

Ireland: Architectural, construction, engineering and inspection services

Modification to Contract for Architect Led Design Services to oversee Irishtown Stadium Improvement Works

Contract or concession award notice – standard regime

1 Buyer

1.1 Buyer

Official name: Dublin City Council

Legal type of the buyer: Local authority

Activity of the contracting authority: General public services

2 Procedure

2.1 Procedure

Title: Modification to Contract for Architect Led Design Services to oversee Irishtown Stadium Improvement Works

Description: This Contract Award Notice is acting as a Modification Notice under Article 72 of 2014/24/EU to Contract for Additional Design Team Fees to TODD Architects for Architect Led Design Services to oversee Irishtown Stadium Improvement Works.

Procedure identifier: 917fe950-3498-4285-afaa-c99ec6fdac4a

Type of procedure: Open

Justification for the accelerated procedure:

Main features of the procedure:

2.1.1 Purpose

Main nature of the contract: Services

Main classification (cpv): 71000000 Architectural, construction, engineering and inspection services

2.1.2 Place of performance

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

2.1.4 General information

Additional information: Order No CRES/0030/2025 approves the modification to Contract for Architect Led Design Services to oversee Irishtown Stadium Improvement Works. In 2018 Dublin City Council Sports & Recreation Services requested City Architects to procure a Consultant Architect to oversee the design and implementation of significant improvement works at Irishtown Stadium. These works include: # Fire Remediation works to bring facility up to required safety standard # Improvement Works to internal fabric # Internal space reconfigurations # Provision of additional areas in building extensions # Upgrading of mechanical and electrical services These works were tendered to the Panel for Architectural Consultancy Services in December 2018. No tenders were returned. Subsequently, TODD Architects, the original architects of the facility, approached Dublin City Council expressing an interest in submitting a tender. Following appraisal of this tender, City Architects recommended the appointment of TODD Architects at a cost of €28,058.00, ex VAT. Managers Order CRES/55/2019 dated 23/03/2019 approved this appointment. Following the appointment of TODD Architects scope changes occurred in a piecemeal fashion as the project developed, which included pauses to the project. As a result of these changes additional design team fees were incurred amounting to €101,392.00, ex VAT. Managers Order CRES/216/2022 dated 10/10/2022 approved these additional fees. The total value of the contract as a result of modifications amounts to €129,458.00, ex VAT. The following additional design team consultancy services were required and procured: 1. Quantity Surveying

