



Trinity College Dublin

Coláiste na Tríonóide, Baile Átha Cliath

The University of Dublin

INFORMATION

MEMORANDUM

FOR

MULTI-OPERATOR

FRAMEWORK AGREEMENT

FOR

MINOR BUILDING WORKS

VALUE - €0 - €300k PROJECTS

August 2026

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1. Background

Trinity College Dublin, the University of Dublin, is Irelands leading university and has a four-hundred-year-old tradition of scholarship to confirm its position as one of the great universities of the world, providing a liberal environment where independence of thought is highly valued and where staff and students are nurtured as individuals and are encouraged to achieve their full potential.

The College is committed to excellence in both research and teaching, to the enhancement of the learning experience of each of its students and to an inclusive College community with equality of access for all. The College will continue to disseminate its knowledge and expertise to the benefit of the City of Dublin, the country and the international community.

The College provides full-time and part-time programmes for more than 20,000 students throughout the various campus locations which include the following sites

- Main Campus – College Green.
- All TCD External Premises

Trinity College Dublin carries out an on-going programme of maintenance and minor improvement /and / or alteration works to its stock of buildings, on a rolling basis, with particular emphasis on minor works projects, many of which require completion to demanding timescales, and which require works to be executed in occupied and operational buildings.

IMPORTANT NOTE – PLEASE READ

This Information Memorandum relates to the **Minor Building Works Framework** and is being issued to candidates that have successfully completed the selection stage of the restricted procedure and have been shortlisted to proceed to the tender stage.

The purpose of this Information Memorandum is to provide interested candidates with an overview of the proposed operation of the Framework, including the process for appointment to the Framework and the subsequent award of individual contracts under it.

Appointment to the Framework

Shortlisting and invitation to participate in the tender stage does **not** constitute appointment to the Framework.

All shortlisted tenderers will be required to submit a compliant tender in accordance with the tender documents issued at the next stage of this competition. Tenders will be evaluated against the stated award criteria and associated weightings as advertised.

Following completion of the tender evaluation, Trinity College Dublin, the University of Dublin ("**Trinity College Dublin**"), intends to appoint the **six (6) highest-ranked tenderers** to the Framework, subject to a sufficient number of tenderers submitting compliant tenders and satisfying all applicable minimum requirements.

As the number of tenderers invited to this stage may exceed the number of places available on the Framework, successful completion of the selection stage does not guarantee appointment.

Tenderers that fail to submit a compliant tender or fail to satisfy any applicable minimum requirements will not be eligible for appointment. Where more than six (6) tenderers satisfy these requirements, the tenderers will be ranked on the basis of their tender evaluation scores and the six (6) highest-ranked tenderers will be appointed to the Framework. **All remaining tenderers will be unsuccessful.**

Operation of the Framework

Once established, the Framework will provide the mechanism through which Trinity College Dublin may procure **Minor Building Works with an anticipated individual project value of €0–€300,000**, subject to the terms and conditions of the Framework Agreement.

Individual contracts under the Framework will be awarded using the applicable call-off procedure set out in the tender documentation and Framework Agreement. Framework Members will be required to comply with the relevant call-off requirements when competing for individual projects.

Appointment to the Framework does not guarantee any minimum level or value of work, nor does it create an entitlement to be awarded any individual contract during the term of the Framework.

Framework Duration

The Framework Agreement will operate for an initial period of **four (4) years**, with an option, at the sole discretion of Trinity College Dublin, to extend the Framework for a further period of **one (1) year**, subject to the terms of the Framework Agreement.

Status of this Information Memorandum

This Information Memorandum is intended as guidance for candidates on the proposed operation of the Framework. Tenderers should familiarise themselves fully with all tender and Framework documentation issued as part of this stage of the procurement process.

For the avoidance of doubt, receipt of this Information Memorandum, successful completion of the selection stage, or invitation to submit a tender does not constitute appointment to the Framework. Appointment will only occur following completion of the tender evaluation process and formal notification by Trinity College Dublin.

2. Scope of Framework

When the Framework Agreement is established it is intended to run for selected projects ranging in value from € 0 to € 300,000 for an initial period of four years with an option to extend for one year after that provided the cumulative projects values do not exceed the EU Thresholds.

When the Framework Agreement is established, it is intended to provide for **Minor Building Works Projects (€0 - €300,000)**, for projects including general internal refurbishment works, external works to buildings and grounds, building fabric repairs and upgrades, energy upgrade works, fire repairs and retrofitting works. Trinity College Dublin may in the future establish similar framework agreements.

When the Framework Agreement is established, it may include works which incorporate associated specialist elements (e.g. mechanical and electrical services, etc.).

When the Framework Agreement is established, it is intended to be used for any relevant project up to a maximum estimated project cost of €300,000 (exclusive of VAT). Framework Participants should be aware that notwithstanding this upper limit, there will be no lower limit and many of the contracts procured via the Framework are likely to be significantly smaller than this upper limit. Framework Participants should be advised that certain specialist works in this value range may not be put through the established Frameworks.

3. Short Listing of Participants

This procurement is being conducted using a **Restricted Procedure** and will take place in two stages.

Stage 1 – Selection and Shortlisting

At the first stage, candidates will complete and submit the required **Suitability Assessment Questionnaire (SAQ)** and supporting information.

Submissions will be assessed against the selection criteria and minimum requirements set out in the SAQ documents. Candidates that do not meet the minimum requirements will not proceed further in the competition. Candidates that meet the minimum requirements will be ranked, where applicable, in accordance with the stated shortlisting criteria.

A maximum of **ten (10) candidates** will be shortlisted and invited to proceed to Stage 2.

