REQUEST FOR TENDER
OPEN PROCEDURE

Title of Contract	
PROVISION OF WATER FRAMEWORK DIRECTIVE (WFD) RELATED SERVICES 2027 AND 2028-2030 INCLUSIVE	
Waterways Ireland Reference	**9416182**
etenders Reference (Resource ID):	**9416182**
Open Procedure	OJEU Value
Delivery In	ROI Only
Key Dates	
Issue Date	03/11/2026
Closing Date for Queries	20/11/2026
Closing Date for Tender Submissions	11/12/2026
Contact for Queries	**Messaging facility** on www.etenders.gov.ie **only**
Format for submission of quotations	**Post-box facility on** www.etenders.gov.ie **only**

Tender Parameters –	
Description of Parameter	Requirement Applicable
Please state Tender Validity in months	12 months
Currency of the Tender	Euro €
Place of Supply	ROI Only
Relevant Contracts Tax (RCT)	Does not apply to the contract
In this Request for Tender the processing of Personal Data under GDPR	Does apply to this contract

IMPORTANT NOTE

Please note that information relating to this Request for Tender, including clarifications and changes, will be published on the Procurement Opportunities Portal www.etenders.gov.ie. Registration is free of charge and there is no charge for documents. Please note that the Contracting Authority accepts no responsibility for information relayed (or not relayed) via third parties.

Waterways Ireland have provided a Tender Response Document as a separate document for tenderers to use in preparing their response to this tender. This document and format must be used.

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1. ABOUT THE CONTRACTING AUTHORITY

1.1 About Waterways Ireland

Waterways Ireland is one of six North-South Implementation Bodies, established under the British-Irish Agreement Act of 1999. We are the cross-border navigational authority responsible for the management, maintenance, development, and restoration of 1,100 km of inland navigable waterways principally for recreational purposes. Our Headquarters are in Enniskillen Co. Fermanagh, with regional offices in Dublin, Carrick-on-Shannon, Co. Leitrim, and Scariff, Co. Clare. We employ 350 permanent staff located at offices and sites close to the inland waterways who are assisted by a team of seasonally recruited staff reflecting the seasonality of the organisation's remit. Waterways Ireland creates social, economic, and environmental well-being to the value of €600m annually.

Waterways Ireland is the navigation authority for 1,200 km of navigable inland waterways, comprising:

- Lower Bann Navigation
- Erne System
- Shannon-Erne Waterway (SEW)
- Shannon Navigation
- Royal Canal
- Grand Canal
- Barrow Navigation
- Ulster Canal (Upper Lough Erne to Clones)

In July 2007, it was agreed by the North/South Ministerial Council (NSMC) to include responsibility for the reconstruction of the Ulster Canal from Upper Lough Erne to Clones, and following restoration, its management, maintenance, and development, principally for recreational purposes to Waterways Ireland's remit. At an operational level, Waterways Ireland is responsible for a vast range of infrastructure assets including navigation channels, embankments, towpaths, adjoining lands, harbours, jetties, fishing stands, bridges, culverts, aqueducts, overflows, locks, sluices, and lock houses along with buildings and archives. The current valuation of the rebuild costs of this infrastructure is estimated at €809 million. Waterways Ireland's work programs are critical to providing a safe and high-quality recreational environment for customers, whilst preserving the industrial and environmental heritage of the waterways for future generations.

Our Purpose is: ***To be the custodian of the inland navigations and collaborate to reimagine, maintain, develop and promote them to sustain communities, environment and heritage.***

Our Vision is to bring our waterways to life – full of recreational and commercial activities, havens rich in wildlife and biodiversity, and positively transformational both in terms of enriching people's lives and regenerating the many rural and urban communities and regions through which the waterways pass.

This vision will be realised by: ***Creating inspirational inland navigations and waterways experiences through conservation and sustainable development for the benefit of all.***

To realise our Vision, Waterways Irelands focus remains on achievement of six strategic priorities based on extensive user and stakeholder engagement following the completion of our Long-term Plan:

1. **Organisation Development & Governance**
2. **Sustainable Funding Model**
3. **Asset Portfolio Management**
4. **Participation & Reputation**
5. **Sustainable Development**
6. **Climate Action, Environment & Heritage**

Our ***Values***, as behavioural guidance, are critically important to the organisation as they are essential to the successful implementation of the Long-Term Plan as well as driving cultural change and development in the organisation

PASSIONATE	COLLABORATIVE	ACCOUNTABLE	INNOVATIVE
We are **passionate, enthusiastic** and **dedicated** to the work and services we delivery. We listen to our stakeholder needs and **strive to exceed expectation**.	We work collaboratively internally and externally to achieve objectives, whilst helping and supporting each other for our collective goal.	We **deliver the best** and **hold ourselves accountable** for the results. We are **responsible**, act with **respect** and operate in a **safe** and **sustainable** manner.	We strive to **continuously improve** in the delivery of quality services and infrastructure. We aim to promote a **culture of quality, creativity, diversity and excellence.**

Further information is available at our corporate website www.waterwaysireland.org

1.2 Small and Medium Enterprise Participation

It is the policy of the Contracting Authority to encourage participation by Small and Medium Enterprises (SMEs) in this competition.

SMEs are encouraged to explore the possibilities of forming relationships with other SMEs or with larger enterprises to meet the financial, economic or technical capacity requirements of the competition, if required.

Tenderers may include individuals, partnerships, limited companies, groupings or any combination of the foregoing with or without legal personality. However, a grouping if successful will be required to establish legal personality to enter the contract.

Tenderers are reminded that they may rely on the resources of other entities to establish the requirements on condition that they can prove to the satisfaction of the Contracting Authority that they will have these resources at their disposal when necessary.

If the tender is from a consortium / joint venture, Tenderers must ensure that all the relevant information is provided and where necessary, provide the information requested separately for each party. Relevant information relates to where a tenderer is relying on the resources to qualify (e.g. turnover, manpower, previous experience) and/or to deliver the contract. The consortium must appoint a single point of contact who will assume overall responsibility for delivery, and who is authorised to sign the contract on behalf of all consortia members. The Contracting Authority will not act as an arbitrator between members of consortia.

2. SCOPE OF REQUIREMENT

2.1 Overview of the Requirement

The Water Framework Directive (WFD), Directive 2000/60/EC, was adopted in 2000 as a single piece of legislation covering rivers, lakes, groundwater and transitional (estuarine) and coastal waters (see directive summary in Appendix 1). Its objectives include the attainment of good status in water bodies that are of lesser status at present and retaining good status or better where such status exists at present.

Artificial Water Bodies (AWBs) such as canals are defined in Article 1 of the WFD as "a body of water created by human activity" and are recognised for their artificial nature and specific monitoring requirements to ensure their continued beneficial uses for navigation, recreation, environmental and amenity value. Waterways Ireland has been identified by the Environmental Protection Agency (EPA) as the government body with responsibility for ensuring this monitoring is implemented.

Waterways Ireland is seeking to appoint a suitably qualified service provider to undertake Water Framework Directive (WFD) monitoring services for 2027 and for the 2028-2030 monitoring cycle. The 2027 monitoring programme is intended to bridge the gap between the commencement of the 2028 – 2030 EPA reporting cycle. The services will be undertaken at specified locations along the Royal Canal, the Grand Canal and the Shannon Erne Waterway and will comprise the following:

- Sample collection and Analysis
    - Physico-chemistry: Quarterly water quality sampling events
    - Biology: Yearly aquatic macrophyte & benthic macroinvertebrate surveys
    - Hydromorphology assessment and classification once by 6 years (To be completed in 2028)
- Classification of Ecological Potential
- Provision of scientific analysis and reporting

The purpose of this Request for Tender is to invite tenders for the provision of the services described above and detailed in section 3.

2.2 Details of additional sampling and reporting year in 2027 requirement

Additional 1 year of sampling in 2027, 1 years monitoring to gap to the EPA reporting cycle of 2028-2030, will be required as part of this contract. Not all sites will need to be sampled for the parameters above in 2027.

Full Physico-chemistry; Quarterly water quality sampling events required for all sites. 1/3 of Sites to be assessed for Biology - e.g. aquatic macrophyte & benthic macroinvertebrate surveys. Locations to be sampled in 2027 as described in section 3.1

2.3 Anticipated Timelines

The Following indicative timeline is envisaged for this procurement:

Issue RFT	02/11/2026
Closing Date for Queries	20/11/2026
Closing date for Receipt of Tenders	11/12/2026
Clarification Meetings (if anticipated)	Dec/Jan if/as required
Award Decision	Between Jan 2027 7-8th 2027
Standstill Period (14 days)	9-23rd Jan 2027
Contract Commencement	Feb 2027

The dates provided above are estimates at the time of publication of the Request for Tender. The Contracting Authority will endeavour to run the process to this timetable, but this cannot be guaranteed.

2.4 Termination of the Contract

The Contracting Authority reserves the right at its sole discretion to terminate any contract where, due to matters outside its control.

3. DETAILED SPECIFICATION OF REQUIREMENTS

The Contracting Authority proposes to engage in a competitive process for the award of a contract as specified hereunder.

