

Corporate Procurement

Office of the Ombudsman

Office of the Information Commissioner

Office of the Commissioner for Environmental Information
Standards in Public Office Commission.

Commission for Public Service Appointments

1. Introduction

Background

One of the key priorities set out in the Public Service Reform Plan is to reduce costs and achieve better value for money through reform of public procurement.

The Office of Government Procurement (OGP) was officially launched in July 2013 and operates as an office of the Department of Public Expenditure and Reform, with its own Vote. The OGP commenced operations during the first half of 2014 and will in due course take full responsibility for procurement policy and procedures. It will strengthen the procurement professionalism and take advantage of the scale of public procurement to best effect.

eTenders

www.eTenders.gov.ie has been developed as part of the Irish Government's Strategy for the Implementation of eProcurement in the Irish Public Sector. The site is designed to be a central facility for all public sector contracting authorities to advertise procurement opportunities and award notices. The site is managed by The Office of Government Procurement (OGP), which sets the policy on content and functionality of the site.

The site displays, on a daily basis, all Irish public sector procurement opportunities currently being advertised in the Official Journal of the European Union (OJEU), as well as other lower-value contracts uploaded to the site from awarding authorities. At any given time it will contain all open opportunities in the form of Tender Notices, Prior Indicative Notices (PIN) and Contract Award Notices (CAN). It also provides associated tender documents (where available) which can be downloaded from the site.

The site has the functionality to allow Awarding Authorities to publish notices on the site which will then be sent to the OJEU automatically. Other functionality includes: facility for conducting online clarifications via a Q&A facility; online submission of tenders; user and notice management facilities to awarding authorities; email alerts and response management facilities to suppliers. There is also comprehensive notice search and help functions. www.eTenders.gov.ie also provides comprehensive information on procurement rules and guidelines. These include European Directives and National Guidelines on the Public Procurement Process.

The site offers the opportunity to widen the net of potential suppliers to the Irish Public Sector. There is no charge to contracting authorities or suppliers for this service; the site is also freely available for use by the public.

Framework Agreements

- In accordance with Department of Finance Circular's 06/12 & 16/13, 'framework agreements' must be used in respect of certain goods and services, where in place,. Appendix 1 of the circular lists the current (non ICT) 'framework agreements'. Further information on 'framework agreements' can be found at <http://www.procurement.ie/> and <http://www.etenders.gov.ie/>
- Details of ICT framework agreements currently in place can be found in Department of Finance Circulars 02/09 and 02/11. Further information can be found at <http://ictprocurement.gov.ie/>
- *The Finance Unit will circulate details of all new 'framework agreements' put in place by the Office of Government Procurement.*

Tender Competitions

- Procurement with a value exceeding €25,000 (excluding VAT) must follow the formal tender process and details of the tender process must be forwarded to the Finance Unit. Procurement exceeding €25,000 in value must be tendered through the e-tendering facility, in accordance with Department of Finance Circular 10/10.
- The opening of tenders must be witnessed and signed by at least two people or relevant mechanism in the electronic etenders system.
- When the tender competition is complete, signed contracts must be obtained and put on file. No payments should be made until signed contracts are received.
- Finance Unit is required to retain a Central Register of Contracts. Details of all contracts should be notified to the Finance Unit and copies of same forwarded.

Procurement Limits

- *Goods / services less than €4,999 in value should be procured on the basis of at least three quotes (letter, fax, email, telephone or web).*
- Goods / services between €5,000 and €24,999 in value should be procured on the basis of responses to specifications sent by letter, fax or email, to between five and eight suppliers or service providers.
- A formal tendering process (including the use of central framework agreements) should be used for the purchase of goods / services over €25,000 in value. Procurement with a value exceeding €25,000 (excluding VAT) must be tendered through the e-tendering facility, in accordance with Dept of Finance Circular 10/10.

Reviews

- The Finance Unit will undertake an annual evaluation of the 20 highest value contracts (or expenditure per supplier) to determine, if any, potential for future savings.

- The Finance Unit will update the Central List of Contracts on a quarterly basis to identify any contracts that may be up for renewal.

Purchase Orders

- All orders for goods / services **must** be accompanied by a purchase order number, which should be requested by e-mail to riar@ombudsman.gov.ie.
- Finance Unit will update the website with details of Purchase Orders in excess of €20,000 on a quarterly basis.

Invoices

- Staff should request that the supplier quotes the purchase order number on their invoice. Staff should also instruct the supplier to address the invoice to the Accounts Section of the Office of the Ombudsman. **Invoices must not be addressed to individual staff members.**
- Arising from a Government decision in 2009, our Office should pay its suppliers within 15 days of receipt of a valid invoice (i.e. the payment must arrive in the supplier's bank by the 15th day). The 15 day payment deadline period will commence on the day upon which the Office receives a valid invoice to the appropriate address.
- Upon receipt of the invoice it will be date stamped by a member of the Finance Unit and forwarded to the staff member that placed the order. Officers at HEO grade may authorise invoices of a value up to €4,999, AP grade may authorise up to €10,000 and POs can authorise any amount.
- Staff who have ordered goods / services, for which the invoice is outstanding, should utilise the staff absence log so that the Finance Unit is aware of their availability when forwarding invoices for approval.
- The approval of invoices should be prioritised and they should be returned to the Finance Unit as soon as possible to ensure payment is made with the 15 day deadline.
- The approval of the invoice is confirmation that the goods / services have been delivered and that they are of the required quality / standard. In cases where unsatisfactory services or goods are provided this should be brought to the attention of the supplier (both orally and in writing) immediately, giving the reasons for the dispute and with a view to resolving the issue. The supplier must be alerted to the fact that payment will not be made until such time as the matter is resolved. However, every effort should be made to resolve all disputes promptly.
- The Finance Unit must be notified immediately (via the RIAR Mailbox) that the invoice is in dispute. Under no circumstances should sections resort to querying individual invoices as a way of avoiding the application of payment deadlines. Once the matter has been resolved the invoice should be authorised and forwarded to the Finance Unit for payment.
- Any payments made after 30 days of receipt of the invoice will incur Late Payment Interest in accordance with the relevant legislation. This penalty will be charged to the relevant section. **Automatic compensation payments have recently been introduced for late payments (Late Payments in Commercial Transactions Regulations (2012)), in addition to the late interest payments.**

1 April 2016