Being shortlisted and invited to Stage 2 does **not** mean that a candidate has been appointed to the Framework.

Stage 2 – Invitation to Tender & Formation of Framework Agreement

The **ten (10)** shortlisted candidates will be invited to submit a tender for the **Minor Building Works Framework Agreement**.

Tenders received at Stage 2 will be assessed against the award criteria and minimum requirements set out in the tender documentation. Tenderers must achieve any minimum scores specified for the relevant award criteria in order to remain eligible for appointment to the Framework.

Following completion of the tender evaluation, the **six (6) highest-ranked tenderers** will be appointed to the Framework, subject to a sufficient number of compliant tenders meeting the required standards. Tenderers that do not meet the minimum requirements, or that are not ranked within the six (6) highest-scoring tenderers, will not be appointed to the Framework.

Unsuccessful candidates will be held as Reserve Participants (subject to receipt of sufficient number responsive valid tenders). Should a Framework member be ejected from the Framework over the Framework Period, TCD will replace the member with the next highest ranked candidate for the remainder of the Framework Period.

Establishment of the Framework

The Framework will only be established once the tender stage (Stage 2) has been completed and the successful tenderers have been formally notified and appointed.

Appointment to the Framework will allow Framework Members to participate in the process for the award of individual Minor Building Works projects during the Framework period. **Appointment to the Framework does not guarantee any minimum level or value of work.**

The Framework is intended to operate for a period of **four (4) years**, with an option for Trinity College Dublin, at its discretion, to extend the Framework for a further period of **one (1) year**.

For clarity, **successful shortlisting at Stage 1 or invitation to submit a tender at Stage 2 does not constitute appointment to the Framework.**

4. How the Framework Will Be Used?

When the Framework Agreement is established it is intended for use for small works of a construction, refurbishment, maintenance and repair nature, energy upgrade and fire upgrade works along with retrofitting works, with values up to €300,000 excluding VAT. This may include, for example, the following project / work types etc:

- Internal Refurbishment.
- Specific Repair & Maintenance Projects.
- Structural Upgrade.
- Conservation Project.
- Window Replacement.
- Fire Safety Upgrades.
- Energy Upgrades
- Modification & Reconfiguration of Accommodation.
- Provision of Additional Buildings / Accommodation (subject to upper limit on project size).
- External Works.
- Other works, similar to the above.

For the work types noted above, the Framework is intended to become the default method of procuring works contractors over the life of the Framework.

When the Framework Agreement is established, it will not be used in the following circumstances:

- Where the estimated project value exceeds €300,000 excluding VAT,
- Where works are of a specialist nature that is not suited to Framework Participants expertise.
- Where the works are predominantly of a mechanical or electrical services nature, and are likely to require a principal contractor who is either a mechanical or electrical services contractors

5. Rules & Procedures Regarding Inviting Tenders

5.1 General Provisions

When the Framework Agreement is established, the rules governing the invitation and evaluation of tenders will be on (call-offs) and as part of mini competitions or other mechanism, are based on National Procurement guidance, and the specific provisions of the Framework Agreement. The guidance provided hereunder is guidance only and is not intended to overrule the provisions set out in general Trinity College Dublin, National or EU Procurement guidelines, the Capital Works Management Framework, or the specific Framework Agreement Rules.

When a requirement for a works contract, which qualifies for procurement via this Framework, has been identified, a Call-Off tender process is instigated in accordance with the Framework Agreement.

Essentially this involves preparing and issuing a tender enquiry defining the works and the circumstances under which they will be carried out and issuing this to the Framework Participants as set out in Section 5.3 Tender Call Offs, inviting tenders to be submitted by a defined closing date.

Failure to return a tender will have a negative impact on the Framework Participants standing under the Framework. Review of Framework Participants failure to return tenders will be dealt with in Section 10 review.

5.2 Management of Projects under the Framework

When the Framework Agreement is established projects under this framework will be run by Project Managers from the Estates & Facilities Department. From time to time external consultants may run projects on behalf of either office.

The Framework Participants should make themselves aware that it is envisaged that each project will have a different Project Manager which may not be the Framework Administrator of the framework.

5.3 Tender Call Offs

Each Minor Building Works project will consist of a call off from the framework; the number of participants called off to tender for a project will depend on the value range. The value ranges anticipated over the course of the Framework will vary as the need arises within TCD. However this framework will primarily deal with low value projects and tenderers will be expected to competitively bid for projects tenderers as per the rules set out herein.

There will be 6 participants and the ranking are as follows.

1. Contractor A
2. Contractor B
3. Contractor C
4. Contractor D
5. Contractor E
6. Contractor F

The call off for a tender once the Framework is established will be done as follows:

Band	Project Value (Excl. VAT)	Procurement Method
A	€0 - €25,000	Direct award by rotation (with option for multi-quote)
B	€25,001 - €300,000	Mini-competition between 3 framework contractors

5.3.1 Band A – €0 to €25,000 (Direct Award by Rotation)

5.3.1.1 Standard Procedure

Projects valued up to €25,000 shall be awarded using a rotation. The Framework Manager shall maintain a rotation register. Each new project shall be offered to the next contractor in sequence. Upon award, that contractor moves to the bottom of the rotation list.

The Framework Manager may bypass a contractor where:

- Contractor declares insufficient capacity.
- Conflict of interest exists.
- Contractor does not respond within the required timeframe to the tender enquiry.
- Specialist expertise is unavailable.
- Contractor performance concerns are recorded.
- In the event of an uneconomical tender price being received

Reasons for bypassing a contractor shall be documented.