3.1 Specification

Each year, water sampling for each of the locations described in section 3.1 has to be done during the last two weeks of:

- February
- May
- August
- October

Aquatic macrophyte surveys for each of the locations described in section 3.1 Surveys should be undertaken in summer (June 1st to September 30th).

Aquatic benthic macroinvertebrate sampling for the 13 or 14 locations described in section 3.1.2.2.3 should be collected in spring (March 1st to May 31st).

Hydromorphology of the sites should be reassessed in 2028. Last Hydromorphology assessment was undertaken in 2021 and is normally required to be repeated every 6 years.

Interim reports and invoices are expected after each sampling / survey event.

All yearly reports should be finalised and received by Waterways Ireland by the first week of December each year. Sufficient time should be provided prior to this to allow review of draft reports. Upon award, this can be discussed further.

3.1.1 Locations

The WFD canals monitoring programme includes 45 monitoring points along 15 AWBs (Table 3.1 as well as Figures 3.1, 3.2 and 3.3).

Of the 15 AWBs, 8 are located in the Grand Canal, 6 in the Royal and there is a single AWB (2 sites) in the Shannon-Erne Waterway.

Artificial Water Body (AWB)	Catchment No	ID Code	Report Code	Length (km)	No of Sites
GRAND CANAL					
Grand Canal Main Line - Liffey and Dublin Bay	9	IE_09_AWB_GCMLE	GC_09	41.4	6
Grand Canal Main Line East – Barrow	14	IE_14_AWB_GCMLE	GC_14E	15.7	2
Grand Canal Main Line West - Barrow	14	IE_14_AWB_GCMLW	GC_14W	12.9	2
Grand Canal Main Line - Boyne	7	IE_07_AWB_GCMLW	GC_07	14.5	2
Grand Canal Main Line - Lower Shannon	25A	IE_25A_AWB_GCMLW	GC_25A	47.0	6
Grand Canal Naas Line - Liffey and Dublin Bay	9	IE_09_AWB_GCNL	GCNL_09	11.9	1
Grand Canal Milltown Feeder - Barrow	14	IE_14_AWB_GCMF	GCMF_14	10.5	1
Grand Canal Barrow Line - Barrow	14	IE_14_AWB_GCBL	GCBL_14	50.8	4
Grand Canal Basin - Liffey and Dublin Bay	9	IE_09_AWB_GCB	GCB		2
ROYAL CANAL					
Royal Canal Main Line - Boyne Catchment	7	IE_07_AWB_RCMLE	RC_07	42.6	5
Royal Canal Main Line - Liffey and Dublin Bay	9	IE_09_AWB_RCMLE	RC_09	39.4	5
Royal Canal Main Line - Lower Shannon	25A	IE_25A_AWB_RCMLW	RC_25A	13.3	2
Royal Canal Main Line - Upper Shannon	26F	IE_26F_AWB_RCMLW	RC_26F	33.8	3
Royal Canal Main Line - Upper Shannon	26E	IE_26E_AWB_RCMLW	RC_26E	3.7	1
Royal Canal Main Line - Upper Shannon	26C	IE_26C_AWB_RCMLW	RC_26C	14.2	1
SHANNON ERNE WATERWAY					
Shannon Erne Waterway - Upper Shannon	26A	IE_26A_AWB_SEW	SE_26A	25.5	2

Table 3.1: Artificial Water Bodies (AWBs) included in the WFD Monitoring Programme

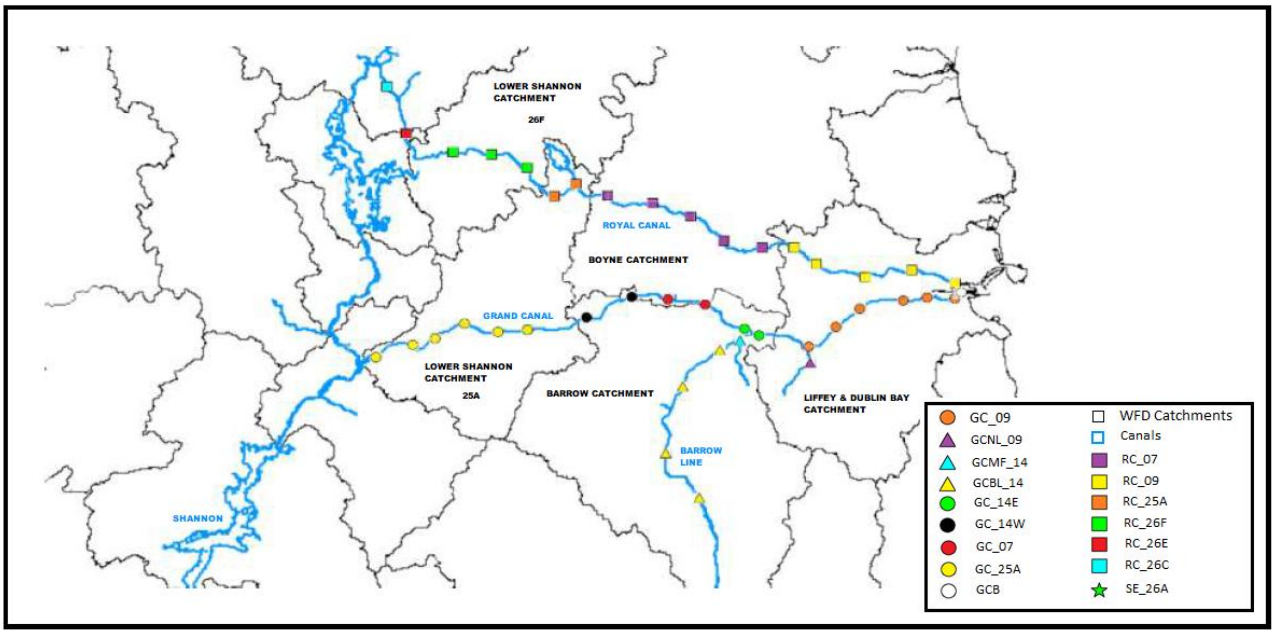


Figure 3.1: Map showing the Artificial Water Bodies (AWBs) and sites on the Royal and Grand Canals