services were procured in a single tender. QSPM Group submitted a lump sum fee proposal of €6,395.70, ex VAT, and were appointed in January 2020. 2. M&E services were procured in a single tender. Delap & Waller submitted a lump sum fee proposal of €12,950.00, ex VAT, and were appointed in February 2020. 3. Fire safety consultancy services for a fire audit were procured in a single tender. Eamon O'Boyle and Associates (EOBA) submitted a lump sum fee proposal of €3,500, ex VAT, and were appointed in October 2020. 4. Following the fire safety audit, Quantity Surveying services were procured in a competitive tender for a fire safety remediation works package. QSPM Group submitted the lowest tender, a lump sum fee proposal of €7,255.00, ex VAT, and were appointed in March 2022. 5. Following the fire safety audit, additional architectural, design team co-ordination and Assigned Certifier services were procured for fire safety remediation works. TODD Architects submitted a lump fee proposal of €12,500.00, ex VAT, for these services in January 2022 and were appointed in October 2022. 6. Following the fire safety audit report, additional fire safety consultancy services were procured for inspection and supervision of fire safety remediation works. EOBA submitted a single tender lump sum fee proposal of €5,500.00, ex VAT, for these services in April 2022 and were appointed in October 2022. 7. Following changes in the scope of work of the original Irishtown Stadium refurbishment contract, additional fire safety consultancy services were procured for the preparation and lodgement of a Fire Safety Certificate and a Disability Access Certificate. EOBA submitted a lump sum fee proposal of €8,250.00, ex VAT for these services in May 2022 and were appointed in October 2022. 8. Following an increase in the scope of works of the original Irishtown Stadium refurbishment contract, the preparation and lodgement of statutory approvals (planning application, Fire Safety Certificate, Disability Access Certificate) was required. This resulted in delays to the project and led to the expiration of the Total Performance Period of 24 months. This in turn required payment of additional fees for inflation in accordance with the Standard Conditions of Engagement, calculated in September 2022. The increase in fees payable to TODD Architects totals €4,102.00, ex VAT. 9. Following a substantial increase in the scope of works of the original Irishtown Stadium refurbishment contract, the design of new extensions to the building (additional staff accommodation, new entrance lobby and universal access provisions) was required. This necessitated the preparation and lodgement of a planning application as well as additional design / tender documentation by TODD Architects. TODD Architects submitted a revised fee proposal for additional fees of €13,989.30, ex VAT, in September 2022 and were appointed in October 2022. 10. Following a substantial increase in the scope of works of the original Irishtown Stadium refurbishment contract, the design of new extensions to the building (additional staff accommodation, new entrance lobby and universal access provisions) was required. This necessitated the preparation of additional detail design / tender documentation by Delap & Waller, the M&E consultants. Delap & Waller submitted a revised fee proposal for additional fees of €12,950.00, ex VAT, in September 2022 and were appointed in October 2022. 11. Following a substantial increase in the scope of works of the original Irishtown Stadium refurbishment contract, the design of new extensions to the building (additional staff accommodation, new entrance lobby and universal access provisions) was required. This necessitated the preparation of additional tender documentation and an extended BOQ by QSPM, the Quantity Surveyor. QSPM submitted a revised fee proposal for additional fees of €14,000.00, ex VAT, in September 2022 and were appointed in October 2022. The above modifications No: 1 - 7 and 9 - 11 are justified under Article 72, 1(b): "Contracts and framework agreements may be modified without a new procurement procedure in accordance with this Directive for additional works, services or supplies by the original contractor that have become necessary and that were not included in the initial procurement where a change of contract: (I) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, service or installations procured under the initial procurement: and (II) would cause significant inconvenience or substantial duplication of costs for the contracting authority. However, any increase in price shall not exceed 50% of the value of the original contract. Where several successive modifications are made, that limitation shall apply to the value of each modification. Such consecutive modifications shall not be aimed at circumventing this Directive." The above modification No: 8 is justified under Article 72, 1 (c): "Contracts and framework agreement may be modified without a new procurement procedure in accordance with this Directive where all of the following conditions are fulfilled: (I) the need for modifications has been brought about by circumstances which a diligent contracting authority could not foresee; (II) the modification does not alter the overall nature of the contract; (III) any increase in price is not higher than 50% of the value of the original contract or framework agreement. Where several successive modifications are made, that limitation shall apply to the value of each modification. Such consecutive modifications shall not be aimed at circumventing this

Directive.” This CAN is acting as a Modification notice to the original notice. City Architects consider that the design team for Irishtown Stadium Improvement Works led by TODD Architects have submitted reasonable additional fees in the amount of €101,932.00, ex VAT, for additional services as outlined above and recommend payment, amounting to total revised design team fees of €129,458.00, ex VAT.

Legal basis:

Directive 2014/24/EU

5 Lot

5.1 Lot technical ID: LOT-0001

Title: Modification to Contract for Architect Led Design Services to oversee Irishtown Stadium Improvement Works

Description: This Contract Award Notice is acting as a Modification Notice under Article 72 of 2014/24/EU to Contract for Additional Design Team Fees to TODD Architects for Architect Led Design Services to oversee Irishtown Stadium Improvement Works.

Internal identifier: 1

5.1.1 Purpose

Main nature of the contract: Services

Main classification (cpv): 71200000 Architectural and related services

5.1.2 Place of performance

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

Additional information:

