anti-Competitive Conduct**

Applicants' attention is drawn to the Competition Act 2002 (as amended, the "2002 Act"). The 2002 Act makes it a criminal offence for applicants to collude on prices or terms in a public procurement competition.

### **(y) Changes in Legislation**

On admittance to the panel, it shall be the sole responsibility of the applicant (in the event of success in this competition) to fulfil the obligations under the Contract, notwithstanding any changes in circulars, laws, regulations, taxation, duties or other factors which might arise following the withdrawal of the United Kingdom from membership of the EU.