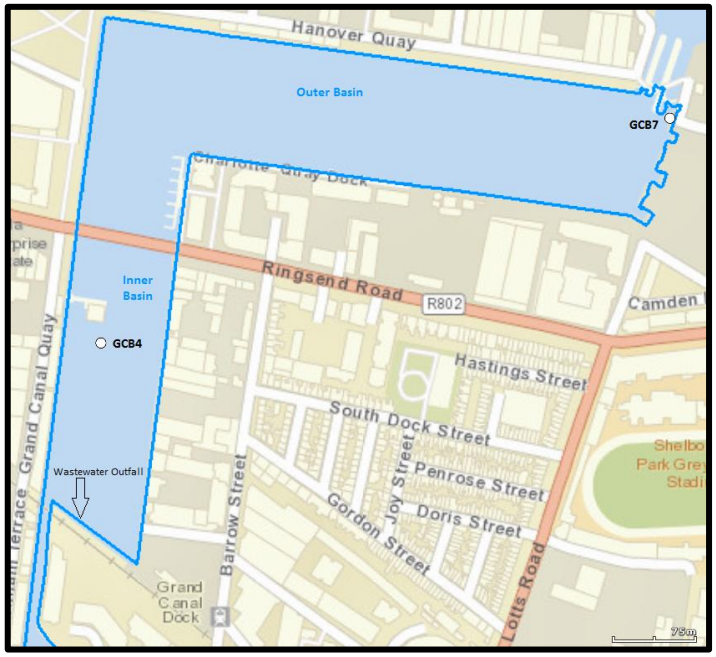


Figure 3.2: Map showing the Grand Canal Basin (Dublin) and WFD monitoring sites

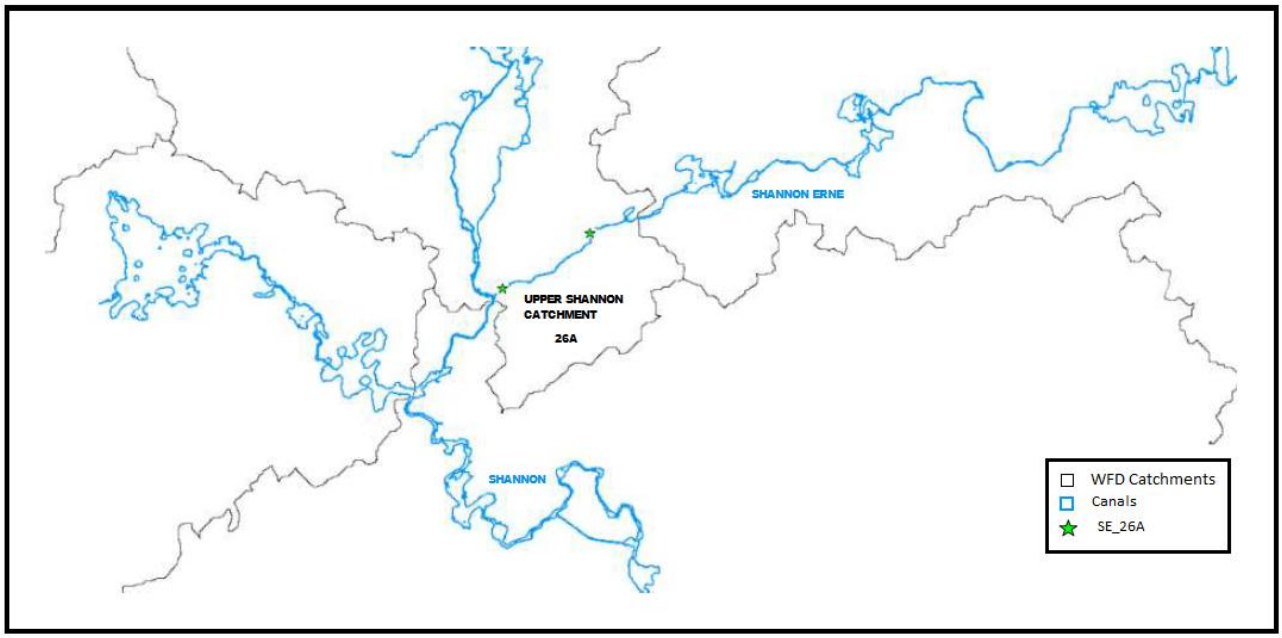


Figure 3.3: Map showing the WFD monitoring sites on the Shannon Erne

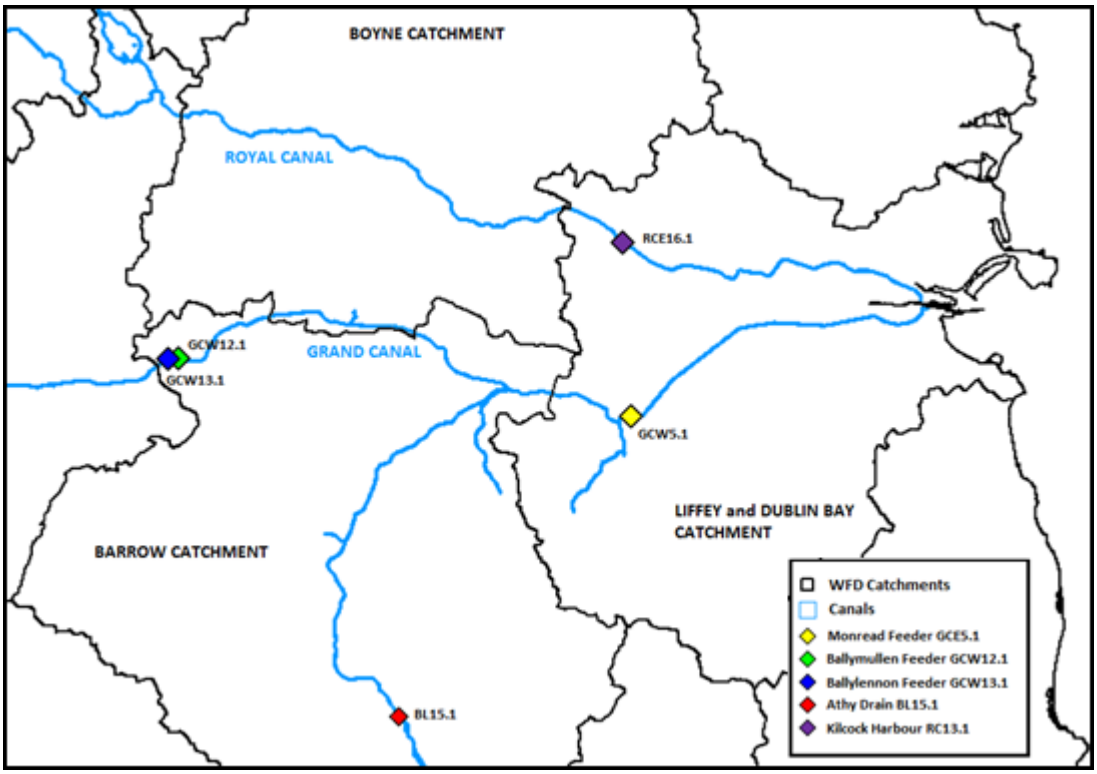


Figure 3.4: Map showing the monitored feeder streams on the Royal and Grand Canals

Five feeder streams also need to be monitored (see Figure 3.4). These feeders have been a source of elevated nutrient and coliform inputs in the past and they include the Monread, Ballymullen and Ballylennon feeders (Grand Canal), the Athy Drain (Grand Canal - Barrow Line) and the Kilcock Harbour Drain (Royal Canal).

The precise GIS coordinates for each of the sample locations can be found on Appendix 2.

3.1.2 Sampling / Analysis

This section will describe the tender requirements for field and laboratory work. Table 3.2 shows the number of sampling/analyses for each canal / navigation.

	WFD SITES			**Feeders**	**TOTAL**
	Royal Canal	**Grand Canal**	**Shannon Erne**		
Physico Chemistry	17 sites x 4 per year = 68	26 sites x 4 per year = 104	2 sites x 4 per year = 8	5 sites x 4 per year = 20	200
Aquatic Macrophyte	17 sites x 1 per year = 17	24 sites x 1 per year = 24	None	None	41
Invasive species	17 sites x 1 per year = 17	24 sites x 1 per year = 24	None	None	41
Aquatic benthic Macroinvertebrates	13 or 14 sites x 1 per year = 13 or 14		None	None	13 or 14
Hydromorphology	n/a	n/a	None	None	0

Table 3.2 Summary of sampling/analysis required

3.1.2.1 Physico - Chemistry

Classification of Ecological Potential requires the joint consideration of the status of biological and physico-chemical quality elements. In the case of artificial and Heavily Modified Water Bodies the specific physico-chemical elements to be considered are defined by the closest natural water body type.

Water quality sampling for each of the locations described in section 3.1.2 has to be done four times per year: February, May, August and October.

A note of the weather conditions will have to be made at the time of sampling. The following parameters will be measured on site:

- Temperature
- Conductivity (µS)
- pH
- Dissolved oxygen (DO – mg/L and % saturation)

Grab samples need to be collected for analysis of a suite of parameters. These parameters (with their threshold limits) are listed in Table 3.3.

Parameters	Threshold
Total Phosphorus (TP) (mg/l P) *	0.063 mg/l P
Molybdate Reactive Phosphorus (MRP) (mg/l P)	0.025 mg/l P
Soluble Reactive Phosphorus (SRP) (mg/l P) *	0.025 mg/l P
Total Oxidised Nitrogen (TON) (mg/l N) *	4.1 mg/l N
Nitrite (mg/l)	
Nitrate (mg/l)	
Ammonia (mg/l N) *	0.12 mg/l N
Alkalinity (meq/l)	
Biological Oxygen Demand (BOD) (mg/l O_2) *	<2.5 mg/l O_2
Total Coliforms (TC) (counts/100ml)	5000/100 ml
E-Coli (counts/100ml) *	1000/100 ml

Table 3.3 Water quality parameters measured as part of WFD monitoring

* Determinants used to assign ecological potential to the Artificial Water Bodies (AWBs)

Note: Specific pollutants of particular relevance to canals (copper iron and zinc) are not currently monitored in the AWBs. Priority substances (cadmium, mercury, lead and nickel) are only considered when deemed to be discharging into canals from natural water bodies.

Data will be stored in a suitable electronic format, such as Microsoft Excel spreadsheet. An excel spreadsheet "Water Quality_Results v2020.4.xls" will be provided as a template to the consultant at the start of the contract.

3.1.2.2 Biology

3.1.2.2.1 Aquatic Macrophytes

Aquatic macrophyte sampling needs to be carried out in summer (June 1st to September 30th) at each of the 41 WFD sites detailed in table 2.2.

Note that for each site the following supporting environmental data is also required:

- Alkalinity (from physico chemistry results)
- Boat traffic (passages per year – provided by Waterways Ireland)
- Channel Type (box, asymmetric, trapezoidal) – assessed on site

The survey area at each site consists of a 150m canal reach which is divided into 10 equidistant sampling points. At each point:

- Submerged plants are collected using a grapnel, identified and weighed
- Emergent and floating-leaved plant species are recorded
- % cover of emergent, submerged and floating-leaved plants are estimated using the DAFOR scale (D=dominant (> 70% cover); A=abundant (30-70%); F=frequent (10-30%); O=occasional 3-10%); R=rare (<3%)). Note that the visual assessment is in the immediate area of the grapnel sample (1-2 m on each side).
- The distance between the bank and the outer edge of the reed fringe is measured/estimated

Data will be stored in a suitable electronic format, such as Microsoft Excel spreadsheet. An excel spreadsheet "Macrophytes_Results v2020.5.xls" will be provided as a template to the consultant at the start of the contract.

