Clarification Response 02

RFT Reference: CFT 8782653 PAS139F - PROJ000010002
Issue Date: 17th August 2026

RFT Name: Multi Supplier Framework Agreement for the provision of Procurement Support Services (Goods and Services)

Important Notice to Tenderers

The clarifications contained in this notice form part of the Request for Tender documentation and must be read in conjunction with the RFT and any previously issued clarification notices.
Where a clarification amends, supplements or otherwise affects the procurement documentation, tenderers should take account of the clarification when preparing and submitting their tenders.
All other requirements of the RFT remain unchanged, unless stated otherwise.

Message Ref No:	Question	OGP Response
759643	Following the amendment to paragraph 3.2.B.1, please clarify how a reference covering a defined period of operational procurement support and containing more than one procedure is to be applied against the requirement for three references collectively demonstrating one Open Procedure, one Restricted Procedure and one further Open or Restricted Procedure. In particular,	The OGP has reviewed the relevant-experience criterion. The criterion will be amended so that: • three separate references are required; • each reference identifies one distinct procurement procedure or competitive process; • the same procedure, assignment, services or value cannot be counted more than once; and

	can one defined-period reference satisfy more than one procedure requirement, how are procedures within that reference counted, and how does the prohibition on overlap or double counting apply? Please also confirm the basis for retaining the €50,000 procurement-support-services requirement and whether the Contracting Authority will apply that value across the three references collectively, reduce or remove the monetary threshold, or otherwise amend the criterion. Finally, please confirm whether experience of supporting a Competitive Procedure with Negotiation or a Competitive Dialogue may be accepted as comparable evidence for the Restricted Procedure requirement and the further Open or Restricted Procedure requirement.	• the three references collectively demonstrate procurement-support services with a total value of at least €50,000 excluding VAT. No minimum value will apply to an individual reference. The references may relate to procurements above or below the applicable EU threshold. Together, the references must demonstrate: • one open competitive procedure or process • one qualifying two-stage procedure or process and • one further open or qualifying two-stage procedure or process. A qualifying two-stage procedure or process may include a Restricted Procedure, Competitive Procedure with Negotiation, Competitive Dialogue or a comparable two-stage process conducted under the rules applicable to a below-threshold procurement. The relevant experience must be comparable with the Services in the Requirements and Specification. Acceptance of wider procedure experience for selection purposes does not extend the scope of Services available under PAS139F. The five-year reference period remains unchanged. The final requirements will be set out in the consolidated Addendum and replacement TRD Part A A9. The revised requirements will be set out in the final consolidated Addendum and replacement TRD Part A A9.
760215	The relevant-experience criterion at A9 requires one of the three references to demonstrate	Please see response to above in relation to a two stage process.

	experience of supporting a Restricted Procedure. In practice, many above-threshold public procurements in Ireland — particularly in the technology and services sectors — are conducted as Open Procedures, reflecting OGP guidance that Open Procedures are generally preferred for transparency and market access reasons. Restricted Procedures, while available, are used less frequently and tend to be concentrated among larger contracting authorities and higher-value procurements. Could the Contracting Authority confirm whether the Restricted Procedure requirement in Contract Example 2 may be satisfied by experience of supporting any of the following, which share comparable structural and administrative characteristics: • a Dynamic Purchasing System establishment or mini-competition procedure; • a Negotiated Procedure with prior publication; or • a two-stage competitive process conducted under national rules below the EU threshold?	A Dynamic Purchasing System establishment or mini-competition, will not satisfy the qualifying two-stage procedure requirement.

760848	The OGP was not asked to ‘publish individual consultation responses or commercially sensitive information.’ In the spirit of the principles of openness and transparency, and in the interest of ensuring confidence, credibility and participation in future consultation exercises, we now repeat the clarification question to ‘Please publish the report of the stakeholder consultation undertaken by the OGP to inform its procurement strategy for this tender competition’ in an anonymised format.	The Preliminary Market Consultation informed the Framework documentation and approach. The OGP does not intend to publish a separate consultation report or the consultation responses.
	It is our understanding that DPS/Framework Clients invariably opt to procure services using the blended daily rate approach. It is our understanding from listening to our clients that the blended daily rate is preferable to them for a number of reasons including but not limited to; a) Administra0ve efficiencies through the applica0on of one single invoice rate and ease of administra0on by not having to check the accuracy of worksheet hours across mul0ple grades. b) The rational outlined in clarification message reference number 754873 (11) In the context of the requirement to provide ‘a realistic and genuine rate for each grade in its tender response’ will the Contracting Authority provide a breakdown of the proportion of contracts	The blended daily rate remains part of the Framework pricing model. Framework Clients may use the blended daily rate or variable rates by grade, in accordance with the Framework documentation and their requirements. The OGP does not propose to publish a breakdown of the pricing models used under the existing DPS.

