1. INTRODUCTION
Furnishing and equipping a facility that is under construction is an important part of a building project, responsibility for which rests with the management authority of a school. Since the cost of furnishing and equipping a facility can be substantial compliance with public procurement procedures, both national and EU procedures, is mandatory.

National procurement procedures apply when the estimated total cost of furnishing and/or equipping an entire facility that is under construction is less than €162,293 in the case of a community or a comprehensive school or €249,681 in the case of a secondary school or VEC managed school or college. EU public procurement procedures apply when the total estimated cost exceeds these limits.

These limits are referred to as the financial thresholds. They are VAT exclusive figures and apply from 1st January, 2002 and are up-dated every two years.
2. EU PROCUREMENT PROCEDURES

Three different types of contracts are identified in EU Directives, Works Contracts, Supplies Contracts and Service Contracts. The Supplies Contract Directive governs procurement of furniture and equipment.

The Supplies Contract Directive defines Contracting Authorities as all Government Departments, local and regional authorities, and organisations depending on the State for more than 50% of their funding. Accordingly, all schools fall within the terms of the Directive.

The Directive requires that a contract or contracts for supplies placed by a Contracting Authority the cumulative value of which exceeds the relevant financial threshold (paragraph 1 above) be processed and awarded in accordance with the terms of the Directive. This effectively requires that the contract or contracts be open to competition across the EU by means of advertising in the Supplement of the Official Journal of the European Communities (OJEC).

When assessing the likely cost of furniture and equipment, as a general rule, the cost equates to approximately one fifth of the construction contract. However, a large margin of safety is always required to allow for cost escalation. Accordingly, as a minimum measure if the best estimate of the likely value of furniture and equipment is within 20% of the financial thresholds, school management authorities must advertise in the OJEC.
2.2 Advertising in the OJEC

The EU directives recognise three tendering procedures:

* **Open Procedure** – all interested parties may submit tenders.

* **Restricted Procedure** - only those interested parties invited by the Contracting Authority may submit tenders.

* **Negotiated Procedure** - Contracting Authorities consult parties of their choice and negotiate terms of the contract with one or more of them. (This procedure can only be used in very limited special circumstances that are set out in the Directives).

The appropriate tendering procedure to be adopted when advertising for furniture and equipment is the **open procedure**. This procedure ensures the greatest possible transparency, fairness and objectivity.

The first step in the process is the placing of an advertisement in the OJEC. The advertisement is generally referred to as the contract notice. This is a call for competition alerting the market to the needs of the Contracting Authority. A sample contract notice is set out at Appendix A. Guidelines to assist management authorities to complete the contract notice together with a sample cover letter for transmission of the notice are set out at Appendix B. When advertising in the OJEC the format of the sample contract notice must be strictly followed. There is no charge for advertising in the OJEC, which undertakes to publish notices within 12 days of dispatch. A certificate of postage should be obtained and retained as evidence of date of dispatch of the contract notice. Alternatively, the contract notice may be e-mailed to: mp-ojs@opec.cec.eu.int Please check, that the e-mail has been received by phoning 00-352-499-282332.

Advertising in the OJEC should be supplemented by a **small** advertisement in any **one** of the national newspapers to ensure the widest possible competition for the contract. The newspaper advertisement, the cost of which should be met from current funding, does not require the reproduction of the contract notice. It is sufficient to draw the attention of suppliers to the OJEC advertisement. A sample advertisement is attached at Appendix C. School management authorities must ensure the advertisement in a national newspaper **does not** contain any additional information to that published in the OJEC.

Additionally, the advertisement in a national newspaper cannot be published until the contract notice has been dispatched for publication to the OJEC.
A copy of the contract notice as printed in the OJEC is made available by the OJEC to the management authority of the school in diskette form. The contract notice and the advertisement in the national newspaper should be checked to ensure accuracy.