3.1.2.2.2 Invasive Species

For all sites, it is also required to note the presence of any of the invasive species listed on Table 3.4 below:

Scientific Name	Common Name
Azolla filiculoides	Water Fern
Crassula helmsii	New Zealand Pygmy weed Australian Stonecrop
Hydrocotyle ranunculoides	Floating Pennywort
Myriophyllum aquaticum	Parrot's Feather
Pacifastacus leniusculus	Signal Crayfish
Procambarus clarkia	Red Swamp Crayfish
Eriocheir sinensis	Chinese Mitten Crab
Dreissena rostriformis bugensis	Quagga mussel
Dreissena polymorpha	Zebra Mussel
Stizostedion lucioperca	Zander
Elodea nuttallii	Nuttall's Pondweed
Lagarosiphon major	Curly Waterweed
Acorus calamus	Sweet Flag
Aponogeton distachyos	Water Hawthorn
Egeria densa	Brazilian Waterweed
Elodea Canadensis	Canadian Waterweed
Lemna minuta	Least Duckweed
Lysichiton americanus	American Skunk-cabbage
Mimulus guttatus	Yellow Monkeyflower
Vallisneria spiralis	Eel grass
Crangonyx pseudogracilis	Northern River Crangonyctid
Corophium curvispinum	Caspian mud shrimp
Cyprinus carpio	European Carp
Carassius carassius	Crucian Carp

Table 3.4: List of invasive species

Data will be stored in a suitable electronic format, such as Microsoft Excel spreadsheet. An excel spreadsheet "Invasives_Results v2020.xls" will be provided as a template to the consultant at the start of the contract.

3.1.2.2.3 Aquatic benthic macroinvertebrates

Aquatic benthic macroinvertebrate sampling for AWB under WFD needs to be carried out twice in each six-year monitoring cycle. Currently, the sites are monitored every three years.

Monitoring of sites

In spring 2027 (March 1st to May 31st), the following 14 sites need to be monitored	In Spring 2028 (March 1st to May 31st), the following 13 sites need to be monitored	In Spring 2029 (March 1st to May 31st), the following 14 sites need to be monitored	In Spring 2030 (March 1st to May 31st), the following 14 sites need to be monitored
GCE1	BL6	GCE1	MF1
GCE4	BL10	GCE4	BL2
GCE6	BL15	GCE6	GCW20
GCE8	GCW12	GCE8	GCW22
GCE10	GCW16	GCE10	GCW24
GCE12	GCW18	GCE12	GCW27
GCE14	RCE9	GCE14	RCE4
NL1	RCE12	NL1	RCE6
GCW1	RCE14	GCW1	RCE8
GCW4	RCE16	GCW4	RCW5
GCW6	RCE19	GCW6	RCW7
GCW8	RCE22	GCW8	RCW9
RCW1	RCE25	RCW1	RCW12
RCW3		RCW3	RCW14

Aquatic benthic macroinvertebrates must be sampled according to a procedure developed by the Scottish Environment Protection Agency (SEPA) for the handnet sampling of aquatic benthic macroinvertebrates in canals. This involves a 3-minute semi-continuous handnet sweep of the canal margin, shallows and any emergent plants along a 15-20m stretch of canal. Samples must be stored in labelled plastic bags and preserved in 70% ethanol. Processing of macroinvertebrate samples involves washing each sample through a 0.5mm sieve and sorting by hand. Macroinvertebrates are to be identified to **family level**, using a variety of Freshwater Biological Association identification keys, and numbers recorded according to log abundance categories (0 = absent; 1–9 = 1; 10-99 = 2; 100-999 = 3).

Note that for each site the following supporting environmental data is also required:

- Alkalinity (from physico chemistry results)
- Boat traffic (passages per year – provided by Waterways Ireland))
- Channel type (box, asymmetric, trapezoidal) – On site assessment
- Substrate particle size – Visual assessment
- Altitude – On site assessment

Data will be stored in a suitable electronic format, such as Microsoft Excel spreadsheet. An excel spreadsheet "Inverts_Results v2020.xls" will be provided as a template to the consultant at the start of the contract.

3.1.2.3 Hydromorphology

The hydromorphology was assessed in 2021 at each of the 41 locations described in Table 3.2 and will need to be repeated as part of this contract in 2028. The 2021 results may be used for the classification of Ecological Potential for 2027, but not for any further years 2028, 2029 or 2030.

3.1.3 Classification of Ecological Potential

Waterways Ireland engaged with several other agencies in the development of the SNIFFER WFD61 tool which is used to derive the ecological potential for canals. Classification of the ecological status of water bodies requires the integration of information from different groups of quality elements. The different groups of quality elements used, and their components are outlined in Table 3.5 below.

Quality element	Sub-element
A. Biology	1. Aquatic macrophytes
	2. Aquatic benthic macroinvertebrates
B. Physico-chemistry	3. Total P
	4. SRP
	5. TON
	6. E-Coli
	7. B.O.D.
	8. Ammonia
C. Hydro-morphology	
D. Invasive species	

Table 3.5: Quality elements considered in classification of ecological potential of canal water bodies

The tool uses a number of metrics for the biology elements to develop EQRs and EQIs. These values as well as the physico chemical data are then assessed on a "One out All out" basis to determine the ecological status for canals.

The excel files, supplied when the contract is awarded, will allow the consultant to enter the raw data collected in section 3.1.3 of this tender brief to obtain the ecological potential classification for each quality element and for all sites as well as of each AWB.

This procedure will be explained in detail during a meeting at the start of the contract between the consultants and Waterways Ireland. The following sections outline the ecological classification for canals in more details.

3.1.3.1 Physico Chemistry

Not all physic chemical parameters are used for the ecological status classification. Table 3.6 outlines the determinants and the thresholds used.

Parameters	Threshold
Total Phosphorus (TP) (mg/l P) *	0.063 mg/l P
Soluble Reactive Phosphorus (SRP) (mg/l P) *	0.025 mg/l P
Total Oxidised Nitrogen (TON) (mg/l N) *	4.1 mg/l N
Ammonia (mg/l N) *	0.12 mg/l N
Biological Oxygen Demand (BOD) (mg/l O_2) *	2.5 mg/l O_2
E-Coli (counts/100ml) *	1000/100 ml

Table 3.6 Water quality parameters to assign ecological potential to Artificial Water Bodies (AWBs)

For the physico chemistry element, there are only two status levels used: Good and Moderate. If any of these parameters are above the threshold **(highlighted in red on the excel file "Water Quality_Results v2020.4.xls"), the status for physico-chemistry is downgraded from Good to Moderate.**

3.1.3.2 Aquatic Macrophytes

To assess the ecological potential of a site using macrophyte data, a number of metrics need to be calculated:

- Aquatic Plant Biomass (APB) (based on grapnel throws)
- Number of BMWP (Biological Monitoring Working Party) scoring aquatic plant taxa (N_AQUA)
- Macrophyte Fertility Index (MFI) - represents a cover-weighted index score for a site based on a set of fertility ranks for different species. Most scores lie in the range 6 – 8.5 on canals, the higher values indicating greater fertility.
- Number of BMWP (Biological Monitoring Working Party) scoring emergent taxa (N_EMERG)
- Relative extent of emergent vegetation (REL_EMERG) - represents the proportion of channel occupied by emergent plants, with values ranging from 0 (no fringing vegetation) to 1 (the entire channel width is occupied by emergent macrophytes).
- **These are calculated automatically within the excel spreadsheet "Macrophytes_Results v2020.5.xls".**

3.1.3.3 Invasive Species

For more detail the final SNIFFER report 'A system for classifying the ecological potential of UK and Irish canals, Willby 2012' can be found in Appendix 3.

The need to incorporate invasive species into the ecological classification of water bodies has been recognised. Some invasive species carry a sufficiently high risk of impact based on experience at other sites that their *potential* for impact should form the basis for classification, rather than there being a need for these impacts to be demonstrated first before they translate to changes in ecological classification.

Here is the guidance used for including alien species in the ecological classification of canals.

- When the following high-risk species are present (See Table 3.7), regardless of population size or apparent impact, a site cannot be considered to achieve MEP.

Scientific Name	Common Name
Azolla filiculoides	Water Fern
Crassula helmsii	New Zealand Pygmy weed
Hydrocotyle ranunculoides	Floating Pennywort
Myriophyllum aquaticum	Parrot's Feather
Pacifastacus leniusculus	Signal Crayfish
Procambarus clarkii	Red Swamp Crayfish
Eriocheir sinensis	Chinese Mitten Crab
Dreissena polymorpha and Dreissena rostriformis bugensis	Zebra Mussel and Quagga mussel
Stizostedion lucioperca	Zander
Lagarosiphon major	Curly Waterweed

Table 3.7: High risk invasive species

- When the following species are present, they are regarded as either naturalized or low impact for the purposes of alien species assessment (see Table 3.8).