	awarded, under the existing DPS, by way of blended daily rate compared with the number of contracts awarded using variable rates per grade. Furthermore, can the Contracting Authority confirm that DPS/Framework clients that participated in the PMC requested that variable rates per grade should be a feature of the proposed Framework Agreement.	
	It is stated in the RFT that 'This Framework may be used for operational procurement support requirements…' and 'The Services comprise procurement support and assistance in connection with goods and services procurements conducted under the Open and Restricted procedures.' Furthermore, the RFT states that 'The Framework does not provide a general legal, strategic, policy, technical, ICT, management consultancy or managed contract-administration service. At Appendix 1 (1.3 Services outside the scope) a number of services, including the following are stated to not be included; - public procurement policy development or organisational procurement strategy - general transformation, restructuring, business-process or management consultancy - procurement procedures other than the Open and	Please refer to Clarification Message 754873(5), (6), (7) and (8). A Framework Client may request advice or procurement assistance where it is connected with an identified operational procurement requirement and remains within the RFT and Requirements and Specification. The future operation of other DPS categories or procurement arrangements is outside this competition.

	Restricted procedures - training In this context and on the basis that existing DPS Members are providing some of those services, will the Contracting Authority clarify how services currently being provided under the four lots of the current DPS will be procured and provided to clients when the proposed Framework Agreement is put in place. Furthermore, will the Contracting Authority clarify the meaning of the stock responses to clarification message reference number 754873 (5), (6) and (7).	
	Foreign Subsidies Regulations. In response to clarification message reference number 754873 (13) the OGP has stated that 'Each Tenderer is responsible for determining if the Foreign Subsidies Regulation applies to its circumstances. Clause 2.1.6 and Appendix 3A state that the notification or declara1on requirements apply where the applicable thresholds are met.' Will the Contracting Authority simply clarify the threshold at which the Foreign Subsidies Regulation applies to public procurement tenders and confirms whether or not this tender is subject to the Foreign Subsidies Regulations and avoid the necessity for tenderers to incur additional expense in seeking	The mandatory Foreign Subsidies Regulation notification regime applies where the estimated procurement value is at least €250 million excluding VAT and the applicable foreign financial contribution threshold is met. PAS139F is below the €250 million procurement-value threshold.

	‘their own legal advice’ as to whether they need to complete Appendix 3A.	
	Insurance requirements. We note the inclusion of Cyber and Crime Insurances as a requirement for procurement consultancy for the first time and that the OGP has advised that this is based on advice from the State Claims Agency. In the context of attempting to understand the necessity to increase cover and consequential costs, will the Contracting Authority make available to tenderers the State Claims Agency’s advice and rational for these additional requirements and costs.	Cyber and Crime Insurance were included following advice from the State Claims Agency as possible risk safeguards. Under clause 2.21.1, each Framework Client will decide and specify in its SRFT whether these insurances are required and, if so, the applicable types and levels. The State Claims Agency advice noted that “*Crime insurance is intended to safeguard businesses from financial losses caused by criminal activities such as theft, fraud, and embezzlement. In relation to this particular procurement project , the provider could be exposed to fraud risks such as employee theft, payment scams or computer fraud. Crime Insurance helps protect against financial losses from these events and supports the provider's ability to continue delivering the services”.*
	In response to clarification message reference number 754873 (15) the OGP stated that ‘The eESPD is required as a standard item for this procurement. The Declaration of Personal Circumstances provides supporting evidence.’ Will the Contracting Authority clarify what supporting evidence the Declaration of Personal Circumstances provides over and above the ESPD?	Please refer to Clarification Message 754873(15). The eESPD provides preliminary evidence concerning the applicable exclusion and selection requirements. The Declaration of Personal Circumstances provides supporting evidence for verification in accordance with the RFT.

	With regard to the clarification provided in the addendum and by way of amending the title of the RFT to the provision of Procurement Support Services (Goods and Services) for Service Contracts with an Es2mated Value of €50,000, it is noted that the title of the tender remains unchanged on eTenders and in the associated OJEU Contract Notice. Will the Contracting Authority clarify if this is acceptable and in keeping with best practice.	The Addendum as of the 17/08/2026 clarifies that PAS139F applies to Services Contracts with an estimated total value of at least €50,000 excluding VAT. It does not change the underlying subject matter of the competition. The title on eTenders and in the Contract Notice remains unchanged, and the updated Addendum forms part of the procurement documents.
	Will the Contracting Authority clarify why it has set the entry level of the poten0al framework agreement at €50,000, when the entry level of the current DPS is €25,000. This increase in the entry threshold will impact a number of existing public sector bodies that currently have access to awarding service contracts under the existing DPS but will be prohibited from doing so under the proposed Framework Agreement simply because their expenditure on procurement support while reaching the €25,000 threshold, will not reach the new €50,000 threshold imposed under the proposed Framework Agreement. Notwithstanding that RFQ thresholds have been revised from €25,000 to €50,000 it is this procurement services providers experience that many of these public	PAS139F is intended for operational procurement-support requirements where the total estimated value of the Services Contract is at least €50,000 excluding VAT. A Services Contract may cover a specific project, an arrangement delivered over an extended period, or support for more than one procurement requirement, provided the Services remain within the scope of the RFT and Requirements and Specification. The individual procurements supported under the Services Contract may be above or below the applicable EU threshold. Each Framework Client remains responsible for defining its requirements in the SRFT, calculating the total estimated value of the Services Contract and determining that the requirement is within the scope of PAS139F. With regards to requirements with a total estimated Services Contract value below €50,000 excluding VAT are outside the scope of the Framework.