5.3.1.2 Multi-Quotation Option for Projects up to €25,000 in value

Trinity College Dublin may seek competitive quotations from 2 to 3 framework contractors where:

- Value is close to €25,000.
- Design complexity exists.
- Programme risks are significant.
- Specialist works are involved.

The Framework Manager shall document the reason for using the multi-quote process.

Evaluation may be based on:

Criteria	Weighting
Price	70%
Methodology/Programme	30%

Alternative weightings may be used where appropriate.

5.3.1.2 Direct Award Process

The selection process for issuing tenders to the Framework for Band B works will be as follows:-

Stage 1

TCD issue a brief scope including:

- Description of works
- Drawings (if applicable)
- Site information
- Programme requirements
- Health & Safety requirements

Stage 2

Contractor to submit within 5 to 10 working days:

- Lump sum price
- Programme
- Resource availability
- Clarifications

Stage 3

TCD reviews submission.

Stage 4

TCD accepts a tender and awards the contract.

5.3.2 Band B – €25,001 to €300,000 (Mini Competition or Random Selection)

5.3.2.1 Standard Procedure

Projects from €25,001 to €300,000 shall be awarded by mini competition, rotation or random selection. TCD will normally conduct a competitive competition between **three (3) Framework Contractors** for projects above €25k.

5.3.2.2 Selection of Tenderers

Framework Contractors invited to participate in each mini-competition shall be selected primarily on a rotational basis, having regard to:

- the order of rotation maintained by TCD;
- the Contractor's capacity and availability to undertake the works;
- relevant experience and technical capability for the specific project;
- geographic location where relevant; and
- the Contractor's performance on previous Framework projects.

Where a Framework Contractor is unable or unwilling to tender, or where TCD reasonably considers that the Contractor does not have the necessary capacity, resources or specialist expertise, TCD may invite the next Contractor(s) in the rotation.

In exceptional circumstances, including where the works are of a specialist nature, are particularly complex, or where TCD considers that wider competition would deliver better value for money, TCD may invite **all Framework Contractors** to participate in the mini-competition. The reasons for doing so shall be recorded.

The following examples illustrate the operation of the procedure:

Project A (€50,000): Contractors A, B and C invited to tender.

Project B (€222,000): Contractors D, E and F invited to tender (being the next Contractors in the rotation).

Project C (€250,000): Contractors B, D and F invited to tender, unless TCD determines that the project warrants a competition amongst all Framework Contractors.

TCD shall maintain a record of mini-competitions and Contractor invitations to ensure that tender opportunities are distributed fairly and transparently across the Framework over its duration.

If Random Selection will be used, TCD will implement the following procedure:-

- A) Each Framework member will be allocated a number for the Random Selection process. This number will remain with the member for the duration of the Framework Agreement and used for each Random Selection process
- B) TCD will organise the selection team and an independent monitor for the call off. The selection team will consist of a minimum of two members which should be made up of the TCD Project Manager and independent monitor. The independent monitor will be a representative outside of the Estates Department such as a member of the Design Team, Accounts/Finance or external member.
- C) Names of the Framework members will be kept confidential and not disclosed to the independent monitor and will only be revealed once the contract is awarded.
- D) The random number selection process will be generated from a random number selection online application where the numbers of the Framework Members will be inserted and the application will generate numbers at random.
- E) The random numbers will then be correlated to the Framework Member on the list and the randomly selected participants will be identified and invited to tender for the specific project.
- F) TCD will keep a signed record of the random selection process result
- G) To complete the Random Selection process, the TCD Project Manager for the project will print out a copy of the results page from the Random Selection website. This will be titled and dated and signed by the TCD member and the independent monitor and retained on file for audit purpose.

Any contracts for individual projects entered into by TCD on foot of the Framework Agreement (“Call-Off Contracts”) shall be governed by:-

- the Public Works Contract (PW-CF5) for Minor Building and Civil Engineering Works designed by the Employer as published by the Office of Government Procurement, current at the date of the Call-Off Contract.
- the Public Works Contract (PW-CF6) Short Form of Contract as published by the Office of Government Procurement, current at the date of the Call-Off Contract
- Term Maintenance and Refurbishment Contract (PW-CF11)

The successful tenderer for each Call-Off Contract will be expected to enter into a formal contract with TCD. Each Call-off Contract awarded will be between TCD and a single legal entity (lead applicant, consortium, JV etc). TCD will not be obliged under the Framework Agreement to award any contracts tendered.

5.3.2.3 Selection of Tenderers

The following tender documents shall be issued for pricing. It is at the discretion of TCD Framework Manager to decide what information is relevant for each call off contract:

- Invitation to Tender
- Scope of Works
- Drawings
- Specifications
- Pricing Schedule/Bill of Quantities
- Programme requirements
- Risk information
- Health & Safety information
- Contract conditions
- Award criteria

5.3.2.4 Tender Period

Typical tender period:

Project Complexity	Tender Period
Simple	</=10 working days
Moderate	</=15 working days
Complex	20 working days

TCD may extend periods where necessary, depending on the complexity of the project.

5.3.2.4 Evaluation Criteria

TCD will have discretion of selecting the award criterion for the call off contracts. However shall be assessed on the Most Economically Advantageous Tender (MEAT).

Suggested weighting (at discretion of TCD):

Option 1 (Default)

Criterion	Weighting
Price	70%
Quality	30%

Quality criterion may include:

- Methodology
- Programme
- Resource allocation
- Risk management
- Sustainability
- Conservation Specialist Works

Option 2 (Complex Projects)

Criterion	Weighting
Price	60%
Quality	40%

Quality sub-criteria:

Sub-Criterion	Weighting
• Method Statement	15%
• Programme	10%
• Key Personnel	10%
• Sustainability/Social Value	5%
• Conservation Specialist Works	XXX%

Note percentages and sub-criteria can be altered depending on the particular project.