Scientific Name	Common Name
Acorus calamus	Sweet Flag
Aponogeton distachyos	Water Hawthorn
Egeria densa	Brazilian Waterweed
Elodea canadensis	Canadian Waterweed
Elodea nuttallii	Least Duckweed
Lemna minuta	American Skunk-cabbage
Lysichiton americanum	Yellow Monkeyflower
Mimulus guttatus	Sweet Flag
Vallisneria spiralis	Eel grass
Crangonyx pseudogracilis	Northern River Crangonyctid
Corophium curvispinum	Caspian mud shrimp
Cyprinus carpio	European Carp
Carassius carassius	Crucian Carp

Table 3.8: 'Naturalized or Low impact' Invasive species

3.1.3.4 Benthic macroinvertebrate data

To assess the ecological potential of a site using benthic macroinvertebrate data, a number of metrics need to be calculated:

- Number of families (N_FAM)
- Average Score Per Taxon (ASPT) (based on BMWP scores for 81 families)
- Number of Ephemeroptera, Plecoptera and Trichoptera families (N_EPT)
- Number of Mollusc and Odonata families (N_MOLL+ODON)
- Number of Coleoptera and Hemiptera families (N_COL+BUGS).

The metrics ASPT and EPT are sensitive to water quality pressures, while N_EPT, N_MOLL+ODON and N_COL+BUGS reflect hydro-morphological pressures, i.e. the quality and diversity of physical habitats in the canal.

The classification involves calculating (for each site) an Ecological Quality Index (EQI) for each metric based on the ratio of 'observed value: expected value'. The expected value is based on reference conditions using alkalinity, boat traffic, channel type, particle size and altitude data for each site. For the purpose of standardisation, each EQI value is to be converted to an Ecological Quality Ratio (EQR) ranging from 0 – 1, with class boundaries at intervals of 0.2.

These are automatically calculated within the excel spreadsheet "Inverts_Results v2020.xls".

Note that the data for the other sites from previous years will be supplied to allow the assessment of the ecological potential for the current WFD reporting period 2027 and 2028-2030 where needed.

For more detail the final SNIFFER report 'A system for classifying the ecological potential of UK and Irish canals, Willby 2012' can be found in Appendix 3.

3.1.3.5 Hydromorphology

This is for information purposes only as this was done in 2021 and is not required as part of this contract.

In assessing the ecological potential of a canal water body, hydromorphology is a supporting variable that discriminates between maximum and good ecological potential. The hydromorphology of an AWB can be maximum, good or less than good. If less than good, it is assumed the dependent biological quality elements (aquatic benthic macroinvertebrates and aquatic macrophytes) will reflect this, i.e. an AWB cannot fail to achieve Good Ecological Potential (GEP) on hydromorphology alone.

The classification tool for UK and Irish Canals (Willby 2012) provides a standardised hydromorphology tool that focuses on observable features, while incorporating boat movement data and channel width. The tool works on a scoring system based on a set of criteria including the physical attributes of each bank (i.e. hard/soft engineering, vegetated/bare margins and overhanging trees), linear moorings, hydrocompliance and offline features (i.e. off-channel moorings). Hydrocompliance is an engineering concept relating to the navigational capacity of a canal reach: specifically, it is the ratio of typical draught to mid channel depth.

Hydrocompliance is not formally assessed for Irish Canals and the tool recommends alternative standards based on minimum open (i.e. unobstructed) channel width and minimum mid-channel depth (Table 3.9), i.e. the ability of 2 boats to pass each other safely without contacting the canal

bed, which has been measured at 9.8m navigational width, except at Bridges/Locks and other built navigational features.

CANAL TYPE	Minimum unobstructed channel width (m)	Minimum mid-channel depth (m)
Narrow Canal	6	1.2
Broad Canal	8	1.5

Table 3.9 Alternative standards for assessing hydrocompliance (Willby 2012)

3.1.3.6 "One out / All out" Rule

The WFD invokes the 'one-out-all-out' rule and is thus explicit on how information from different quality elements should be combined to achieve an ecological classification of a water body. Essentially, the component with the lowest class dictates the status of the quality element. The quality element with the lowest status then dictates the ecological potential of the water body (see Figure 3.5).

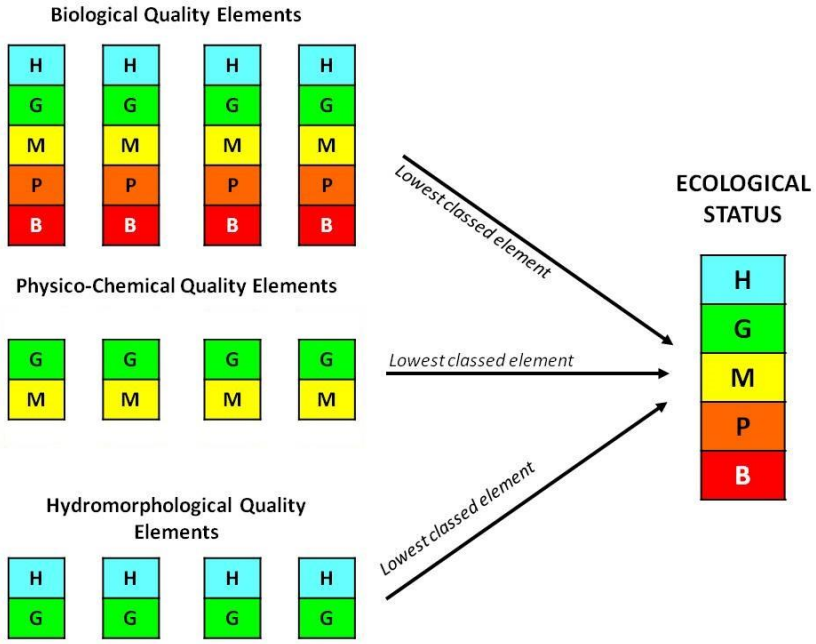


Figure 3.5: 'One out All out' Approach for classification of Ecological Potential

Data will be stored in a suitable electronic format, such as Microsoft Excel spreadsheet. An excel spreadsheet "Eco Potential _ Results v2020.2.xls" will be provided as a template to the consultant at the start of the contract. This file will allow the consultant to simply transfer the results from the other five excel files referenced earlier in this document to get the combined ecological potential classification of all sites as well as of each AWB.

3.1.4 Scientific Analysis and Reporting

A significant element of this tender is the requirement for the provision of scientific analysis and advice on the implementation of the WFD specifically for Artificial Water Bodies.

The services required under this section of the tender are as follows:

- Scientific analysis of historic and on-going WFD data for canals
- Scientific assessment and recommendations for managing the canals cited in this tender to ensure implementation of the WFD
- For each year, provision of interim reports and as well as a final yearly report on the WFD canals monitoring programme. Please refer to Appendix 4 for previous report (2025 final report with interim reports included as part of the appendices).
- Provision of Canals section for inclusion in EPA's reports 'Water Quality in Ireland' (latest report available at https://www.epa.ie/publications/monitoring--assessment/freshwater--marine/WaterQuality_SummaryReport.pdf) and 'Key Indicators' (latest edition can be downloaded at https://www.epa.ie/publications/monitoring--assessment/freshwater--marine/EPA_Water_Quality_2020_indicators-report.pdf).
- At the start of 2028, a three-year summary report for 2025-2027, and at the start of 2031 a three-year summary report for 2028-2030 will be required. This will be included in the EPA report 'Water Quality in Ireland' reports for the 3-year cycles 2025-2027 and 2028-2030. Previous data will be supplied for this, as well as the single year data from 2027.
- On-going review of programme of measures under the Risk Assessment.

3.1.5 Meetings

After the award being officially awarded, there will be an inception meeting (face to face). After each sampling event (quarter), an online meeting will be required to discuss trends, issues and risks.

At the end of year (December) a year review meeting will be held face to face (Morning or afternoon needed).

And finally at the end of the contract, there will be a final face to face meeting.

We will also anticipate three meetings with EPA throughout the life of the contract, to discuss the monitoring programme and the transfer of data. It is likely this will be held online on Teams or could also be in person.

3.1.6 Options

3.1.6.1 Rates for Further investigation

As part of this tender, we are asked to provide a blended daily rate for the following potential additional work required:

- Prepare an investigation plan to identify source of contamination at specific locations.
- Carry out the investigation to identify the source of pollution.
- Potential meetings with Local authorities to discuss pollution issues.

3.1.6.2 Additional testing

As part of potential additional investigations, additional sampling and testing might be required. As part of this tender, you are asked to provide the detailed costs for any additional testing, using the excel file provided.

3.1.6.3Quality Control and Quality Assurance

The quality control and the quality assurance have to follow the guideline in EPA's report 'Water Framework Directive Monitoring Programme – Oct 2006'. The relevant section of this report can be found in Appendix 5. Laboratories used must have ISO/IEC 17025:2005 accreditation.

3.2 Duration

The contract will be for a period of ~4.5 years to complete the sampling and reporting for the years 2027 and then also the main cycle of 2028-2030 inclusive. The contract will include the final three-year report to be completed by early 2031. The contract remains in force until completion and acceptance of the final deliverable, rather than simply stating a four-year duration.

3.3 Contract Management

The Contracting Authority requires tenderers to nominate a dedicated contract manager who will act as the main point of contact for the duration of the contract. This person shall have the authority to deal with all matters in relation to contracts and be responsible for the satisfactory delivery of the supplies/services required. The duties of the contract manager will include the following:

- Overall responsibility for a good working relationship with the Contracting Authority.
- Provide regular reports on performance as agreed with the Contracting Authority.
- Meet as and when required to review and examine performance.
- Deal with disputes, complaints or concerns that cannot be adequately resolved.
- Proactively discuss with the Contracting Authority ways of improving efficiency regarding service delivery in general and providing suggestions for improvement and cost savings.