2.3 Steps to be taken following the dispatch of the advertisement

Following the publication of the advertisement in the OJEC, certain basic rules apply relating to the management of the process to ensure fairness and transparency. One such rule requires that a supplier’s request for tender documents be responded to within 6 calendar days of the date of receipt. A further rule requires that if as a result of a query or queries raised, significant additional information has to be made available to any supplier, copies must equally be sent to all those who were sent tender documentation or who subsequently seek tender documentation. Such information must be given within 10 calendar days of the date of receipt of the request and, if necessary, copied to all suppliers on the same date.

Prudent management of the tendering process requires that accurate records be maintained of all matters that arise during the process. It is recommended that a log of all transactions that arise be kept. The log should specify the name and address of each applicant supplier; the lot or lots that the applicant supplier has expressed an interest in tendering for if known, the date of receipt of the request for tender documents; the date the tender documents were dispatched; the signature of the person who dispatched the documents; the date queries were received; date queries were responded to; a copy of all responses to queries raised; and evidence that significant additional information was made available to all applicant suppliers and in good time. A sample log is set out at Appendix D.
2.4 Receipt of Tenders

Tenders must not be opened prior to the time and date designated for this purpose in the contract notice. This is a crucially important aspect of tendering from which there can be no deviations.

A tender package should be date stamped on receipt and the signature of the person receiving it should be recorded on the package. The package should be stored in a secure place until the official opening time and date.

A tender received after the designated closing time for receipt of tenders cannot be accepted or opened. Such tenders should be returned unopened to the supplier instantly at the address stated on the outside of the tender package. (It is a tendering condition that the tenderer’s name and address be shown on the outside of the tender package). A record should be kept of the time and date of receipt of the tender and the name of the tenderer.

2.5 Opening of Tenders

Tenders must be opened on the date and at the exact time specified in the contract notice for this purpose and at the designated location. Prior to the dispatch of the contract notice the management authority is required to nominate two members of the management authority to be present at the opening of the tenders. These two officers must be in attendance.

Each tender package must contain the priced bills and a form of tender. This latter document sets out details of the goods for which the tenderer is tendering and indicates the overall price. The authorised persons are required to sign their names on each form of tender received. All forms of tender should then be date stamped with the time noted underneath the date stamp. This is a very necessary since it testifies that all tenders received within the tender period were opened at the designated official opening date.
A list should be made of all tenders, which should show the name and address of each tenderer, the lot or lots for which the tenderer has tendered and the value of the tender. The two authorised officers should sign the list. A sample log is set out at Appendix E.

The school management authority will want to do business with a reputable supplier(s) who has/have a proven track record and who can demonstrate that the goods to be supplied meet the requisite standards, specifications, performance conditions, safety standards etc outlined in the tender documents. Accordingly the contract notice requires suppliers to provide evidence of their bona fides (Article 20 of Directive 93/36/EEC); certification of turnover figures for each of the previous three years to allow an assessment of proven track record; and certification of compliance with the requisite standards and specifications together with documentation of sufficient detail to permit full technical specification. This is called the qualification criteria. A tender is invalid when information requested in either the tender documents or in the contract notice has not been supplied. This is a rule of tendering from which there can be no deviations. Nor is it permissible to allow a supplier an opportunity to submit information omitted from the tender package. Suppliers identified as not having satisfied the qualification criteria should be informed in writing. Invalid tenders cannot be evaluated.

2.6 Evaluating tenders
Subsequently, the process of evaluating all valid tenders begins. Tenders are usually evaluated in two stages. Firstly, the technical stage to ensure the goods or supplies meets the specification and performance requirements. A tender that does not meet these requirements cannot be accepted and must be treated as invalid.

All residual valid tenders must then be commercially evaluated. The lowest priced tenderer who can supply the goods within the time frame set out in the tender documents, and whose average certified turnover for each of the previous three years equalled or exceeded the value of the goods tendered for, should be nominated for the award of the contract.
2.7 Informing Unsuccessful Tenderers

Tenderers should be informed without undue delay if they have been unsuccessful. It is recommended that management authorities adopt a policy of releasing general information to unsuccessful tenderers if they enquire why their tenders were unsuccessful. This should be done without revealing information about other tenderers, which could enable the price or other details of individual tenders to be identified. Priced bills of quantities should be returned to unsuccessful tenderers unopened as soon as possible after the contract is awarded.

