



Supplement to the Official Journal of the European Union

Info and online forms: <http://simap.ted.europa.eu>

Voluntary ex ante transparency notice

This notice is related to following:

- Directive 2014/23/EU
- Directive 2014/24/EU
- Directive 2014/25/EU
- Directive 2009/81/EC

This notice aims at providing voluntary prior transparency as referred to in Article 2d(4) of Directives 89/665/EEC and 92/13/EEC on remedies, and Article 60(4) of Directive 2009/81/EC.

Section I: Contracting authority/entity

I.1) Name and addresses

Official name: Dublin City Council			National registration number: ²
Postal address: Civic Offices, Wood Quay			
Town: Dublin	NUTS code: IE	Postal code: D08 RF3F	Country: Ireland
Contact person:			Telephone: +353 012224493
E-mail: procurementunit@dublincity.ie			Fax:
Internet address(es)			
Main address: (URL) https://www.etenders.gov.ie			
Address of the buyer profile: (URL) https://www.etenders.gov.ie			

I.4) Type of the contracting authority (in the case of a notice published by a contracting authority)

<input type="radio"/> Ministry or any other national or federal authority, including their regional or local subdivisions	<input type="radio"/> Regional or local agency/office
<input type="radio"/> National or federal agency/office	<input type="radio"/> Body governed by public law
<input checked="" type="radio"/> Regional or local authority	<input type="radio"/> European institution/agency or international organisation
	<input type="radio"/> Other type:

I.5) Main activity (in the case of a notice published by a contracting authority)

<input type="radio"/> General public services	<input checked="" type="radio"/> Housing and community amenities
<input type="radio"/> Defence	<input type="radio"/> Social protection
<input type="radio"/> Public order and safety	<input type="radio"/> Recreation, culture and religion
<input type="radio"/> Environment	<input type="radio"/> Education
<input type="radio"/> Economic and financial affairs	<input type="radio"/> Other activity:
<input type="radio"/> Health	

I.6) Main activity (in the case of a notice published by a contracting entity)

<input type="radio"/> Production, transport and distribution of gas and heat	<input type="radio"/> Railway services
<input type="radio"/> Electricity	<input type="radio"/> Urban railway, tramway, trolleybus or bus services
<input type="radio"/> Extraction of gas and oil	<input type="radio"/> Port-related activities
<input type="radio"/> Exploration and extraction of coal and other solid fuels	<input type="radio"/> Airport-related activities
<input type="radio"/> Water	<input type="radio"/> Other activity:
<input type="radio"/> Postal services	

Section II: Object

II.1) Scope of the procurement

II.1.1) Title: Provision Of Dog Shelter Services	Reference number: ²
II.1.2) Main CPV code: 98380000 Supplementary VOC code: ^{1,2}	
II.1.3) Type of contract <input type="radio"/> Works <input type="radio"/> Supplies <input checked="" type="radio"/> Services	
<p>II.1.4) Short description: Dublin City Council intend to award a 6 month contract for these services. DCC has a statutory responsibility to provide one or more shelters for dogs seized, accepted or detained under Section 15 (2) of the Control of Dogs Act 1986. The Council currently provides a facility since 2021. The shelter caters for 25 dogs at a site in south county Dublin. This represents a dramatic decrease in capacity compared to pre 2021. This greatly reduces the ability to provide for our statutory functions. The facility regularly operates above capacity with no headroom to deal with the demands for service or priority cases. The situation has be exacerbated with the increased demand for the facility due to higher surrender rates, and over population of restricted breed dogs, decreasing outlets for transfer to charities and reduced prospects of re-homing. The current situation is unsustainable and likely to reach crisis point in the coming months. It has become necessary to explore available options as an interim measure and it has become clear that suitable options are very limited. Dublin City Council has received a proposal from Animal Magic Limited (Co Reg No. 695200) T/A Dublin Dog Hub to operate a newly contracted facility on behalf of Dublin City Council. The facility can house 20 dogs and this increased capacity would greatly reduce the pressure on Animal Welfare Services for the city. The Shelter has been inspected and licenced under the Dog Breeding Establishment Act 2010. The vendor would operate the facility on behalf of the Council for a monthly fee of €44,500 until a public procurement process can be successfully completed</p>	
II.1.6) Information about lots	
This contract is divided into lots <input type="radio"/> yes <input checked="" type="radio"/> no	
<p>II.1.7) Total value of the procurement (excluding VAT) Value: [267000.00] <i>(Please give the total value of the procurement. For information about individual contracts, please use section V) or</i> Lowest offer: [] / Highest offer: [] taken into consideration Currency: EUR <i>(for framework agreements – total maximum value for their entire duration)</i> <i>(for contracts based on framework agreements, if required – value of contract(s) not included in previous contract award notices)</i></p>	