NOTE: Tenderers will note that contract management activities will be non-billable.

3.4 Compliance with Terms and Conditions

Award of contract will be subject to the successful tenderer agreeing to the Contract Terms and Conditions as contained in the appropriate Appendix.

3.5 Award to Runner Up

If having awarded a contract, the successful tenderer fails to deliver the contract in accordance with the terms and conditions, the Contracting Authority reserves the right to award the contract to the next highest scoring tenderer by mutual agreement based on the terms advertised at any time during the tender validity period. This shall be without prejudice to the right of the Contracting Authority to cancel this competitive process and/or initiate a new contract award procedure at its sole discretion.

4. SELECTION CRITERIA

The Contracting Authority is using the **Open** procedure for the award of this contract, therefore, while all interested parties may submit a tender, only those demonstrating that they have the required level of financial and technical capacity will have their tender considered. In order to demonstrate a tenderers' qualifications, tenderers are required to provide the information set out below in the Tender Response Document (TRD) which is based on a self-declaration model, however tenderers are required to provide the minimum information required.

4.1 Use of the European Single Procurement Document

The Contracting Authority does not currently employ the European Single Procurement Document (ESPD) as part of its tender documentation. However, in accordance with Directive 2014/24/EU, tenderers may have compiled a European Single Procurement Document (ESPD) which will be accepted as evidence of compliance with Sections 4.3 and 4.4 on condition that all information self-declared will be provided promptly on request at any time prior to an award decision.

4.2 Relying on the Standing of Other Entities

Tenderers are reminded that they may rely on the resources of other entities to establish the requirements on condition that they can prove to the satisfaction of the Contracting Authority that they will have these resources at their disposal when necessary. Tenderers should provide information on proposed roles and relationships with the sub-contractor or partners.

If the tender is from a consortium / joint venture Tenderers must ensure that all the relevant information is provided and where necessary, provide the information requested separately for each party. The consortium must appoint a single point of contact who will assume overall responsibility for delivery, and who is authorised to sign the contract on behalf of all consortia members. The Contracting Authority will not act as an arbitrator between members of consortia.

4.3 General, Legal and Financial Requirements

Tenderers are required to provide information on the following in the Tender Response Document. The criteria and rules outlined below are assessed on a pass/fail basis. Failure to comply with the requirements will result in your tender being considered inadmissible.

General Information
Provide contact and general information on the tendering organisation - company name, address and contact details for individual responsible for this tender and company overview as well as information on sub-contractors and consortium members if applicable.

Declarations
Complete the Declaration of Bona Fides as per Art. 57 of Directive 2014/24/EU as implemented by Regulation 102 of 2015 (UK) and SI 2814 of May 2016 (Irl) and as contained in the Tender Response Document. Complete the Declaration regarding compliance with relevant statutory obligations as contained in the Tender Response Document. Where tenderers are established and operating outside of the jurisdiction of supply, compliance with equivalent legislation as applicable in the country of establishment / operation is required.

Financial and Economic Standing			
Tax	Confirmation that the tenderer / all parties associated with the tenderer are fully tax compliant – please refer to the tax rules contained in the Tender Response Document.		
Turnover and Financial Standing	(a) Confirmation that the tendering party turnover exceeded [100,000] during [one] of the last three years or pro-rata if more recently established firms are tendering – however the firm must have been in existence for at least 6 months. **In addition** (b) Confirmation of financial standing ensuring the tendering party has the financial capacity to pay its debts identified on the current statement of assets and liabilities as being the debts as they fall due. Evidence of both statements will be required prior to the award of any contract.		
Insurance	Confirmation of the following insurances being in place:		
	Insurance Type	**Required Value €**	**Required Value £**
	Employer's Liability	€13 million	£10 million
	Public Liability	€6.5 million	£5 million
	Product Liability	€6.5 million	£5 million
	Professional Indemnity	€6.5 million	£5 million
	Environmental Liability Impairment (EIL) (where there is risk of gradual pollution or contamination)	Desirable	Desirable

4.4 Technical Capacity Requirements

Tenderers are required to provide information on the following in the Tender Response Document. The criteria and rules outlined below are assessed on a pass/fail basis. Failure to comply with the requirements will result in your tender being considered inadmissible

Organisation Details
Tenderers must provide details of their organisation including year of establishment with particular reference to the subject matter of this contract by completing the relevant Section in the Tender Response Document. **Pass / Fail:** Consultants must demonstrate that their organisation operates within the field in question.

Manpower Levels	
Tenderers must provide information which demonstrates access to the minimum number of skilled personnel as indicated below and outlined in the TRD.	
Skillset Required	Staff with the requisite experience and skills to undertake all the necessary onsite sampling, data collation necessary for the reporting, skills in data interpretation and reporting relevant to WFD assessment, compliance and reporting.
Minimum Number	Minimum of three experienced and qualified staff members with direct field and reporting responsibilities not including laboratory staff

Technical Resources
Tenderers must provide information which demonstrates access to the required level of technical resources, including sampling equipment, safety equipment, transport etc as required. Ability to undertake necessary biosecurity of all equipment to prevent the introduction or spread of invasive species

Previous Contracts / Experience
Tenderers must provide information in the relevant section of the TRD, clearly demonstrating successful delivery of [3] previous comparable contracts / experience (max one A4 page per project), involving the following features:
• Physico chemical water quality sampling and analysis • Macrophytes sampling and analysis • Macroinvertebrates sampling and analysis • Provision of scientific analysis and reporting with respect to WFD compliance

Health and Safety (Mandatory)
Tenderers must provide information which demonstrates operation of health & safety systems and procedures in line with all relevant Safety Health & Welfare at Work legislation. Please complete the TRD. Evidence of compliance will be required as condition of contract award. Contractors must have in place Safe Systems in place for Lone working, and working on or near water. Contractors must also ensure all staff wear certified life jackets when working along or near the water when working on this contract on Waterways Ireland Property.

Quality Assurance
Tenderers must provide information which demonstrates a commitment to quality assurance and provide details of quality assurance policies and systems and whether 3rd party certified. Please complete the TRD.

5. AWARD CRITERIA

Only tenderers who meet the Selection Criteria and are confirmed as valid and responsive to the specifications set out in this document will be evaluated against the award criteria. Tenderers should ensure that they have submitted sufficient relevant information to allow their tenders to be assessed under each of the award criteria set out below.

The contract will be awarded based on the most economically advantageous compliant tender considering the following award criteria and weightings.

Criterion A	**Weighting**	**Maximum Marks**	**Minimum Marks Required**
	30 %	300	N/A
Title	Cost		
Description	Tenderers must complete and sign the Form of Tender in the Tender Response Document provided. This form will show the overall cost. The currency of the tender is Euro (€). Tenderers are also asked to submit the more detailed price breakdown as part of their proposal (please use excel file 'Award criteria - Details' provided). Please fill out all cells of this document as incomplete returns will not be accepted. Note that the rates quoted for the 'Option' will not be included when assessing the cost criteria for this tender.		

Criterion B	**Weighting**	**Maximum Marks**	**Minimum Marks Required**
	30 %	300	150
Title	Methodology for Project Delivery		
Description	The tenders must provide details of how they will undertake the work, including estimated hours for various elements, number of staff, equipment and machinery to be used etc. The methodology should demonstrate how client liaison, reporting and quality control measures will be managed. Your tender should also show the management and superintendence arrangements proposed together with the role and management of any sub-contractors, if any.		

	Tenderers should clearly show how they intend to perform and manage delivery of the project to ensure compliance with all aspects of Waterways Irelands requirements.

Criterion C	Weighting	Maximum Marks	Minimum Marks Required
	35 %	350	175
Title	Details of Key Personnel		
Description	The quality and technical merit of the human resources proposed, whether from your own resource or from sub-contractors, will be assessed by reference to the curricula vitae of proposed personnel as well as the proposed time allocation and relative input of the resources in delivering the services. Tenderers must therefore: • Complete the schedule of proposed resources provided in the excel file 'Award Criteria - Details' identifying by name the individuals, grades/positions and roles of all staff that will be part of the team delivering the services to Waterways Ireland. The relative percentage of input that these individuals will have in delivering the project should also be identified in the column provided. • Provide CVs (two A4 pages max.) detailing the qualifications, employment history, experience and competencies for each individual member of the team who will be engaged in delivering the Services. • Provide an organisational chart showing the staffing structure of your organisation and where the reporting lines for the members of the team proposed, together with the role and management of any sub-contractors. **N.B. Tenderers must not make changes to the team proposed either pre or post contract award without notifying Waterways Ireland and satisfying them that the replacement resource is of a standard equivalent to or above that which they are replacing.** **Minimum:** Tenderers must demonstrate that they and that their sub-contractors or partners have a suitable level of qualified/experienced personnel to perform the contract. All key personnel must have a minimum of relevant honours degree with three years' experience or relevant professional experience of seven years.		