The approval of the Department of Education and Science must be obtained before a contract is placed. To obtain the Department’s approval, a form F&E must be completed and submitted. The form is available on request from the Building Unit of the Department at the address stated at the bottom of this document.

2.8 Award notice

An award notice is required to be published in the OJEC within 48 calendar days after the award of the contract or contracts. The notice gives details of the contract(s) awarded. The structure of the award notice is very similar to the contract notice. A sample is attached at Appendix F. The sample sets out the format to which the notice must conform.

3.0 National procurement procedures

National tendering procedures differ only slightly to EU procedures. The principles of:

- advertising contracts;
- prudent management of the tendering process;
- having a timescale for receipt and opening of tenders;
- transparent and fair procedures for opening and evaluating tenders;
- prompt provision of tender documents and responses to queries;
- criteria for evaluation of tenders;
- debriefing of unsuccessful tenderers;

apply to national procedures in the same way as they apply to EU procedures.

Accordingly, everything that has been outlined in the preceding paragraphs applies when national procedures are being used. There are however some minor changes:
The advertisement. When advertising under national procedures, in addition to basic information (name and address of awarding authority) it is sufficient to briefly indicate the nature and quantity of the goods or services to be procured; the expected date of placing contract; the location at which the goods will be required to be delivered; the name and address of the person from whom and to whom tender documents can be obtained and returned; and the date and time by which tender documents should be returned. A sample advertisement is set out at Appendix G.

Under national procurement procedures, it is permissible to invite suppliers deemed appropriate and particularly qualified for a particular project to tender. However, such suppliers as are invited to tender are competing on the same basis as all other suppliers in regard to closing date, evaluation criteria, etc.

3.1 Supplies below €10,000
Under national procurement procedures the type of competitive process to be used can be varied when the value of the goods or supplies is below €10,000. Such contractors can be awarded on the basis of responses to specifications sent by fax/e-mail to a minimum of five suppliers. Reasons for procedures adopted and decisions on selections should be recorded. This is necessary on grounds of transparency and value for money.

4. Use of eTenders website
An Irish public sector procurement opportunities website www.etenders.gov.ie operated by Commercial Information Company Limited (CIC) and managed by the Department of Finance, has been on-line since 23 March 2001. The site is the sole national procurement portal and will eventually contain details of all public sector purchasing opportunities, both national and EU.

The site provides a quick, easy and effective medium for school management authorities to display electronically all public procurement opportunities, including tender documents. Suppliers can easily access the site and respond to schools’ tender documents thus eliminating work for schools and ensuring greater competition.

To advertise on the site or to upload tender documents, school management authorities are required to register on the site following step by step guidelines. A first
time user of the site can consult the First Time Users section for assistance in this matter. School management authorities are asked to use the site when advertising for furniture and equipment.

Advertising on the site does not displace any of the requirements that are detailed above in relation to either national or EU procurement procedures. There are however two substantial savings (a) the advertisement in a national newspaper can be kept very short stating simply the location, nature and extent of the goods required and stating that further information can be obtained from www.etenders.gov.ie. A sample advertisement is attached at Appendix H. (b) By uploading the tender documents, school management authorities will not have to manually issue these documents.

Queries
Please address queries regarding any aspect of this circular letter to the Post Primary Building Unit, Department of Education and Science, Tullamore. Co. Offaly. If you know the name of the officer dealing with your project, email the officer in the following format: first name_surname@education.gov.ie (all lower case).

