

Ref: [DPE033/005/12](#)

25 July 2012

To: Heads of Departments / Offices

## **Circular --06/12: Public Procurement (Framework Agreements)**

A Dhuine Uasail

### **Purpose**

1. The Public Service Reform Plan identified procurement reform as one of a number of major projects. The implementation of mandatory arrangements in respect of centralised frameworks put in place by the National Procurement Service, the NPS, and the increased use of collaborative procurement arrangements across the public service are among the recommendations in the Public Service Reform Plan.

The purpose of this Circular is to inform public bodies of the mandatory requirement to utilise central contracts, put in place by the NPS, when procuring a range of commonly acquired goods and services. Such central arrangements are targeted at securing best value for money and facilitating contracting authorities to deliver services within their budgetary constraints.

### **Background**

2. The NPS was established in 2009 with a view to securing better value for money in public procurement from leveraging the public service's buying power through aggregated arrangements. The benefits arising from these central arrangements include: cash savings; administrative savings from reduced duplication of tendering; greater purchasing expertise; improved consistency; and enhanced service levels. In some instances the take up of the NPS arrangements has been low. In order to increase the usage of the NPS framework arrangements and thereby secure best value for money, the Government has decided that it should be mandatory for public service bodies to use specified framework agreements.

### **Categories**

3. The NPS is focused on developing centralised arrangements for the procurement of goods and services used commonly across the public service. Where goods or services are not suitable for aggregation at a national level, the NPS works with other public service bodies to encourage and facilitate collaborative purchasing. Appendix I to this Circular identifies the categories that are initially to be subject to the mandate. These categories have been chosen as they represent goods and services that are used widely across the public service and the NPS contracts offer the scope for public bodies to realise significant savings.

The NPS has in place a range of other centralised arrangements, which while not mandatory to use, may also be availed of by public service bodies. Further detail in relation to these contracts is available at [www.procurement.ie](http://www.procurement.ie).

Where it is proposed to include additional categories under the mandatory arrangements, the NPS will work with contracting authorities to ensure that stakeholders are adequately consulted at an early stage in the procurement process.

Contracting authorities are reminded that the existing mandatory arrangements, set out in Department of Finance Circulars 2/09 and 2/11, in respect of categories covered by IT and telecommunications framework agreements managed by the Department of Public Expenditure and Reform, continue to apply. Further detail in relation to these agreements is available at <http://ictprocurement.gov.ie/>.

### **Timing**

**4.** The commencement date for the implementation of the mandatory arrangements is 1 September 2012. Appendix I provides detail regarding the timing for the introduction of the mandate across the Central Government, Local Government, Health and Education Sectors, the Garda Síochána, the Prison Service and the Defence Forces. In Appendix I, the Central Government sector includes all Government Departments and agencies and all public service bodies in the Justice sector other than the Garda Síochána and the Prison Service.

As outlined in Appendix I, the process of implementing mandatory arrangements for the NPS frameworks will proceed on an incremental basis in some sectors. Where a public service body already has contracts in place for the categories of goods and services covered by the mandatory arrangements, it is expected that the public service body will transition to the NPS arrangements on expiry of the contracts currently in place.

Where an implementation date for a sector falls after the commencement date for implementation of the mandatory arrangements of 1 September 2012 and a public service body within that sector does not have a contract in place for the categories identified in Appendix I, the public service body should not place a new contract but rather should consult with the NPS in order to transition to the NPS frameworks in advance of the implementation date for its sector.

### **Reporting**

**5.** The NPS will on a quarterly basis publish a report detailing the value of goods and services being procured by category and by public service body from the mandatory framework agreements. Where, after the implementation date for its sector, a public service body purchases goods or services other than from the NPS frameworks, it will need to explain the rationale for not using the NPS arrangements and provide a value for money justification that takes account of the full costs incurred in managing its own procurement process. The NPS will issue separate guidance regarding the costs of running a tender process.

Systems of internal control within public service bodies are to support compliance with the requirements of the circular. Public service bodies shall make available for review if requested by internal auditors, the Comptroller and Auditor General, the Local Government Audit Service or other duly appointed auditors, details of internal controls in place to ensure compliance, and details of goods and services, subject to the mandate, acquired other than under mandated NPS central frameworks and the associated value for money justification.