	sector bodies have most need for the use of central arrangements. Will the Contracting Authority clarify what process public sector bodies with procurement support requirements with a value less than €50,000 will be expected to use after the proposed framework agreement is put in place.	Framework Clients remain responsible for using an appropriate procurement process in accordance with applicable procurement rules and their own governance arrangements. Current national guidance provides for direct invitation seeking written tenders for general services requirements from €5,000 to below €50,000.
	Requirement to demonstrate one open procedure, one restricted procedure and one of choice. In the context of potential tenderers that actively promotes the exclusive use of the Open Procedure as the procedure of choice in keeping with best procurement practice, will the Contracting Authority confirm that it is acceptable for such tenderers to provide only examples of Open Procedures that they have delivered within the last five years?	No. Tenderers may not submit only Open Procedure examples. The three references must collectively demonstrate one open competitive procedure or process, one qualifying two-stage procedure or process, and one further open or qualifying two-stage procedure or process.
	Relevant experience and contract reference. We note the various clarifica0ons provided to date, the Addendum to the Request for Tenders and VER 2 of the RFT. However, we are unclear as to how tenderers that have not delivered an Open Procedure tender or a Restricted Procedure Tender with a value in excess of €50,000 should respond to the requirement as set out in VER 2 PAS139 RFT	Please refer to response to **Message ID 759643** above.

	Updated under '3.2.B 1. Relevant Experience and Contract References — Pass/Fail The Tenderer must provide three contract references demonstrating experience in providing the public procurement support services set out in the Requirements and Specification: 1. one contract relating to an Open Procedure; 2. one contract relating to a Restricted Procedure; and 3. one contract relating to either an Open or Restricted Procedure, at the Tenderer's choice. 4. At least one of the three references must demonstrate that the Tenderer provided procurement support services with a value of not less than €50,000 excluding VAT. That reference may relate to either an Open Procedure or a Restricted Procedure.' Notwithstanding that the requirement goes on to state that; 'A contract may relate to: • a single procurement project or assignment; or • a defined period of operational procurement support provided during the term of a contract' we are unable to reconcile the wording that the 'contract may relate to a defined period of operational procurement support provided during the term of a contract' with the wording contained in 4. above that 'At least one of the three references must demonstrate that the Tenderer provided procurement support services with a	

	value of not less than €50,000 excluding VAT. That reference may relate to either an Open Procedure or a Restricted Procedure.’ Therefore, despite the clarifications issued to date, it appears from the above that the requirement to provide an example of an Open Procedure or a Restricted Procedure with a value of not less that €50,000 excluding VAT remains in the revised version of the RFT. In this context, will the Contracting Authority clarify how a contract for ‘a defined period of operational procurement support provided during the term of a contract’… ‘with a value of not less than €50,000 excluding VAT’ can be aligned with the requirement that the ‘reference may relate to either an Open Procedure or a Restricted Procedure’?	
	In the updated RFT (VER 2) at 2.6.1 under the section entitled ‘Submitting your Response’ there appears to be some text missing from between the sentence; ‘The final step involves clicking on a Submit button and receiving the following status:’ (and the sentence); ‘If you do not receive a message similar to above, you have not submitted your tender response.’ Will the Contracting Authority clarify if there is text missing and, if so, provide any missing text.	***Please note: This information is provided as general guidance only to assist tenderers in submitting their responses through eTenders. Tenderers are responsible for ensuring that all required sections, including the ESPD where applicable, are fully completed and that the overall tender response is successfully submitted before the tender submission deadline.*** ***Email: irish-eproc-helpdesk@eurodyn.com*** ***Telephone: +353 818 001 459*** A number of steps are required to prepare and submit a tender response through eTenders.

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<tr><td></td><td></td><td>Where an electronic ESPD forms part of the competition, tenderers must also complete all applicable ESPD questions and mandatory fields as part of their response.