John Rigney
Principal
Post Primary Building Unit.
Table of Contents of Appendices

- Appendix A - Sample Contract Notice – OJEC
- Appendix B - Guide to completing Contract Notice & letter for OJEC
- Appendix C - Sample of Advertisement for National Media alerting suppliers to OJEC Contract Notice. (You can use the shorter sample advertisement at Appendix H if you use the etendering method).
- Appendix D - Sample Log for managing the tender process
- Appendix E - Schedule of Tenders received
- Appendix F - Award Notice together with guide to completing same
- Appendix G - National Procurement Procedures- Sample Advertisement. (You can use the shorter sample advertisement at Appendix H if you use the etendering method).
- Appendix H - Sample Advertisement for national media when etendering is being used. (This sample can be used irrespective of whether EU or national procurement procedures apply).
APPENDIX A SAMPLE CONTRACT NOTICE FOR OJEC

THE DEPARTMENT OF EDUCATION & SCIENCE
PUBLIC CONTRACT NOTICE – SUPPLY CONTRACT -
COUNCIL DIRECTIVE 93/36/ EEC – OPEN PROCEDURE

IRL – State the county in which school is located –then state name and address of school to end with Ireland

1 | **Awarding Authority:**  
   | Insert name and address of the client  
   | **Telephone:** international code 00353 + local code dropping the 0 and number e.g. 353 506 12345  
   | **Fax:** same format as the telephone number e.g. 00353 1 1234567  
   | **e-mail:** school@server.ie

2 | (a) **Award Procedure Chosen:** Open Procedure.  
   | (b) **Form of contract for which tenders are being requested:** Supplies

3 | (a) **Place of Delivery:** Awarding authority named in 1 above  
   | (b) **Nature of goods to be supplied:** Furniture and Equipment for Second Level Schools in the following subjects/areas: Lot 1 etc  
   | (c) **Quantities and if known timing of orders:** Suppliers can tender for some and or all of the goods required. Details are set out in the tender documents.  
   | (d) **Can Suppliers tender for part of goods required?:** Yes

4 | **Time Limit for Delivery:** Delivery in full required within eight weeks of award of contract.

5 | **Name & Address for obtaining relevant documents:** The Secretary of the Awarding Authority at the address indicated in one above.  
   | **Final date for requesting tender documents:** 16.00 on date/month/year
<table>
<thead>
<tr>
<th></th>
<th>Amount &amp; Terms of payment of the fee for the tender documents:</th>
<th>No fee required.</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>(a) Final date for receipt of tenders:</td>
<td>12 noon on date/month/year.</td>
</tr>
<tr>
<td></td>
<td>(b) Address to which they must be sent</td>
<td>Same address as in one above.</td>
</tr>
<tr>
<td></td>
<td>(c) Language or Languages in which they must be drawn up</td>
<td>English</td>
</tr>
<tr>
<td>7</td>
<td>(a) Person authorised to be present at the opening of tenders:</td>
<td>Selected officers of the awarding authority</td>
</tr>
<tr>
<td></td>
<td>(b) Date, Time and Place of the opening of tenders.</td>
<td>14.30 on the afternoon of the closing date at the address indicated at one above.</td>
</tr>
<tr>
<td>8</td>
<td>Deposit &amp; Guarantees</td>
<td>No deposit will be required.</td>
</tr>
<tr>
<td>9</td>
<td>Financing &amp; Payment</td>
<td>Payments in accordance with the contract documents.</td>
</tr>
<tr>
<td>10</td>
<td>Legal Form in case of group bidders:-</td>
<td>The grouping must be in such legal form to contract as a single entity.</td>
</tr>
<tr>
<td>11</td>
<td>Information concerning the suppliers own position:</td>
<td>Statement that the supplier is not excluded from participation in the contract, as provided for in Article 20 of Directive 93/36/EEC.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Each tenderer must provide certified evidence from auditor/accountant of turnover figures for each of the proceeding three years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The average annual turnover of the successful supplier over the preceding three years must equal or exceed twice the value of the contract.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Certification that the goods meet the requisite standards and specifications set out in the tender documents.</td>
</tr>
</tbody>
</table>
Documentation of sufficient detail to confirm compliance with the technical specification.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>12</strong></td>
<td>Period during which the tenderer is bound to keep open his tender.</td>
</tr>
<tr>
<td></td>
<td>90 days</td>
</tr>
<tr>
<td><strong>13</strong></td>
<td>Criteria for the award of the Contract:</td>
</tr>
<tr>
<td></td>
<td>The award of the contract or contracts will be made to the supplier or suppliers whose tender or tenders has or have been determined to be the lowest price.</td>
</tr>
<tr>
<td><strong>14</strong></td>
<td>Variants:</td>
</tr>
<tr>
<td></td>
<td>Variants are not permitted.</td>
</tr>
<tr>
<td><strong>15</strong></td>
<td>Other Information:</td>
</tr>
<tr>
<td></td>
<td>The school authority does not accept any liability for any expenses incurred by any supplier in the preparation of tenders, portfolios or attendances at any meetings or demonstrations. A current tax-clearance certificate will be required prior to award. This contract is subject to the availability of funding. Information in relation to this tender may be made available on demand in accordance with Freedom of Information Act, 1997.</td>
</tr>
<tr>
<td><strong>16</strong></td>
<td>Date of publication of P.I.N. Notice:</td>
</tr>
<tr>
<td></td>
<td>Not applicable</td>
</tr>
<tr>
<td><strong>17</strong></td>
<td>Date of dispatch of the notice:</td>
</tr>
<tr>
<td></td>
<td>Date notice sent to OJEC.</td>
</tr>
<tr>
<td><strong>18</strong></td>
<td>Date of receipt of the notice by the Publications Office:</td>
</tr>
<tr>
<td></td>
<td>Insert day month year (if applicable)</td>
</tr>
<tr>
<td><strong>19</strong></td>
<td>Covered by “GPA” Agreement</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
</tbody>
</table>
Appendix B
Guide to Completing the Contract Notice