5.3.2.5 Emergency Works Procedure

TCD may depart from standard procedures where:

- Immediate health and safety risks exist.
- Building closure is threatened.
- Statutory compliance issues arise.
- Significant operational disruption may occur.

Emergency works may be directly awarded to any framework contractor capable of immediate mobilisation. The reason shall be recorded in writing.

5.4 Framework Agreement Administration.

A Framework Administrator will be appointed to administer the agreement over the term of the agreement.

5.5 Tender Documents

Having regard to the range of project types and sizes covered, the standard format for tender documents will follow the Capital Works Management Framework. Tenders issued shall define the works in sufficient detail, to allow the submission of clear, unambiguous and unqualified tenders from all tenderers.

Depending on the value range of the works these documents may include some or all of the following documents:

1. Volume A – Works Requirements.
 - Specifications.
 - *Project Particulars setting out general conditions and obligations applying to the works. #*
 - *Design Drawings. #*
 - *Fire Certificate Drawings. #*
2. *Volume B – Form of Tender and Schedule. #*
3. *Volume C – Pricing Document.*
 - *Bill of Quantities. #*
 - *Schedule of Rates. #*
 - *TCD Tender Summary#*
4. *Volume D –Information Pack#*
 - *Preliminary Safety Plan. #*
 - *Site Investigation. #*
 - *Asbestos Survey. #*
 - *Etc*

Note: # - If required

In formal tenders the original Volume B - Form of Tender & Schedule and original Volume C – Pricing Document must be filled in by the Tenderer **IN INK** with the rates of charge, amount of each item and the total amount of the tender properly shown therein and returned with the submission. Attention is particularly drawn to the fact that omission to sign the original Volume B - Form of Tender & Schedule and original Volume C – Pricing Document or to insert therein the total amount of the tender or the making of any amendment or alteration whatsoever, in the text of the Work Requirements or the Form of Tender or qualifying documents, will disqualify the tender and will not be permitted under any circumstances.

The tender documents issued will clearly state what format the tenders are to be returned, whether as a written quote for medium works or formal tender submission for larger works. This will depend on the value range and must be clearly identified in the call off documents.

If it is not clearly identified how the request should be returned the tenderer should seek clarification from the TCD Estates Project Manager.

For tenders where written quotes are requested the tender format will consist of:

1. Volume A – Works Requirements.
 - Specifications / Description of Work. #
 - Drawings and Specifications / Other Information. #
 - Programme Requirements (e.g. restrictions on working times). #
 - Other Requirements. #
 - Basis of Pricing. #
 - Instructions for Submission of Tenders. #
 - Basis of Tender Assessment. #

Note: # - If required

5.6 Issuing Documents; Dealing with Queries.

When the Framework Agreement is established the Framework Participants on the particular call off will receive tender enquiries by e-mail. Tender enquiries will be issued to all applicants simultaneously or as per the call off procedures included in the Framework Agreement.. The tenders will be issued by the TCD Project Manager for the works.

When the Framework Agreement is established any queries from tenderers which are responded to, will have the query and responses circulated to all Framework Participants, to ensure that all tenders are submitted on the same basis. In issuing query responses, consideration should be given to ensuring that tenderers have sufficient time to address the subject matter of the query response. It may be appropriate and or necessary to extend the date for return of tenders if a query includes significant additional information at a late stage in the tender process but not guaranteed.

Particular attention should be given to site visits during the tender period. Any information and clarifications provided to one tenderer will be communicated to all.

The last date for tender queries will be defined in the instructions to tender. Participant should submit all their queries as early as possible. If in doubt about an item either in or omitted from the documents submit a query. The Participant will not be penalised for submitting queries. Any information and clarifications provided to one tenderer will be communicated to all. All queries should be submitted by email.

6. Tender & Award Criteria

6.1 General

When the Framework Agreement is established the Participant will be requested to prepare and submit a tender by pricing all items in the tender documents which may include a Volume C - Pricing Document (the Schedule of Rates and the Form of Tender).

The format in which the tender is to be returned will depend on the value range and will be clearly identified in the documents by the Project Manager. The type of tender returns to be submitted will be either:

1. A written quote for minor works or
2. Formal tender submission for larger works.

The tender documents will clearly define which of the criteria the tender will be awarded under. The contracts awarded under the Minor Works Framework Agreement will be based on either:

1. Most Economically Advantageous Tender; or
2. The Lowest Compliant Price.

M.E.A.T. will include the comparative price tender and technical merit. This is based on the highest points total being the M.E.A.T. Where a Call-Off Contract is awarded on the basis of MEAT, tenders shall be evaluated in accordance with the award criteria and weightings stated in the tender documents. The tender achieving the highest overall weighted score shall be ranked first and will be awarded the contract provided they meet all Trinity College Dublin requirements.

Trinity College Dublin reserves the right not to award a Call-Off Contract, to abandon a competition at any stage, or to re-run a competition where it considers it appropriate to do so in accordance with applicable procurement law and the terms of the Framework Agreement.

The Comparative Price Tender is based on the following CWMF standard format in Appendix 5 of the Instructions to Tenderers. See blank sample below.