**Dissemination**

6. You are requested to bring this circular to the attention of –
- (i) all staff in your Department/Office who might be involved in procurement of goods and services, and
  - (ii) all contracting authorities under the aegis of your Department/Office

and to ensure that arrangements are put in place to implement its terms in the areas under the aegis of your Department/Office.

**Queries**

7. Any queries in relation to the operation of this circular should be addressed to the NPS helpdesk which can be contacted at [nps@opw.ie](mailto:nps@opw.ie). Queries in relation to specific contracts (e.g. stationery, energy, print media advertising etc.) should be addressed to the Procurement Managers in the NPS whose contact details are set out in Appendix I. Any issues in relation to the policy underpinning this circular should be addressed to the National Public Procurement Policy Unit in the Department of Public Expenditure and Reform at [procure@per.gov.ie](mailto:procure@per.gov.ie).

Mise le meas,

Deirdre Hanlon  
Assistant Secretary

*Appendix I*  
*Commencement Dates for Mandatory Arrangements*

| Category                     | Suppliers               | Contract Expiry   | Available for Use By   | Commencement Date for Mandate  | NPS Contact   |
|------------------------------|-------------------------|---|--|--|---|
| Stationery & Office Supplies | Codex Ltd               | Oct 2012<br>Option to extend for 1 further 6 month period | Central Government<br>Local Government<br>Defence Forces<br>Garda Síochána<br>Prison Service<br>Health Sector<br><i>Education Sector</i><br>Third Level<br>VEC | 1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012 | Jennifer Casey<br>Procurement Manager<br>Tel: 046 942 6832<br>Fax: 046 94 8422<br>Email: <a href="mailto:Jennifer.casey@opw.ie">Jennifer.casey@opw.ie</a>   |
| Paper                        | Office Depot            | Sept 2012   | Central Government<br>Local Government<br>Defence Forces<br>Garda Síochána<br>Prison Service<br>Health Sector<br><i>Education Sector</i><br>Third Level<br>VEC | 1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012 | Howard Maguire<br>Procurement Manager<br>Tel: 046 942 6921<br>Fax: 046 943 8422<br>Email: <a href="mailto:howard.Maguire@opw.ie">howard.Maguire@opw.ie</a>  |
| Janitorial Supplies          | James Boylan Safety Ltd | Nov 2012<br>Option to extend for 1 year                   | Central Government<br>Local Government<br>Defence Forces<br>Garda Síochána<br>Health Sector<br><i>Education Sector</i><br>Third Level<br>VEC                   | 1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012 | Michael Collier<br>Procurement Manager<br>Tel: 01 647 6862<br>Fax: 01 647 6844<br>Email: <a href="mailto:Michael.collier@opw.ie">Michael.collier@opw.ie</a> |

*Appendix I*  
*Commencement Dates for Mandatory Arrangements*

| <b>Category</b>  | <b>Suppliers</b>  | <b>Contract Expiry</b>   | <b>Available for Use By</b>   | <b>Commencement Date for Mandate</b>   | <b>NPS Contact</b>   |
|--|---|--|---|--|--|
| ICT Consumables  | Datapac Ltd   | March 2013<br>Option to extend for 2 further periods of 6 months | Central Government<br>Local Government<br>Defence Forces<br>Garda Síochána<br>Prison Service<br>Health Sector<br><i>Education Sector</i><br>Primary Level<br>Second Level<br>Third Level<br>VEC | 1 September 2012<br>1 October 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 October 2012<br><br>1 October 2012<br>1 October 2012<br>1 October 2012<br>1 October 2012             | Jennifer Casey<br>Procurement Manager<br><b>Tel:</b> 046 942 6832<br><b>Fax:</b> 046 94 8422<br><b>Email:</b> <a href="mailto:Jennifer.casey@opw.ie">Jennifer.casey@opw.ie</a> |
| Managed Print Services<br>(When opting for managed print service solutions it is mandatory to use this framework agreement.) | Xerox<br>Hibernian<br>Business<br>Equipment<br>Hewlett-Packard<br>Bryan S Ryan<br>Danwood Ireland<br>Ergo<br>MJ Flood | Feb 2014<br>Option to extend for a further 2 years               | Central Government<br>Local Government<br>Defence Forces<br>Garda Síochána<br>Prison Service<br>Health Sector<br><i>Education Sector</i><br>Primary Level<br>Second Level<br>Third Level<br>VEC | 1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br><br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012 | Andrew Bogie<br>Procurement Manager<br><b>Tel:</b> 046 942 6649<br><b>Fax:</b> 046 943 8422<br><b>Email:</b> <a href="mailto:Andrew.bogie@opw.ie">Andrew.bogie@opw.ie</a>      |