The lead in text reproduced below never changes.

“THE DEPARTMENT OF EDUCATION & SCIENCE
PUBLIC CONTRACT NOTICE – SUPPLY CONTRACT -
COUNCIL DIRECTIVE 93/36/ EEC – OPEN PROCEDURE”

After the IRL – insert firstly the county in which the school is located and then state the name and address of the school and finish the line with Ireland.

Paragraph 1: Awarding Authority

The awarding authority is the management authority of the school. In the case of VEC schools and colleges, the awarding authority is the VEC.

The information required in paragraph 1 is the name and address of the awarding authority; its telephone and fax numbers and e-mail address.

Paragraph 2

2(A) Award procedures chosen: The question being asked here is which of the three contract award procedures permitted under the Directive will be used in this case. The data to be inserted is always “Open Procedure”.

2(B) Form of contract for which tenders are being requested. This is asking for confirmation of the contract type. The data to be entered here is “Supplies”.

Accordingly, the data entered on the template for paragraph 2 should be reproduced without amendment in the contract notice.

Paragraph 3:

3(A) Place of delivery: The supplier will need to know the location to which the goods will be required to be delivered. In the case of secondary schools, community and comprehensive schools the answer will always be as follows “Awarding Authority named at 1 above”.

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In the case of VEC schools or colleges, the name and address of the school or schools for which the supplies are sought should be inserted here as opposed to the awarding authority.

3(b) Nature of goods to be supplied. This seeks to establish details of the goods required. The exact wording to be inserted here will vary somewhat depending on the needs of the school and the range of facilities under construction. In general however, the response should commence with the following text:
“Furniture and equipment for second level schools in the following subjects/areas: ”
and then proceed to list the lots for which furniture and equipment are required and finish with the following:
“Suppliers can tender for some and or all of the goods required”.

3(c) Quantities and if known timing of orders. This seeks to determine the volume of goods required and the timing of orders. The appropriate response here is:
“Details of the quantities and timing are set out in the tender documents”

3(d) Can suppliers tender for part of goods required. Suppliers want to know whether division into lots is permissible rather than one supplier supplying everything. The answer here is always “yes”.

Paragraph 4
4(a) Time limits for delivery: Suppliers want to know when they may be required to deliver the goods. There may be some variation in delivery dates but generally the standard answer is as follows:
“Delivery in full is required within eight weeks of award of contract”.