5.1.6 General information

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA): yes

Additional information: Order No CRES/0030/2025 approves the modification to Contract for Architect Led Design Services to oversee Irishtown Stadium Improvement Works. In 2018 Dublin City Council Sports & Recreation Services requested City Architects to procure a Consultant Architect to oversee the design and implementation of significant improvement works at Irishtown Stadium. These works include: # Fire Remediation works to bring facility up to required safety standard # Improvement Works to internal fabric # Internal space reconfigurations # Provision of additional areas in building extensions # Upgrading of mechanical and electrical services These works were tendered to the Panel for Architectural Consultancy Services in December 2018. No tenders were returned. Subsequently, TODD Architects, the original architects of the facility, approached Dublin City Council expressing an interest in submitting a tender. Following appraisal of this tender, City Architects recommended the appointment of TODD Architects at a cost of €28,058.00, ex VAT. Managers Order CRES/55/2019 dated 23/03/2019 approved this appointment. Following the appointment of TODD Architects scope changes occurred in a piecemeal fashion as the project developed, which included pauses to the project. As a result of these changes additional design team fees were incurred amounting to €101,392.00, ex VAT. Managers Order CRES/216/2022 dated 10/10/2022 approved these additional fees. The total value of the contract as a result of modifications amounts to €129,458.00, ex VAT. The following additional design team consultancy services were required and procured: 1. Quantity Surveying services were procured in a single tender. QSPM Group submitted a lump sum fee proposal of €6,395.70, ex VAT, and were appointed in January 2020. 2. M&E services were procured in a single tender. Delap & Waller submitted a lump sum fee proposal of €12,950.00, ex VAT, and were appointed in February 2020. 3. Fire safety consultancy services for a fire audit were procured in a single tender. Eamon O'Boyle and Associates (EOBA) submitted a lump sum fee proposal of €3,500, ex VAT, and were appointed in October 2020. 4. Following the fire safety audit, Quantity Surveying services were procured in a competitive tender for a fire safety remediation works package.

QSPM Group submitted the lowest tender, a lump sum fee proposal of €7,255.00, ex VAT, and were appointed in March 2022. 5. Following the fire safety audit, additional architectural, design team co-ordination and Assigned Certifier services were procured for fire safety remediation works. TODD Architects submitted a lump fee proposal of €12,500.00, ex VAT, for these services in January 2022 and were appointed in October 2022. 6. Following the fire safety audit report, additional fire safety consultancy services were procured for inspection and supervision of fire safety remediation works. EOBA submitted a single tender lump sum fee proposal of €5,500.00, ex VAT, for these services in April 2022 and were appointed in October 2022. 7. Following changes in the scope of work of the original Irishtown Stadium refurbishment contract, additional fire safety consultancy services were procured for the preparation and lodgement of a Fire Safety Certificate and a Disability Access Certificate. EOBA submitted a lump sum fee proposal of €8,250.00, ex VAT for these services in May 2022 and were appointed in October 2022. 8. Following an increase in the scope of works of the original Irishtown Stadium refurbishment contract, the preparation and lodgement of statutory approvals (planning application, Fire Safety Certificate, Disability Access Certificate) was required. This resulted in delays to the project and led to the expiration of the Total Performance Period of 24 months. This in turn required payment of additional fees for inflation in accordance with the Standard Conditions of Engagement, calculated in September 2022. The increase in fees payable to TODD Architects totals €4,102.00, ex VAT. 9. Following a substantial increase in the scope of works of the original Irishtown Stadium refurbishment contract, the design of new extensions to the building (additional staff accommodation, new entrance lobby and universal access provisions) was required. This necessitated the preparation and lodgement of a planning application as well as additional design / tender documentation by TODD Architects. TODD Architects submitted a revised fee proposal for additional fees of €13,989.30, ex VAT, in September 2022 and were appointed in October 2022. 10. Following a substantial increase in the scope of works of the original Irishtown Stadium refurbishment contract, the design of new extensions to the building (additional staff accommodation, new entrance lobby and universal access provisions) was required. This necessitated the preparation of additional detail design / tender documentation by Delap & Waller, the M&E consultants. Delap & Waller submitted a revised fee proposal for additional fees of €12,950.00, ex VAT, in September 2022 and were appointed in October 2022. 11. Following a substantial increase in the scope of works of the original Irishtown Stadium refurbishment contract, the design of new extensions to the building (additional staff accommodation, new entrance lobby and universal access provisions) was required. This necessitated the preparation of additional tender documentation and an extended BOQ by QSPM, the Quantity Surveyor. QSPM submitted a revised fee proposal for additional fees of €14,000.00, ex VAT, in September 2022 and were appointed in October 2022. The above modifications No: 1 - 7 and 9 - 11 are justified under Article 72, 1(b): "Contracts and framework agreements may be modified without a new procurement procedure in accordance with this Directive for additional works, services or supplies by the original contractor that have become necessary and that were not included in the initial procurement where a change of contract: (I) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, service or installations procured under the initial procurement: and (II) would cause significant inconvenience or substantial duplication of costs for the contracting authority. However, any increase in price shall not exceed 50% of the value of the original contract. Where several successive modifications are made, that limitation shall apply to the value of each modification. Such consecutive modifications shall not be aimed at circumventing this Directive." The above modification No: 8 is justified under Article 72, 1 (c): "Contracts and framework agreement may be modified without a new procurement procedure in accordance with this Directive where all of the following conditions are fulfilled: (I) the need for modifications has been brought about by circumstances which a diligent contracting authority could not foresee; (II) the modification does not alter the overall nature of the contract; (III) any increase in price is not higher than 50% of the value of the original contract or framework agreement. Where several successive modifications are made, that limitation shall apply to the value of each modification. Such consecutive modifications shall not be aimed at circumventing this Directive." This CAN is acting as a Modification notice to the original notice. City Architects consider that the design team for Irishtown Stadium Improvement Works led by TODD Architects have submitted reasonable additional fees in the amount of €101,932.00, ex VAT, for additional services as outlined above and recommend payment, amounting to total revised design team fees of €129,458.00, ex VAT.