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|---|--------------------------|---|---|--|---|
| Advertising<br>(Print Media)                | Brindley Advertising Ltd | Oct 2013                                | Central Government<br>Local Government<br>Defence Forces<br>Garda Síochána<br>Prison Service<br>Health Sector<br><i>Education Sector</i><br>Primary Level<br>Second Level<br>Third Level<br>VEC | 1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012 | Íde de Burca<br>Procurement Manager<br>Tel: 01 647 6811<br>Fax: 01 647 6844<br>Email: <a href="mailto:ide.deburca@opw.ie">ide.deburca@opw.ie</a>            |
| Motor Vehicles<br>(Cars and Pick-up Trucks) | Henry Ford & Sons Ltd    | May 2013<br>Option to extend for 1 year | Central Government<br>Local Government<br>Defence Forces<br>Garda Síochána<br>Prison Service<br>Health Sector<br><i>Education Sector</i><br>Third Level<br>VEC                                  | 1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012<br>1 September 2012                     | Aiden Murphy<br>Ass. Chief Technical Officer<br>Tel: 01 647 6857<br>Fax: 01 647 6844<br>Email: <a href="mailto:aiden.Murphy@opw.ie">aiden.Murphy@opw.ie</a> |

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| Category                             | Suppliers  | Contract Expiry | Available for Use By | Commencement Date for Mandate   | NPS Contact   |
|--------------------------------------|--|-----------------|----------------------|---|---|
| Energy (Electricity and Natural Gas) | <p><u>Electricity</u><br/>Electric Ireland<br/>Airtricity<br/>Viridian Energy<br/>t/a Energia<br/>Vayu Limited<br/>Bord Gais<br/>Energy</p> <p><u>Gas</u><br/>Airtricity<br/>Bord Gais<br/>Energy<br/>Energia<br/>Flogas Natural<br/>Gas<br/>Phoenix Gas<br/>Vayu Ltd<br/>Electric Ireland</p> |                 |                      | <p>The NPS currently has contracts in place for a wide variety of offices and bodies spanning the entire public sector that embrace a significant percentage of public service energy supply points.</p> <p>In consultation with all sectors the NPS is aggressively extending the scope of these contracts in each successive competition that it is bringing to the market. Due to its scale and complexity, this project is being completed on a phased basis. It is now mandatory for each sector, when requested, to work with the NPS in achieving full coverage under these contracts. The phasing of these sectoral competitions will shortly be published on <a href="http://www.procurement.ie">www.procurement.ie</a>.</p> | <p>Michael Coughlan (Electricity)<br/>Procurement Manager<br/><b>Tel:</b> 046 942 6822<br/><b>Fax:</b> 046 943 8422<br/><b>Email:</b> <a href="mailto:michael.coughlan@opw.ie">michael.coughlan@opw.ie</a></p> <p>Bernadette Mangan (Electricity)<br/>Procurement Manager<br/><b>Phone:</b> 046 942 6164<br/><b>Fax:</b> 046 943 8422<br/><b>Email:</b> <a href="mailto:bernadette.mangan@opw.ie">bernadette.mangan@opw.ie</a></p> <p>Roisín Killeen (Natural Gas)<br/>Procurement Manager<br/><b>Tel:</b> 046 942 6156<br/><b>Fax:</b> 046 943 8422<br/><b>Email:</b> <a href="mailto:roisin.killeen@opw.ie">roisin.killeen@opw.ie</a></p> |