Paragraph 5
5(a) Name and address for obtaining documents: To whom and to where should the supplier write to seek tender documents. Standard answer always is as follows “The Secretary, Awarding Authority at the address given in 1 above”. (CEO in the case of a VEC school or college.)

5(b) Final date for requesting tender documents: This is the latest date for suppliers to seek tender documents. This should be 21 calendar days prior to the closing date for receipt of tenders. Ensure that the date is a working day.

5(c) Fee for tender documents. The supplier needs to know if a deposit for tender documents is required. The standard response here is always “No fee required”.

Paragraph 6
6(a) Deadline for receipt of tenders. The date and time determined for receipt of tenders should be shown on the contract notice in the format time/date/month and year. A minimum period of 52 calendar days must be allowed counting from the date of dispatching the notice to the OJEC. However, it is recommended that not less than 60 calendar days be allowed. Ensure that the closing date is a working day.

6(b) Address to which tenders must be sent. Standard response here should be: “Same address as indicated at one above”.

6(c) Language: The supplier needs to know the language in which the tenders are to be drawn up. The standard answer should be “English”.
Paragraph 7

7(a) Persons to be present at the opening of tenders: The school’s management authority should nominate two members of the management authority to be present at the opening of the tenders. The names of the officers nominated do not need to appear in the contract notice. The standard response to be inserted here is as follows:

“Selected officers of the awarding authority”.

7(b) Date, time and place of opening of tenders.

Date and time: It is recommended that the closing time for receipt of tenders be set at 12 noon with opening of tenders scheduled for 14.30 of that afternoon. The place at which the tenders should be opened is a matter for the management authority. The format of the response should be “At 14.30 on the afternoon of the closing date at” and state the address at which the tenders will be opened.

Paragraph 8 Deposits and guarantees

Suppliers want to know if they are required to enter into a bond or provide any guarantees concerning their tender. Deposits are not required. Accordingly, the standard response should be as follows;

“Deposits are not required”.

Paragraph 9 Financing and payment. This relates to the method of payment.

Standard response here is “Payment in accordance with the tender documents”.

Paragraph 10 Legal form in case of group bidders. A number of suppliers may form a consortium to tender in which case the suppliers want to know what legal structure will be required to interact with the school authority. There is only one possible response as follows:

“The grouping must be in such legal form to contract as a single entity”.
Paragraph 11 Information concerning the suppliers own position. What basic information is required from the supplier before the school’s management authority will consider evaluating the supplier’s tender? In an open competition qualification criteria should be minimal. However, it is reasonable to request the supplier to demonstrate the supplier’s bona fides. Article 20 of Directive 93/36/EEC refers to buyers concerns that potential suppliers are not bankrupt or involved in court proceedings; have not been convicted of offences concerning professional misconduct; have fulfilled all obligations concerning social contributions and taxes and are not guilty of misrepresenting the supplier in any information supplied.

Additionally, it is reasonable to request the supplier to demonstrate capacity. This can be determined by asking for certified turnover figures for each of the previous three years. When it comes to awarding the contract, predetermined award criteria prohibits the awarding of a contract to a supplier whose average turnover over each of the previous three years has not matched or exceeded twice the value of the contract to be awarded.

Finally, the supplier must be able to demonstrate that the goods on offer match the technical specifications laid down in the tender documents; comply with the requisite safety and performance standards laid down and must be able to provide documentation of sufficient detail to permit the school’s management authority to confirm the technical specification.

Accordingly, a standard response here is as
“Statement that the supplier is not excluded from participation in the contract as provided for in Article 20 of Directive 93/36/EEC.”

Certified evidence from auditor/accountant of turnover figures for each of the preceding three years.

Certification that the goods meet the requisite standards and specifications set out in the tender documents.

Documentation of sufficient detail to confirm compliance with the technical specification”.
Paragraph 12 Tenders may lapse after. The supplier must stand by prices quoted in the tender for a period of 90 days from the closing date for receipt of tenders. Standard response here is always “90 days”.