II.2) Description ¹ (1)

II.2.1) Title: ²	Lot No: ²
<p>II.2.2) Additional CPV code(s): ² Main CPV code: ¹ 75240000 Supplementary VOC code: ^{1,2}</p>	
<p>II.2.3) Place of performance NUTS code: ¹ [IE061] Main site or place of performance:</p>	
<p>II.2.4) Description of the procurement: *** Dublin City Council has a statutory responsibility to provide one or more shelters for dogs seized, accepted or detained under Section 15 (2) of the Control of Dogs Act 1986. The Council currently provides a facility since 2021. The shelter caters for 25 dogs at a site in south county Dublin. This represents a dramatic decrease in capacity compared to pre 2021. This greatly reduces the ability to provide for our statutory functions. The facility regularly operates above capacity with no headroom to deal with the demands for service or priority cases. The situation has be exacerbated with the increased demand for the facility due to higher surrender rates, and over population of restricted breed dogs, decreasing outlets for transfer to charities and reduced prospects of re-homing. The current situation is unsustainable and likely to reach crisis point in the coming months. It has become necessary to explore available options as an interim measure and it has become clear that suitable options are very limited. Dublin City Council has received a proposal from Animal Magic Limited (Co Reg No. 695200) T/A Dublin Dog Hub to operate a newly contracted facility on behalf of Dublin City Council. The facility can house 20 dogs and this increased capacity would greatly reduce the pressure on Animal Welfare Services for the city. The Shelter has been inspected and licenced under the Dog Breeding Establishment Act 2010. The vendor would operate the facility on behalf of the Council for a monthly fee of €44,500 until a public procurement process can be successfully completed. <i>(nature and quantity of works, supplies or services)</i></p>	
<p>II.2.11) Information about options Options <input type="radio"/> yes <input checked="" type="radio"/> no Description of options:</p>	
<p>II.2.13) Information about European Union funds The procurement is related to a project and/or programme financed by European Union funds <input type="radio"/> yes <input checked="" type="radio"/> no Identification of the project:</p>	
II.2.14) Additional information:	

Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure *(please complete Annex D)*

- Negotiated procedure without prior publication *(in accordance with Article 32 of Directive 2014/24/EU)*
- Negotiated procedure without prior call for competition *(in accordance with Article 50 of Directive 2014/25/EU)*
- Negotiated procedure without publication of a contract notice *(in accordance with Article 28 of Directive 2009/81/EC)*
- Award of a concession without prior publication of a concession notice *(in accordance with Article 31(4) and (5) of Directive 2014/23/EU)*
- Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below *(please complete point 2 of the Annex D)*

IV.1.3) Information on framework agreement

- The procurement involves the establishment of a framework agreement

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement yes no

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure ²

Notice number in the OJ S:

Section V: Award of contract/concession ¹

Contract No: 1 Lot No: ² Title: Provision Of Dog Shelter Services

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract: (dd/mm/yyyy) 23/10/2023			
V.2.2) Information about tenders			
The contract has been awarded to a group of economic operators: <input type="radio"/> yes <input checked="" type="radio"/> no			
V.2.3) Name and address of the contractor/concessionaire ¹ (Agree to publish? <input type="radio"/> yes <input type="radio"/> no)			
Official name: Animal Magic Limited T/A Dublin Dog Hub		National registration number: ²	
Postal address: 2 Clanwilliam Square, Grand Canal Quay, Dublin 2. D02 EN25, Ireland			
Town: Dublin	NUTS code: IE061	Postal code: D02 EN25	Country: Ireland
E-mail: doghubgrooming@gmail.com		Telephone:	
Internet address: (URL) https://www.doghub.ie		Fax:	
The contractor/concessionaire will be an SME: <input checked="" type="radio"/> yes <input type="radio"/> no (SME – as defined in Commission Recommendation 2003/361/EC)			
V.2.4) Information on value of the contract/lot/concession (excluding VAT)			
Initial estimated total value of the contract/lot/concession: ² [267000.00]			
Total value of the contract/lot/concession: [267000.00]			
or			
Lowest offer: [] / Highest offer: [] taken into consideration			
Currency: EUR			
for framework agreements – total maximum value for this lot			
for contracts based on framework agreements, if required – value of contract(s) for this lot not included in previous contract award notices			
V.2.5) Information about subcontracting ⁸			
<input type="checkbox"/> The contract/lot/concession is likely to be subcontracted			
Value or proportion likely to be subcontracted to third parties ⁴			
Value excluding VAT: [] Currency:			
Proportion: [] %			
Short description of the part of the contract to be subcontracted:			

Section VI: Complementary information

VI.3) Additional information ²

The date stated in Section V2.1 is the date of this notice and is not intended to represent the date of conclusion of the contract. The date of conclusion of the contract is expected to take place no sooner than 23rd November 2023.