5.1.7 Strategic procurement

Aim of strategic procurement: No strategic procurement

5.1.10 Award criteria

Criterion:

Type: Cost

Name:

Description: Cost @ 100%

Category of award threshold criterion: Weight (percentage, exact)

Award criterion number: 100

Description of the method to be used if weighting cannot be expressed by criteria:

Justification for not indicating the weighting of the award criteria:

5.1.15 Techniques

Framework agreement:

No framework agreement

Information about the dynamic purchasing system:

No dynamic purchase system

5.1.16 Further information, mediation and review

Review organisation: The High Court of Ireland -

Organisation providing more information on the review procedures: The High Court of Ireland -

6 Results

Value of all contracts awarded in this notice: 129 458 Euro

6.1 Result lot Identifier: LOT-0001

At least one winner was chosen.

6.1.2 Information about winners

Winner:

Official name: TODD Architects

Tender:

Tender identifier: Modification to Contract for Architect Led Design Services to oversee Irishtown Stadium Improvement Works

Identifier of lot or group of lots: LOT-0001

Value of the tender: 129 458 Euro

Subcontracting: No

Contract information:

Identifier of the contract: Modification to Contract for Architect Led Design Services to oversee Irishtown Stadium Improvement Works

Date of the conclusion of the contract: 10/10/2022

6.1.4 Statistical information

Received tenders or requests to participate:

Type of received submissions: Tenders

Number of tenders or requests to participate received: 1

8 Organisations

8.1 ORG-0001

Official name: Dublin City Council

Registration number: IE47732154U

Postal address: Civic Offices, Wood Quay

Town: Dublin

Postcode: D08 RF3F

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

Email: margret.glupker@dublincity.ie

Telephone: 01 2222222

Internet address: <https://www.dublincity.ie>

Buyer profile: <https://www.dublincity.ie>

Roles of this organisation:

Buyer

8.1 ORG-0002

Official name: The High Court of Ireland

Registration number: The High Court of Ireland

Department: The High Court of Ireland

Postal address: Four Courts, Inns Quay, Dublin 7

Town: Dublin

Postcode: D07 WDX8

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

Email: HighCourtCentralOffice@courts.ie

Telephone: +353 1 8886000

Roles of this organisation:

Review organisation

Organisation providing more information on the review procedures

8.1 ORG-0003

Official name: European Dynamics S.A.

Registration number: 002024901000

Department: European Dynamics S.A.

Town: Athens

Postcode: 15125

Country subdivision (NUTS): Βόρειος Τομέας Αθηνών (EL301)

Country: Greece

Email: eproc-esender@eurodyn.com

Telephone: +30 2108094500

Roles of this organisation:

TED eSender

8.1 ORG-0004

Official name: TODD Architects

Registration number: 9931293D

Town: 1st Floor, 61 Thomas Street, Dublin 8,

Postcode: D08 DFR3

Country subdivision (NUTS): Dublin (IE061)

Country: Ireland

Contact point: Penny Linton

Email: penny.linton@toddarch.ie

Telephone: 00353 1 6620500

Roles of this organisation:

Tenderer

Winner of these lots: LOT-0001

11 Notice information

11.1 Notice information

Notice identifier/version: 51254485-d931-4aad-98dd-de050c528b4b - 01

Form type: Result

Notice type: Contract or concession award notice – standard regime

Notice dispatch date: 05/02/2025 15:38 +00:00

Languages in which this notice is officially available: English

11.2 Publication information