Paragraph 13 Award criteria. This is an important element since the response here indicates the basis by which the school management authority assessed tenders. The ultimate aim is to procure the goods specified in the relevant lists to the requisite standards and specifications stated on the lists within the time limits outlined in the tender documents at the lowest competitive price by reputable supplier or suppliers. Accordingly, the response to this field should be:-

“The award of the contract or contracts will be made to the supplier or suppliers whose tender or tenders has or have been determined to be the lowest price.”

Paragraph 14 Variants. Suppliers need to know whether it is permissible to use alternative standards and specifications to those stated in the tender documentation. The standard response here is “Variants are not allowed.”

Paragraph 15 Other information: This is the management authority’s opportunity to specify additional information or requirements relating to the tender process. Among the issues that are required to be stated here are the following:

“The school authority does not accept any liability for any expenses incurred by the supplier in the preparation of tenders, portfolios, or attendance at any meetings or demonstrations.

A current tax clearance certificate will be required prior to the award.

This contract is subject to the availability of funding.

Information in relation to this tender may be made available on demand in accordance with Freedom of Information Act, 1997. Applicants should state if any of the information supplied by them in response to this contract notice, is confidential or commercially sensitive or should not be disclosed in response to a request for information under the aforementioned Act. Applicants should state why they consider the information to be confidential or commercially sensitive.”
Paragraph 16 Date of publication of P.I.N. Notice. The entry here is: “not applicable”.

Paragraph 17 Date of dispatch of notice. State the actual date that the contract notice was posted for insertion in the OJEC. It is necessary to obtain and retain a certificate of postage as evidence of the date of dispatch.

Paragraph 18 Date notice received. This is the date that the contract notice is received in the OJEC office.

Paragraph 19 Covered by “GPA” Agreement. The response here is Yes.
Appendix B – Draft letter for transmission to the OJEC

The Director,
Office for Official Publications of the European Communities,
2 Rue Mercier,
Luxembourg.

Date ____________________

Re: Name of School, Address. – Public Supply Contract

Dear Sir,


I would be grateful if arrangements were made to have the notice published in the Official Journal of the European Community at the earliest possible date.

Yours sincerely,

_____________________

XXXXXXXXXXXXX
Secretary,
Board of Management
Appendix C

A sample advertisement for national media alerting suppliers to OJEC contract notice

Please ensure that the NDP logo is included in the advertisement. The logo can be downloaded from the NDP website at: www.ndp.ie

Supply Contract Notice
(Open Procedure)
Applications are invited from suppliers who wish to be considered for the supply of furniture and equipment at XXXXX (insert name and address of school).

Applicants should refer to the full version of the OJEC Contract Notice, forwarded for publication on XXX (please specify exact date) to the Official Journal of the European Communities

Comment [IU1]:
Comment [IU2]:
Comment [IU3]:
Suggested format of log for managing the tendering process

<table>
<thead>
<tr>
<th>Name of Applicant</th>
<th>Address of Applicant</th>
<th>Date Received</th>
<th>Lots Requested</th>
<th>Date Dispatched</th>
<th>Dispatched By</th>
<th>Date of reply to queries</th>
<th>Date Queries addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
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<td>5 etc</td>
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</tbody>
</table>
## APPENDIX E

### Schedule of Tenders Received.

<table>
<thead>
<tr>
<th>Name of Firm Tendering</th>
<th>Lot</th>
<th>Total amount inclusive of VAT: €</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

Received at or before 12 Noon on: [Date]

For: [**Indicate subject Area**]

Number of tenders received on Time: [Date]

Tenders opened at 2.30 p.m. on: [Date]

Signature 1: [Signature]

Signature 2: [Signature]