For Information Purposes Only: Candidates are not to complete this table

Contract Sum				€
Tendered Contract Sum (Form of Tender ¹⁰)				
Tendered Compensation Events Charges				
€	labour	x	% adjustment (Schedule, part 2D)	
€	materials	x	% adjustment (Schedule, part 2D)	
€	plant	x	% adjustment (Schedule, part 2D)	
days	Site Working Days' delay	x	tendered rate (Schedule, part 2D) ¹¹	
			SUB-TOTAL	
Tendered date for Substantial Completion (if used)				
€	Value per calendar day	x	days in excess of the earliest date for substantial completion ¹²	
			SUB-TOTAL	
		x		
		x		
		x		
TOTAL COMPARATIVE COST OF TENDER				

The comparative cost of tender will be determined based on the total priced schedule, including the rates and percentage additions inserted by the tenderer in the day works schedule provided as part of the Schedule of Rates, and as described in more detail hereunder.

6.2 Pricing the Schedule of Rates

Unless otherwise stated, all sums given in Tenders must be in euro, to two decimal places. Tenderers must not insert additional items in the Schedule of Rates, except where permitted to do so by the Schedule of Rates or make any alterations to the Schedule of Rates.

Amounts must be included wherever required in the Form of Tender and the Schedule of Rates. Blank spaces, the terms “nil” or “included”, or dashes or the like must not be used. Where zero is a permitted entry, it must be stated as “0.00” Tenderers must not use abnormally high or low rates or prices. Each amount in the Schedule of Rates must cover

the full inclusive value (excluding value-added tax) of the relevant work. All items and quantities in the Schedule of Rates must be priced. Tenderers must not use negative rates or prices, or omit rates, or use zero rates, in the Schedule of Rates. Failure to comply with the requirements of this section may result in the tender being deemed non-compliant and rejected. Trinity College Dublin reserves the right, where permitted, to seek clarification of any aspect of a tender submission.

6.3 Non-Compliant Tenders

If a Tenderer fails to comply in any way with these Instructions, Trinity College Dublin have the option of disqualifying the Tenderer concerned as non-compliant, and reject any Tender concerned, and, without prejudice to this right, Trinity College Dublin may (but is not obliged to) seek clarification or further information (that does not materially alter a Tender) from the Tenderer in respect of the relevant tender or take any other step permitted by law, including the principles of equal treatment, non-discrimination, transparency and proportionality.

6.4 Errors

Trinity College Dublin may, without any responsibility for this, examine the Schedule of Rates for errors in addition or extension. If there is an error in extension, the rate will be adjusted, so that the extension remains the same. If there is an error in addition, the amounts added (and the rates making them up) will be adjusted pro rata to the error, so that the total remains the same. This will apply if the total of the tendered rates and prices, with value-added tax added, does not add up to the tendered Contract Sum.

Trinity College Dublin will decide which amounts and rates are to be adjusted. Instead of adjusting the amounts added, Trinity College Dublin may in its discretion adjust an item described in the Schedule of Rates as an “adjustment item”. No adjustment made under this section 6.4 will affect the tendered Comparative Cost of the Tender.

6.5 Unbalanced Tenders

If, in Trinity College Dublin's opinion, the tendered rates or prices in the Schedule of Rates (after adjustment under section 6.4 above) do not reflect a fair allocation of the tendered Contract Sum, or the last sentence of section 6.2 applies, Trinity College Dublin may (but is not obliged to) do either or both of the following:

- Require the Tenderer to provide a breakdown of any tendered amounts, to show that they reflect a fair allocation of the tendered Contract Sum, and;
- Invite the Tenderer to adjust rates or prices tendered in the Schedule of Rates, but without adjusting the tendered Contract Sum or having any effect on the Comparative Cost of the Tender.

If, having considered the information provided (both in the tender and in response to a requirement under this section 6.5), Trinity College Dublin are of the view that the Tenderer's tendered rates or prices in the Schedule of Rates do not reflect a fair allocation of the tendered Contract Sum, Trinity College Dublin may reject the tender.

6.6 Abnormally low tenders, abnormally high or low rates or prices

If, in Trinity College Dublin's opinion, the tendered Contract Sum is abnormally low or any tendered amounts (including the rates in the Schedule, to the Form of Tender) are abnormally low or abnormally high, Trinity College Dublin may require the Tenderer to provide details of the constituent elements of the tendered Contract Sum or the tendered amounts.

This may include (without limitation) the information listed in Regulation 69(I) of the European Communities (Award of Public Authorities' Contracts) Regulations 2016. Any failure to provide such information, when requested, may exclude the tender from further consideration. If, having considered the information provided, Trinity College Dublin is of the view that either the Contract Sum is abnormally low or any tendered amounts are abnormally low or abnormally high, the Trinity College Dublin may reject the Tender.

No adjustment made under this section 6.6 will affect the tendered Contract Sum or the Comparative Cost of the Tender.

6.7 Award Criteria

The award criteria for each Contract tendered will be defined in the tender enquiry for that contract. Contracts awarded under the Lowest Tender Sum will be assessed on price alone.

Contracts awarded under the Most Economically Advantageous Tender (M.E.A.T.) will be made on the basis of the award criteria as set out in the tender documents. It will be a condition of participation in the framework that all tenders and contracts under the framework will be denominated in Euro.

6.8 Clarifications

Trinity College Dublin may seek clarification or further information or both from one or more Tenderers. Trinity College Dublin may meet with one or more Tenderers for these purposes. Trinity College Dublin will confirm to the Tenderer concerned in written minutes any clarification arising from a meeting and the Tenderer will be required to confirm or correct the minutes in writing

6.9 Termination

When the Framework Agreement is established it may be terminated at the Trinity College Dublin's discretion by providing fourteen (14) days' notice to all Framework Participants.