VI.4) Procedures for review

VI.4.1) Review body		
Official name: High Court		
Postal address:		
Town: Dublin	Postal code:	Country: Ireland
E-mail:	Telephone:	
Internet address: <i>(URL)</i>	Fax:	
VI.4.2) Body responsible for mediation procedures ²		
Official name:		
Postal address:		
Town:	Postal code:	Country:
E-mail:	Telephone:	
Internet address: <i>(URL)</i>	Fax:	
VI.4.3) Review procedure		
Precise information on deadline(s) for review procedures:		
VI.4.4) Service from which information about the review procedure may be obtained ²		
Official name:		
Postal address:		
Town:	Postal code:	Country:
E-mail:	Telephone:	
Internet address: <i>(URL)</i>	Fax:	

VI.5) Date of dispatch of this notice: *(dd/mm/yyyy)* [23/10/2023](#)

It is the contracting authority's/contracting entity's responsibility to ensure compliance with European Union law and any applicable laws.

¹ please repeat as many times as needed

² if applicable

⁴ if this information is known

⁸ optional information

²⁰ importance may be given instead of weighting

²¹ importance may be given instead of weighting; if price is the only award criterion, weighting is not used

Annex D1 – General procurement

Justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union

Directive 2014/24/EU

(please select the relevant option and provide an explanation)

- 1. Justification for the choice of the negotiated procedure without prior publication of a call for competition in accordance with Article 32 of Directive 2014/24/EU**
- No tenders or no suitable tenders/requests to participate in response to
 - open procedure
 - restricted procedure
 - The products involved are manufactured purely for the purpose of research, experiment, study or development under the conditions stated in the directive (*for supplies only*)
 - The works, supplies or services can be provided only by a particular economic operator for the following reason
 - absence of competition for technical reasons
 - procurement aiming at the creation or acquisition of a unique work of art or artistic performance
 - protection of exclusive rights, including intellectual property rights
 - Extreme urgency brought about by events unforeseeable for the contracting authority and in accordance with the strict conditions stated in the directive
 - Additional deliveries by the original supplier ordered under the strict conditions stated in the directive
 - New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions stated in the directive
 - Service contract to be awarded to the winner or one of winners under the rules of a design contest
 - Procurement of supplies quoted and purchased on a commodity market
 - Purchase of supplies or services on particularly advantageous terms
 - from a supplier which is definitively winding up its business activities
 - from the liquidator in an insolvency procedure, an arrangement with creditors or a similar procedure under national laws and regulations
- 2. Other justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union**
- The procurement falls outside the scope of application of the directive

3. Explanation

Please explain in a clear and comprehensive manner why the award of the contract without prior publication in the Official Journal of the European Union is lawful, by stating the relevant facts and, as appropriate, the conclusions of law in accordance with the directive: (500 words maximum)

*** Dublin City Council has a statutory responsibility to provide one or more shelters for dogs seized, accepted or detained under Section 15 (2) of the Control of Dogs Act 1986. The Council currently provides a facility since 2021. The shelter caters for 25 dogs at a site in south county Dublin. This represents a dramatic decrease in capacity compared to pre 2021. This greatly reduces the ability to provide for our statutory functions. The facility regularly operates above capacity with no headroom to deal with the demands for service or priority cases. The situation has been exacerbated with the increased demand for the facility due to higher surrender rates, and over population of restricted breed dogs, decreasing outlets for transfer to charities and reduced prospects of re-homing. The current situation is unsustainable and likely to reach crisis point in the coming months. It has become necessary to explore available options as an interim measure and it has become clear that suitable options are very limited. Dublin City Council has received a proposal from Animal Magic Limited (Co Reg No. 695200) T/A Dublin Dog Hub to operate a newly contracted facility on behalf of Dublin City Council. The facility can house 20 dogs and this increased capacity would greatly reduce the pressure on Animal Welfare Services for the city. The Shelter has been inspected and licenced under the Dog Breeding Establishment Act 2010. The vendor would operate the facility on behalf of the Council for a monthly fee of €44,500 until a public procurement process can be successfully completed