Signature 3: [Signature]
### Appendix F

**AWARD NOICE**

IRL – State the county in which school is located – FURNITURE AND EQUIPMENT

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1 | **Awarding Authority:** Insert name and address of the client  
|   | Telephone: international code 00353 + local code dropping the 0 and number e.g. 00353 506 12345  
|   | Fax: same format as the telephone number e.g. 00353 1 1234567  
|   | E-mail school@gmail.ie |
| 2 | **Award Procedure Chosen:** Open Procedure. |
| 3 | **Date of Award:** Various Dates  
|   | (From: date/month/year to date/month/year) |
| 4 | **Criteria for award of Contract:** The supplier whose tender has been determined to be the lowest evaluated tender and who met the acceptable standards of capacity and financial responsibility. |
| 5 | **Number of tenders received:** XXXXX. |
| 6 | **Name(s) and address (es) of supplier(s):**  
|   | 1.  
|   | 2.  
|   | 3.etc |
| 7 | **Nature and quantity of goods supplied:** Furniture and Equipment for Second Level Schools in the following subject areas:-  
|   | Lot 1 XXXXXXX  
<p>|   | Lot 2 XXXXXXX |
| 8 | <strong>Price or range of Prices:</strong> Minimum/Maximum Paid ZZZZ Euro (excluding VAT) over the contract period |</p>
<table>
<thead>
<tr>
<th></th>
<th>Subcontract:</th>
<th>Not known</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Other Information:</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Notice Published on:</td>
<td>Day/Month/Year.</td>
</tr>
<tr>
<td></td>
<td>Date of Dispatch of notice:</td>
<td>Day/Month/Year.</td>
</tr>
<tr>
<td></td>
<td>Notice received on:</td>
<td>Day/Month/Year.</td>
</tr>
</tbody>
</table>
PUBLIC CONTRACT NOTICE – AWARD NOTICE -
COUNCIL DIRECTIVE 93/36/ EEC – OPEN PROCEDURE
After the IRL – insert firstly the county in which the school is located and then state
the name and address of the school and finish the line with Ireland.

Paragraph 1: Awarding Authority
The awarding authority is the management authority of the school. In the case of VEC
schools and colleges, the awarding authority is the VEC.
The information required in paragraph 1 is the name and address of the awarding
authority; its telephone, fax number and email if any.

Paragraph 2 Reproduce exactly as per the template.

Paragraph 3 This date refers to the date that the school authority placed the orders.

Paragraph 4 Reproduce exactly as per the template.

Paragraph 5 The number to be inserted here is the number of tenders that were
returned as a result of the contract notice.

Paragraph 6 Insert here the name(s) and address(es) of the suppliers with whom
the school placed contracts as a result of the tender notice that was inserted in the
OJEC.

Paragraph 7 The following wording is reproduced as per template “Furniture and
Equipment for Second Level Schools in the following subject areas:”

It will be necessary for the school authority to indicate the lots and their nature for
example Lot 1 Furniture, Lot 2 Geography.

Paragraph 8 The value to be inserted at ZZZ Z is the minimum/maximum contract
awarded in Euro exclusive of VAT over the contract period.

Paragraph 9 Reproduce exactly as per the template.

Paragraph 10 Reproduce exactly as per the template.

Paragraph 11 The date to be inserted here is the date the contract notice appeared in
the OJEC.

Paragraph 12 & 13 No action necessary
Furniture & Equipment Tender for second level schools

Tenders are invited for the provision of furniture and equipment at (insert name and address of school).

Full terms and conditions and copies of the tender documents are available by writing to (insert name of the person responsible for dispatching tender documents, and address if different from School address.)

The closing date for receipt of Tenders is: 12:00pm on (insert day, date, month year)
Appendix H -
Draft advertisement for national newspaper where the Public Sector Procurement Opportunities Website has been used. Can be used in the case of either national or EU procedures.

Furniture & Equipment Tender for Second Level Schools

Tenders are invited for the provision of furniture and equipment at the (insert name and address of school).

Full terms and conditions and copies of the Tender Documents are available on the Public Sector Procurement Opportunities website at www.etenders.gov.ie, or on written request from (insert name of the person responsible for dispatching tender documents, and address if different from school address.)