Mandatory Criteria –

Criterion D	Weighting	Maximum Marks Required	Minimum Marks Required
	5 %	50	25

Title	Social and Environmental Considerations
Description	Provide details of the social and environmental measures that you propose to implement in delivering this contract, including how these measures will contribute to sustainability, minimise environment impacts and deliver relevant social benefits. Tenderers should provide specific examples of the measures proposed and explain how they will be implemented during the contract period.

NOTE 1: Tenderers should ensure in their tenders that they provide detailed information in respect of all aspects of the contract award criteria as stated above. This will enable the awarding authority to assess fully the extent of their offers.

NOTE 2: Tenderers should note that they must achieve a minimum of 50% of the available marks under each of criterion above. Less than 50% is unacceptable and considered ineligible for further consideration

5.1 Methodology for Calculating the Cost Score

The following formula will be applied to the cost score:

The lowest cost tender that also meets all the minimum requirements of the qualitative award criteria will receive the maximum score achievable under this criterion. The scores of the other valid tenders will be calculated using the following formula:

Lowest Cost from a Bona Fide Tender	**A**
Cost for the tender being evaluated	**B**
Maximum Points available for Cost	**300**
Formula employed	$\frac{300 \times A}{B}$

5.2 Methodology for Calculating Scoring of Qualitative Criteria

Score		Meaning	Interpretation
90-100%		Outstanding	A very comprehensive response demonstrating extensive understanding offering full assurance to client – fully supported with no reservations.
80-90%		Excellent	An excellent response demonstrating excellent understanding offering assurance to client – strongly supported.
70-79%		Very Good	A very good response demonstrating very good understanding offering assurance to client – fully supported.
60-69%		Good	A good response demonstrating good understanding offering assurance to client – well supported.
50-59%		Acceptable	An acceptable response demonstrating a minimum understanding offering assurance to client - satisfactorily supported.
	Less than 50% is unacceptable		

Marks in the score ranges outlined above can be awarded where responses so merit additional marks.

5.3 Clarification / Verification Meetings

Award of contract may be subject to attendance at a clarification and verification meeting. It would be essential that the key personnel assigned to this contract should be available and present at this meeting. If required, tenderers will be notified of the date, time, agenda and format for such meetings as soon as possible.

A visit to the tenderer's premises may be required to clarify any questions or queries regarding the tender offer.

Tenderers should note that the Contracting Authority reserves the right to confirm that the financial and technical capacity of the tenderer is valid and unchanged prior to the award of any contract.

5.4 Clarification of Abnormally Low Tenders

If the Contracting Authority considers the tender submission to be commercially unsustainable or otherwise problematic in light of the tendered price or any other financial matter (including proposed indicative hours), the tenderer shall be invited to provide clarification to the Contracting Authority in respect of all elements of the tender submission that the Contracting Authority deems relevant. Any failure to satisfactorily comply with such a request, or to satisfactorily address the Contracting Authority's concerns, may, at the discretion of the Contracting Authority, result in the elimination of the tender in question on the basis of it being considered abnormally low.

Any assessment and rejection of an abnormally low tender will be undertaken in accordance with Regulation 69 of the European Union (Award of Public Authority Contracts) Regulations 2016 (S.I. No. 284/2016).

6. INSTRUCTIONS FOR TENDERERS

(a) Submission of Tenders

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

Tenderers must ensure that they give themselves sufficient time to upload and submit all required tender documentation before the Tender Deadline. Tenderers should consider the fact that upload speeds vary.

For tender submissions, the Tenderer can upload a total of 2.00 GB of files, with any individual file being up to 250 MB. It is the responsibility of the tenderers to ensure that their tender is complete and is uploaded by the designated deadline.

To submit a document to the electronic post-box, please note that tenderers must click "Submit Response". After submitting tenderers can still modify and re-send their response up until the response deadline. Tenderers should be aware that the 'Submit Response' button will be disabled automatically upon the expiration of the response deadline.

Tenderers not familiar with uploading on eTenders should ensure they familiarise themselves with the process prior to the submission deadline. It is important to note that only persons who have downloaded and accepted a document can upload a submission.

Below we provide an overview of the key steps. Please note that the Contracting Authority take no responsibility for these steps being the totality of the steps required as different processes may require different actions.
If in doubt, please ensure you contact the eTenders helpdesk as follows:
Email: irish-eproc-helpdesk@eurodyn.com
Phone: +353-818001459

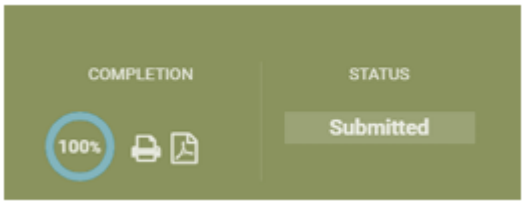
Accessing Documents
It is important to note that you must ensure you ASSOCIATE your company with this competition in the first instance. To do this you must do the following:

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

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

If you do not receive a message similar to above and an email directly to the inbox of the person who submitted the response, **you have not formally submitted your tender.**

Please note that the screen may say **OFFLINE,** this is a technical feature of eTenders and does not



mean you cannot submit. Also please note you may see the percentage field also saying 100% before you submit, this still requires you to go through the submit button.

Please upload your response as a **ZIP FILE** to protect the integrity of the file names.
It is the responsibility of the Tenderer to ensure that their tender is complete and is uploaded in accordance with the instructions provided on eTenders prior to the deadline as per the front page.

(b) Closing Date for Tenders

The closing date for tenders	16:00 (GMT) 11TH December 2026

It is the responsibility of the tenderer to ensure that their tender is complete and is uploaded / submitted by the designated deadline.

(c) Queries

All queries regarding this tender should be through the Questions and Answers facility on www.etenders.gov.ie, including any omissions which would prevent tenderers from submitting a comprehensive tender. Please submit queries as soon as possible.

The closing date for queries	16:00 (GMT) 20TH November 2026
Process for submitting queries	Via www.etenders.gov.ie only

(d) Extension of Tender Period

The Contracting Authority reserves the right, at its sole discretion, to extend the closing date for receipt of tenders by giving notice in writing (by post or electronic means) to all parties who have expressed an interest in the notice via eTenders no later than six days before the original closing date.

Tenderers 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) Tender Validity Period

To allow sufficient time for Tender assessment a Tender Validity period is required. The period required is as stated on the cover of this document and this period commences on the closing date by which the Tenders are to be returned.

(f) Amendment of Tender Documentation

A pdf version of the tender has been made available on eTenders. This document will be considered as the primary source document in this procurement process, word versions of documents where they are provided are being made available to assist tenderers in responding to the tender competition. Where there is a discrepancy between a pdf version and a word version, the pdf version will take precedence. Tenderers are requested to notify the Contracting Authority immediately of any anomaly. Where applicable the Contracting Authority will issue amended versions.

Tenderers are prohibited from amending any text or content of forms or declarations or templates provided as part of this tender competition in their tender responses. Where amendments have been identified; the Contracting Authority may at its discretion eliminate the tenderer from further consideration.

(g) 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 Party shall be automatically disqualified and the circumstances surrounding such action shall be referred to the appropriate authority.

(h) Confidentiality

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

Tenderers 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 Tenderer to influence the Contracting Authority or his staff in the process of examination, clarification, evaluation and comparison of Tenders and in decisions concerning the award of the contract may result in the rejection of that Tender.

(i) Clarification of Tenders

The Contracting Authority is entitled, but not obliged, to seek clarification of tenders, including pricing breakdowns in the course of the evaluation process. No change in the price or substance of the Tender shall be sought, offered or permitted. To assist in finalising the tender evaluation, selected tenderers may be invited to attend clarification meetings with the Contracting Authority.

(j) Correction of Errors

Detailed pricing of all tenders will be examined for errors that might alter the tender pricing as determined from the figures on the tender form or as between the hard copy and electronic versions of the tender. In general, the following approach will be applied to manifest errors - where

there is a discrepancy between the unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted will normally govern.

The amount stated in the tender form will be adjusted by the Contracting Authority in accordance with the above procedure and, with the agreement of the tenderer, shall be considered as binding upon the tenderer. Without prejudice to the above, a tenderer not accepting the correction of their tender as outlined may have their tender rejected.

(k) Change in the Composition of a Tender

The Contracting Authority reserves the right, but is not obliged, to disqualify any Tenderer that makes any change to its composition after submission of a Tender.

(l) Interference and Inducement to Purchase

Any effort by the tenderer 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 tenders and in decisions concerning the Award of Contract shall have their tender rejected. The presumptions (including as to any gift, consideration or advantage) and other provisions under the Bribery Act 2010 (UK) and the Criminal Justice Act 2018 (Ireland), and all other measures for the time being governing the subject-matter in any applicable jurisdiction, shall be applicable.