Trinity College Dublin's reserves the right not to proceed with the procurement process or any part of it and may terminate the process or any part of it at any time, with or without procuring the Works in another way. If this happens, neither the College nor its officers, employees, or advisers will be liable to any Applicant or other person. The College does not bind itself to accept any outcome of the process described in these documents and is not obliged to enter into a contract for the Works with anyone.

6.10 Failure to Return a Tender

Framework Participants are expected to actively participate in Call-Off Competitions for which they are invited, unless they have a legitimate reason for declining to tender, such as insufficient capacity, a conflict of interest, or a lack of relevant resources or expertise.

Where a Framework Participant declines to tender or fails to submit a tender by the specified deadline, Trinity College Dublin may record the occurrence for performance monitoring purposes.

Repeated failures to respond to invitations to tender, repeated withdrawals from competitions, or a persistent lack of participation may be taken into account during Framework performance reviews and when considering the selection of contractors for future mini-competitions, provided that such consideration is applied fairly, transparently and consistently across all Framework Participants.

The monitoring and review of participation levels shall be addressed in accordance with Section 10 – Framework Review.

7. Tender Assessment Criteria

The assessment and award methodology for Call-Off Contracts under the Framework shall depend on the estimated value and nature of the Works. The applicable award methodology and assessment criteria shall be clearly stated in the Call-Off documentation.

7.1 Contract Award Criteria

Band A – Call-Off Contracts up to €25,000 (excluding VAT)

Call-Off Contracts with an estimated value of up to €25,000 (excluding VAT) may be awarded by:

- Direct Award in accordance with the Framework rotation procedure; or
- A competitive quotation process involving two or more Framework Participants where Trinity College Dublin considers this appropriate having regard to the value, complexity or specialist nature of the Works.

Where a competitive quotation process is used, the award may be based on:

- Lowest Compliant Price; or
- Most Economically Advantageous Tender (MEAT).

The award basis shall be stated in the quotation request documentation.

Band B – Call-Off Contracts from €25,001 to €300,000 (excluding VAT)

Call-Off Contracts with an estimated value between €25,001 and €300,000 (excluding VAT) shall normally be awarded following a mini-competition between three (3) Framework Participants selected in accordance with the Framework Call-Off Procedure.

In exceptional circumstances, Trinity College Dublin may invite all Framework Participants to tender where this is considered appropriate having regard to the nature, complexity or specialist requirements of the Works.

Contracts awarded following mini-competition may be assessed on the basis of:

- Lowest Compliant Price; or
- Most Economically Advantageous Tender (MEAT).

The award basis shall be specified in the tender documents.

7.2 Most Economically Advantageous Tender (MEAT)

Where a Call-Off Contract is awarded on the basis of MEAT, tenders shall be evaluated against criteria relevant to the particular Works Contract.

The evaluation criteria and weightings shall be specified in the tender documents.

Typical evaluation criteria may include:

Table 1 – Indicative Award Criteria Ranges - [Sample](#)

CRITERIA	MIN WEIGHTING	MAX WEIGHTING
<i>Most Economically Advantageous Tender</i>		
Comparative Price Tender	0-50%	90%
<i>Technical Merit</i>		
Programme	0%	50%
Proposed Products	0%	25%
Proposed Project Specific Team	0%	25%
Method Statements	0%	25%
Other Technical Merits	0%	25%

The total weighting of all criteria shall equal 100%.

The tender achieving the highest overall weighted score shall be ranked first and may be awarded the Call-Off Contract, subject to compliance with all requirements of the competition.

The qualitative award criteria will apply to each mini-competition conducted under the Framework Agreement. Tenderers must achieve a minimum score of 50% under each qualitative award criterion, excluding Ultimate Cost, or such other minimum qualifying mark as may be specified in the relevant mini-competition scoring table. Failure to achieve the applicable minimum score under any qualitative criterion will result in the tender being eliminated from that mini-competition.

7.3 Lowest Compliant Price

Where the award criterion is Lowest Compliant Price, the Call-Off Contract shall be awarded to the tenderer submitting the lowest priced compliant tender that meets all mandatory requirements of the competition

7.4 Comparative Tender Price

The Comparative Price Tender is based on the GCCC standard format in Appendix 5 of the Instructions to Tenderers. The Project Manager will fill in the appropriate figures on the left-hand column so the Framework Participants can evaluate the figures they are going to be assessed against. The figures depend on the size and duration of the works. These figures vary from project to project.

7.5 Right Not to Award

Trinity College Dublin reserves the right not to proceed with any Call-Off Competition, not to award a Call-Off Contract, or to discontinue a procurement process at any stage where it considers this appropriate.

Neither Trinity College Dublin nor its representatives shall be liable for any costs incurred by Framework Participants in preparing or submitting quotations or tenders in connection with any Call-Off Competition.

7.6 Trinity College Dublin Scoring Methodology

The scoring methodology will also be published in the tender documents explaining how the tender criteria will be scored. The Trinity College Dublin scoring methodology marks are listed in the table below with a brief explanation of each score.