The 100% completion indicator does not mean that your tender response has been submitted. It indicates that the tender preparation process is complete. You must still click the Submit button before the tender submission deadline.

After clicking Submit, check that:

• the status of the tender response is shown as Submitted
• a submission or receipt reference number is displayed and
• the tender submission report is available to download.

Tenderers should retain a copy of the submission report and any associated receipt or confirmation.

The word OFFLINE may appear in the tender response area. This relates to the type of response or envelope and does not, by itself, mean that eTenders is offline or that the response cannot be submitted.</td></tr>
<tr><td></td><td>The tender includes an absolute cap in respect of the daily rates for each of the four consultant levels as follows;
<table><tr><td>Level</td><td>Absolute Cap</td></tr><tr><td>4</td><td>€1,500.00</td></tr><tr><td>3</td><td>€1,200.00</td></tr></table></td><td>The absolute grade caps were set following consideration of the Functional Profiles, comparable public-service roles, relevant private-sector roles and available pricing information.</td></tr>
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<tr><td></td><td><table><tr><td>2</td><td>€1,000.00</td></tr><tr><td>1</td><td>€ 800.00</td></tr></table>
Will the Contracting Authority clarify the basis on which these absolute caps were set for each consultant level?</td><td></td></tr>
<tr><td></td><td>Based on these absolute caps and the Fixed mix percentages set out in the RFT will the Contracting Authority confirm that, notwithstanding the existence of the price increase mechanism in 2.10.6 of the RFT, the maximum Blended Daily Rate is capped at €1,065.00 for the duration of the Framework Agreement and any follow-on contracts. (By follow on contracts, we are referring to contracts that have a duration beyond the term of the Framework Agreement).</td><td>Based on the fixed grade mix and absolute grade caps, the maximum Blended Daily Rate is €1,065 excluding VAT.
Any price adjustment remains subject to the applicable absolute grade caps.

An approved Framework Rate adjustment applies prospectively to mini-competitions issued after the revised Framework Rates take effect. It does not amend the rates under an existing Services Contract, including a Services Contract that continues beyond the expiry of the Framework Agreement.</td></tr>
<tr><td></td><td>We note the inclusion of a complicated price increase mechanism at 2.10.6 of the RFT. Will the Contracting Authority confirm if the following is an accurate summary interpretation of the price review mechanism;
a. No increase in Framework members maximum tendered rates will be permitted before 24 months</td><td>The interpretation is correct. No price review applies before month 24. A Framework Member may request a review annually thereafter. The applicable index is the specified Ireland CPI. Any increase is capped at 3% per review, is non-retrospective and cannot result in a rate exceeding the applicable absolute cap.

An approved adjustment applies only to Services Contracts awarded after the adjusted Framework Rates take effect. It does not apply to, or amend the rates payable under, Services Contracts already in place.</td></tr>
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	after the effective date of the Framework Agreement. b. Subsequent requests for increase in the tendered rates may be applied for annually following the initial 24 months. c. The index to be used to determine if any increase is to be granted will be the CPI for Ireland for the particular review month. d. The maximum increase to be granted in respect of any review is 3% or less. e. Notwithstanding the mechanism for dealing with applications for price increases, the absolute maximum capped rates per grade cannot be exceeded throughout the term of the Framework Agreement and follow on contracts.	
	The price increase mechanism states that '…a Framework Member may submit a written request to the Contracting Authority'. Will the Contracting Authority confirm that applications for price increases under the mechanism will be administered by the OGP over the term of the Framework Agreement.	Yes. Requests to adjust Framework Rates under clause 2.10.6 will be submitted to and administered by the OGP.
	Under 2.10.6 it is stated 'No review before month 24; thereafter CPI capped at 3% per review, non-	The references to 5% is a typographical error in clause 2.10.6.

	retrospective and never above absolute caps' and 'where CPI increases by more than 3%, the maximum permitted increase shall be 3%; In the context of a 3% cap on an increase, will the Contracting Authority clarify the significance of the five references to 5% in 2.10.6 of the RFT.	The maximum permitted increase is 3% per review, subject to the remaining conditions of clause 2.10.6 and the absolute grade caps.
	Under the heading 'Application to Services Contracts' in the RFT, will the Contracting Authority clarify if all participating Framework Clients will be made aware of their options and limitations in respect of the price increase mechanism in respect of contracts that they may award during the term of the Framework Agreement.	Yes. Once a Framework Rate adjustment has been approved for a Framework Member, the OGP will notify adjoining Framework Clients thereafter. The approved adjustment will apply only to mini-competitions issued after the revised Framework Rates take effect. It will not apply to completed mini-competitions or Services Contracts already in place. Framework Clients remain responsible for administering subsequent mini-competitions and Services Contracts in accordance with the approved Framework Rates and the Framework rules.