(m) Conflict of Interest

Any conflict of interest involving a tenderer (or tenderers in the event of a consortium bid) must be fully disclosed to the Contracting Authority. Any registrable interest involving the tenderer and the Contracting Authority or employees of the Contracting Authority or their relatives must be fully disclosed in the tender submission or should be communicated to the Contracting Authority immediately upon such information becoming known to the tenderer, in the event of this information only coming to their notice after the submission of a bid and prior to the award of the contract. Failure to disclose a conflict of interest may disqualify a tenderer or invalidate an award of contract, depending on when the conflict of interest comes to light.

(n) Publicity

Tenderers shall not undertake (or permit to be undertaken) at any time, whether at this stage or after the award of the contract, any publicity activity with any section of the media in relation to this tender/agreement other than with the prior written consent of the Contracting Authority. Such consent shall extend to the content of any publicity. For the purposes of this paragraph, the word "media" includes (but is not limited to) radio, television, newspapers, trade and specialist press, the Internet and e-mail, accessible by the public at large and the representatives of such media.

The Contracting Authority will have the right to publicise or otherwise disclose to any third-party information regarding this process and the agreement.

(o) Right Not to Award

The Contracting Authority does not bind itself to accept the most economically advantageous tender or any tender. It also reserves the right to accept or reject in whole or in part any or all tenders received, and, in particular, to source the requirement with more than one service provider.

The invitation to tender is issued in good faith; however, the Contracting Authority at its sole discretion shall not be obliged to award a contract or proceed to further stages in the procurement process and reserves the right to cancel the procurement process.

(p) Notification of Tender Evaluations

All tenderers will be informed of the outcome of their tenders following tender evaluation and any necessary clarifications. Potential outcomes can be:

a) Award of Contract / appointment to framework agreement

b) Letter of Regret

c) Decision not to proceed with the award of Contract

The following information will be provided in the Letter of Regret – name of successful tenderer designate; the applicable standstill period (for EU tenders only); scores of tenderer and that of successful tender; features and characteristics of successful tender where they scored higher marks in specific criteria.

In the case of EU tenders only, the Contracting Authority will undertake not to award the contract for a period of at least 14 (or whatever period is stated in the notification letters) days from the date of notification of unsuccessful tenderers ('standstill period').

(q) Award Notices

Following the award of contract, an award notice will be despatched to the Official Journal of the European Union announcing the results of the competition no later than 30 days after the award of contract. It should be noted that it is standard practice for the Contracting Authority to include the price of the winning tender or the range of prices of tenders received in the publication of the award notice as required under European procurement rules.

(r) Policy on Personal Debriefings

Based on the provision of the information to unsuccessful tenderers as outlined above and due to resourcing constraints, the Contracting Authority will not be offering individual debriefing meetings to unsuccessful bidders.

(s) Copyright

The Contracting Authority will have copyright ownership of any material developed for use by the Contracting Authority under the terms of this tender. The service provider may have a nonexclusive license to use such material but only for its own purposes (to be agreed with the successful tenderer).

(t) Brand Names, etc.

Please note in relation to this tender document; where reference is made to a particular make, source, process, trademark, type or patent, that this is not to be regarded as a de facto requirement. In all such cases it should be understood that the reference in question is accompanied by the words "or equivalent".

(u) 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. Tenderers/contractors should make all reasonable efforts to minimise adverse environmental impact in the methods of services delivery and in materials used.

(v) Knowledge and Skills Transfer

It will be a condition of the contract that opportunities for the transfer of skills and/or knowledge from the Tender/Tender's staff to the Contracting Authority staff will be availed of during the course of the contract or prior to the handing over of the finished work/product.

(w) 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 as stated on the cover page of this tender document.

All prices and rates quoted should be on the basis of both VAT exclusive and VAT inclusive costs, clearly identifying the applicable rate of VAT.

A schedule of payments will be agreed with the successful tenderer and invoices shall be submitted in accordance with the terms agreed with the Contracting Authority.

The Contracting Authority require that invoices are submitted electronically, and the following information sets out our requirements with regard to billing the Contracting Authority. Any claim for payment should meet the following minimum format and information requirements:

- Be produced on invoice or headed stationery showing the supplier's name, address and VAT details (where applicable)
- Be addressed to or otherwise properly identify the Contracting Authority as the client/customer/payee
- Display the invoice/billing date
- Display the relevant the Contracting Authority purchase order number or agreed payment reference
- Display a unique supplier invoice number/billing reference
- Fully itemise the services provided in line with the costs structure set out in the tender
- Subtotal amount
- VAT rates and amount (as applicable)
- Gross Total

The method of payment used by the Contracting Authority is normally Electronic Funds Transfer.

(x) Late Payment

The Contracting Authority operates in accordance with EU Directive 2011/7/EU on combating Late Payment in commercial Transactions transposed into national legislation as

- S.I. 580 of 2012 in Ireland and
- The Late Payment of Commercial Debts (Interest) Act 1998 in Northern Ireland

7. RELEVANT LEGISLATION

General

For the contracting authority the place or places of supply can be in Ireland, Northern Ireland or both. The supplies, services or works which are the subject matter of this tender will be supplied to the contracting authority as stated on the cover of this document.

As a cross border public body, the Contracting Authority must comply with all applicable legislation within its relevant jurisdiction(s) of operation. The place of supply will determine the applicable terms and conditions under which supply will be made and place specific obligations on the Contracting Authority to comply with relevant legislative requirements as follows;

Health & Safety

With respect to the jurisdiction where the supply of goods or services will be provided, the successful Tenderer must comply with the following Health and Safety legislation as applicable;

• The Safety, Health & Welfare at work Act 2005, in Ireland

• The Health and Safety at Work (Northern Ireland) Order 1978 in Northern Ireland and all relevant regulations made thereunder.

Anti-Competitive Conduct

Tenderers attention is drawn to the following legislation:

• Competition Act 2002 (Ireland)

• Competition Act 1998 (Northern Ireland)

• Enterprise and Regulatory Reform Act 2013 (Northern Ireland) This legislation makes it a criminal offence for Tenderers to collude on prices or terms in a public procurement competition.

Accessibility

The Contracting Authority operate in line with

• The Disability Act 2005 in Ireland and

• The Disability Discrimination Act 1995 in Northern Ireland.

Under the requirements of these Acts the Contracting Authority is required to ensure that both the goods supplied, and services provided to it are accessible to persons with disabilities.

Value Added Tax (VAT), Tax Clearance and Relevant Contracts Tax (RCT)

The nature of the supply to be made under this contract together with the place of supply requires the Contracting Authority to consider specific obligations in relation to the application of Value Added Tax (VAT), Relevant Contracts Tax (RCT) and the requirement to verify tax clearance. These specific obligations which may, depending on the place of supply, affect how purchases and payments are made to suppliers.

Supply to Waterways Ireland in Ireland		
Supplier Based in	**VAT**	**Tax Clearance**
Ireland	Supplier to charge VAT in accordance with Irish VAT Rules	Required
European Union Country (other than Ireland)	Waterways Ireland self-account for VAT on the reverse charge basis	
Supplier Based Outside European Union	VAT position will be determined prior to award of contract	
Supplier Based in the UK	Waterways Ireland self-account for VAT on the reverse charge basis	

Specific information in relation to VAT, Tax Clearance and RCT will be identified in the terms and conditions of the tender and will apply to the subsequent contract(s) formed thereunder.

Freedom of Information

In order to comply with legislation on the Freedom of Information Waterways Ireland as a North South Body operates a Code of Practice for Freedom of Information. The primary purpose of this code is to facilitate access by members of the public to information held by the body which is not routinely made available.

The objective is to provide:

- Greater openness and accountability and increased public confidence in the workings of North South Bodies, and
- Improvement in the quality of decision making by North South Bodies

Anyone corresponding with Waterways Ireland through any tender or procurement process should be aware that any information provided in the tender or other correspondence may be made available if requested under the Freedom of Information Code of Practice.

Waterways Ireland will consult with tenderers about sensitive information in their tender or correspondence before making a decision on the disclosure of any such information in response to a request under the relevant Freedom of Information legislation.

A decision on what information can be released under the relevant Freedom of Information legislation is the sole prerogative of Waterways Ireland.

A copy of the Freedom of Information Code of Practice is available on the Waterways Ireland website www.waterwaysireland.org under Other Information or by writing to:

Freedom of Information Officer

Waterways Ireland

2 Sligo Rd, Enniskillen

Co. Fermanagh

BT74 7JY

Telephone +44 (0)2866 323004

Data Protection

The General Data Protection Regulation (EU) 2016/679 ("GDPR") is a regulation in EU law on data protection and privacy for all individuals within the European Union (EU) and the European Economic Area (EEA). In May 2018, new Data Protection Acts

- Data Protection Act 2018 (United Kingdom) and
- Data Protection Act 2018 (Ireland)

were introduced to provide context for the application of GDPR in each country.

The UK's decision to leave the EU will not affect the commencement of GDPR and its relevance to Northern Ireland.

Waterways Ireland is the Data Controller in the case of contracts awarded by the body and requires that all contractors engaged in the processing of Personal Data, sign and implement the GDPR Addendum to contract, in compliance with the EU General Data Protection Regulation (GDPR) and enacting legislation in the relevant jurisdiction.