Table 2 – Trinity College Dublin Scoring Methodology

Each criterion will be scored on the following basis:

Indicator	Grade	Score Band
An Excellent or exceptional response with very few or no weaknesses. Fully meets or exceeds requirements, and provides comprehensive, detailed, and convincing assurance that the applicant will deliver on the Contracting Authority's requirements to an excellent standard.	Exceptional	90 - 100%
	Excellent	80 - 89%
A very good response that demonstrates real understanding of the requirements and demonstrates assurance the Tenderer will deliver to good or very good standard.	Very Good	70 - 79%
	Good	60 - 69%
A satisfactory response which demonstrates a reasonable understanding of requirements and gives reasonable assurance of delivery the Contracting Authority's requirements to an adequate standard but does not provide sufficiently convincing assurance to award a higher mark.	Satisfactory	50 - 59%
A response where reservations exist. Lacks full credibility and/or convincing detail, and there is a significant risk that the delivery of the Contracting Authority's requirements will not be successful.	Average	40 - 49%
A response where serious reservations exist. This may be because, for example, insufficient detail is provided, and the response has fundamental flaws, or is seriously inadequate or seriously lacks credibility with a significant risk of non-delivery of the Contracting Authority's requirements	Poor	20 - 39%
Limited or no information provided	No Response	0 - 19%

The qualitative award criteria will apply to each mini-competition conducted under the Framework Agreement. Tenderers must achieve a minimum score of 50% under each qualitative award criterion, excluding Ultimate Cost, or such other minimum qualifying mark as may be specified in the relevant mini-competition scoring table. Failure to achieve the applicable minimum score under any qualitative criterion will result in the tender being eliminated from that mini-competition.

7.7 Assessment of Tender

Tenders will be assessed in strict accordance with the tender assessment criteria set out in the tender enquiry (which may vary from call-off to call-off, within the constraints set out). Tenders should be assessed in two stages, under comparative tender price and technical merit.

7.8 Failure to Return a Tender

When the Framework Agreement is established failure to return a tender may have a negative impact on the Framework Participants being involved in future call off, mini competitions under the Framework. Review of Framework Participants failure to return tenders will be dealt with in Section 10 Review.

8. Performance Measurement

Trinity College Dublin ("TCD") shall monitor the performance of Framework Participants throughout the duration of the Framework Agreement in accordance with the Framework Rules.

Performance monitoring shall be undertaken following completion of each Call-Off Contract and at such other intervals as TCD considers appropriate.

Framework Participants shall provide such information and records as may reasonably be required by the Project Manager or Framework Administrator to demonstrate compliance with the performance measures set out below.

The purpose of performance monitoring is to:

- ensure consistent delivery of quality services and works;
- achieve value for money;
- promote continuous improvement;
- identify performance issues at an early stage; and
- provide a fair and transparent basis for the management of Framework Participants.

Where performance concerns arise, TCD may implement the procedures set out in the Framework Rules, including improvement plans, formal warnings, temporary suspension from future mini-competitions and, in serious or persistent cases, termination of the Framework Agreement. The issue of any warning, suspension or termination shall be undertaken in accordance with the procedures set out in the Framework Rules.

If the Framework Participant continually finishes in the same low M.E.A.T. ranking or most expensive Lowest Tender Sum the Framework Administrator may request the Framework Participant to attend a review meeting to discuss and explain the continual low ranking which may result in the Framework Participant being terminated from the Framework. (An example where the Framework Participant continually ranks 6th on the Framework over a period of time). The procedure is set down in Section 10 Framework Participants Continually Low Ranking.

This provides Trinity College Dublin with a sanction in the event of a Framework Participant not performing satisfactorily on the Framework, up to and including the dismissal of the Participant from the Framework.

The procedures involved are set out in the Framework rules, and essentially involve two “failure” levels. At failure level 1, a Participant can be issued with a formal written warning and be suspended from further competitions until the Participant can demonstrate that the relevant shortcomings have been rectified. If two warning notices are issued to a Participant, or if failure level 2 is reached, the Participant can have its Framework Agreement terminated.

The Performance Measurement criteria as defined in the Framework Agreement are as follows (table to be read in conjunction with clause 4 of the Framework Rules).

Table 3 – Performance Measurement Criteria

No	Employers Objective	Indicator	Measurement Period	Failure Level 1	Failure Level 2
1	Programme for delivery	Completing works contract(s) within required time frame(s)	per contract	Failure to achieve agreed completion date without acceptable justification	Repeated failure to achieve agreed completion dates on subsequent contracts
2	Quality of Workmanship	Compliance with specification and quality requirements	Per Contract	Material defects, poor workmanship or failure to meet specification	Repeated occurrence following corrective action or previous warning
3	Poor Performance of Contractor	Delivery of Works in accordance with contract requirements	per tender	Material failure to comply with contractual obligations	Repeated or serious contractual non-compliance

No	Employers Objective	Indicator	Measurement Period	Failure Level 1	Failure Level 2
4	Submitting competitive tender following call off from the Framework	Submitting tenders for call off contracts	per tender	Decline to submit a bid on one occasion	Decline to submit a bid on second occasion
5	Excessive defective work or non compliant work within the works requirements as determined by the Employer Representative	Excessive defects/non compliant works	per contract	Excessive defective work or non compliant work within the works requirements as determined by the Employer Representative	Second consecutive occasion of excessive defective work or non compliant work within the works requirements as determined by the Employer Representative on second occasion
6	Participant maintains all measures identified within the Health & Safety Plan	Failure to adhere to measures identified	Per contract	Any significant failure or breach of Health & Safety	Two significant failures/breach to adhere to measures outlined in the Health & Safety Plan
7	No significant defects requiring demolition or reconstruction	Significant defects requiring reconstruction	Per contract	If there is a significant defect identified on the project	More than one occasion of a significant defect identified on the project

Framework Performance Reviews

Where a Framework Participant's performance falls below the standards required under the Framework Agreement, the Framework Administrator may require the Participant to attend a performance review meeting.

The purpose of the review meeting shall be to discuss the performance concerns identified; establish the causes of the issues; agree corrective actions and improvement measures; and determine whether formal performance management procedures should be implemented. Any suspension or termination of a Framework Participant shall be undertaken strictly in accordance with the Framework Rules and the terms of the Framework Agreement.

9. Conditions of Awarding the Contract

When the Framework Agreement is established the successful Framework Participant must have the following listed below in place before the contract can be awarded. A copy of the below information must be forwarded to the Project Manager for approval before any work commences.

9.1 Insurances

In order to be awarded a contract the successful Framework Participant must have Employers Liability Insurance in the amount of €13 million and Public Liability Insurance in the amount of €6.5 million. These must be approved by Project Manager before work can commence.

9.2 Tax Clearance Certificate

In order to be awarded a contract the successful Framework Participant must have and up to date Tax Clearance Certificate.

9.3 Pension Scheme

In order to be awarded a contract the successful Framework Participant must provide declaration to the following re The Construction Workers Pension Scheme or equivalent:

“Prior to commencement of the works all workers scheduled by the Contractor and their Sub-contractors for works on site, shall have been offered affiliation to the Construction Workers Pension Scheme or equivalent”.

9.4 Union Membership

Prior to commencement of the works all workers scheduled by the Contractor and their Sub-contractors for works on site, *shall have been offered membership of a recognised Trade union.*

The successful Framework Participant maybe required to supply and up to date weekly list of all trade and construction operatives with names, trade, name of union and union number to the Project Manager.

9.5 Appropriate Body

In order to be awarded a contract the successful Framework Participant must provide evidence of membership of an appropriate professional body which is relevant to their specific discipline or appropriate equivalent. For example, in construction it could be Construction Industry Federation (CIF), Alliance of Specialist Contractors Association, National Guild of Master Craftsman or equally approved.

9.6 Sub-Contracting and Specialist

All Sub contractors and specialists employed and or used by the Framework Participant must be approved by the Trinity College Dublin before they can commence works. They must comply with the relevant conditions of employment of contractors in the Trinity College Dublin and have the following information submitted to the Project Manager for approval before they commence work on site as per GCCC Public Works Contract.

- i. Insurance and compensation including full compliance with the requirements of Trinity College Dublin with regard to Employers Liability.
- ii. The Sub Contractor shall have in place Employers Liability Insurance in the amount of €13 million and Public Liability Insurance in the amount of €6.5 million.
- iii. Tax Clearance Certificate.
- iv. Provide evidence of membership of an appropriate professional body which is relevant to their specific discipline or appropriate equivalent. For example, in construction it could be Construction Industry Federation (CIF), Alliance of Specialist Contractors Association, National Guild of Master Craftsman or equally approved.
- v. Applicants must also provide declaration that of the following:
 - A. Construction Workers Pension Scheme or equivalent*
 - B. Union membership for all employee**

** Prior to commencement of the works all workers scheduled by the Contractor and their Sub-contractors for works on site, shall have been offered affiliation to the Construction Workers Pension Scheme or equivalent.*

*** Prior to commencement of the works all workers scheduled by the Contractor and their Sub- contractors for works on site, shall have been offered membership of a recognised Trade union.*
- vi. Submit a Sub Contractor's Safety Statement

9.7 Failure to Comply

When the Framework Agreement is established if any Framework Participant fails to comply with above conditions, they will be immediately suspended from the Framework pending an investigation by the Framework Administrator. See Section 10 for further details.

Works already under construction by any of the Framework Participant that fail to comply may result in termination of the contract and or suspension of the works. The works must be left safe before leaving site. The Framework Participant will have to bear the costs of the suspension of the works and any losses Trinity College Dublin make suffered as a result of the suspension.

When the Framework Agreement is established if the Framework Participant is reinstated after the findings of an investigation and putting the necessary conditions in place, the Framework Participant will not be compensated for any loss or damage suffered and must bear the cost of Trinity College Dublin loss or damage suffered.

9.8 Standstill Period.

The rules governing the Framework are based on National Procurement guidance, and the specific provisions of the Framework Agreement. Under this guidance a standstill period will not be provided under this framework.

10. Framework Concerns and Contractual Disputes

Should a Framework Participant have a complaint or concern regarding the operation or administration of the Framework, the matter should in the first instance be raised with the Framework Administrator.

Where the matter cannot be resolved to the satisfaction of the Framework Participant, it may be referred to the Head of Engineering and Maintenance Management for further consideration. If the matter remains unresolved, it may then be escalated to the Director of Campus Infrastructure, Trinity College Dublin.

The above process relates to complaints or concerns regarding the operation and administration of the Framework.

Any dispute arising under an individual Call-Off Contract, including matters relating to the works, payment, contract administration or other contractual matters, shall be dealt with in accordance with the dispute resolution provisions of the relevant Capital Works Management Framework (CWMF) Public Works Contract.

For clarity, the above Framework escalation process does not replace or alter the dispute resolution procedures provided for under the relevant Public Works Contract

11. Freedom of Information

Trinity College Dublin is subject to the provisions of the Freedom of Information Act 2014, as amended ("FOI Act").

Framework Participants should be aware that information supplied to Trinity College Dublin in connection with this Framework Agreement, any tender submission, quotation, mini-competition or Call-Off Contract may be disclosed in response to a request made under the FOI Act.

If a Framework Participant considers that any information provided is commercially sensitive, confidential, or otherwise exempt from disclosure under the FOI Act, it should clearly identify such information and provide reasons supporting its sensitivity or confidentiality at the time of submission.

Trinity College Dublin will give due consideration to any such representations when responding to a request under the FOI Act. However, the decision as to whether information is disclosed shall be made by Trinity College Dublin in accordance with the requirements of the FOI Act and any applicable guidance, decisions or determinations of the Information Commissioner or the Courts.

Nothing in this Framework Agreement shall be taken as preventing Trinity College Dublin from disclosing information where required by law.