

**UK-Enniskillen: placement services of personnel**  
**OJ S 30/2012 14/02/2012**  
**Contract notice**  
**Services**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Waterways Ireland  
Postal address: 2 Sligo Road, Co. Fermanagh  
Town: Enniskillen  
Postal code: BT74 7JY  
Country: United Kingdom  
For the attention of: Procurement Department  
Telephone: +44 2866323004  
Fax: +44 2866346257

**Internet address(es):**

General address of the contracting authority: <http://www.waterwaysireland.org>  
Address of the buyer profile: [http://www.etenders.gov.ie/search/Search\\_AuthProfile.aspx?ID=AA01654](http://www.etenders.gov.ie/search/Search_AuthProfile.aspx?ID=AA01654)

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** Official name: Waterways Ireland

Postal address: 2 Sligo Road, Co. Fermanagh  
Town: Enniskillen  
Postal code: BT74 7JY  
Country: United Kingdom  
For the attention of: Procurement Department  
Telephone: +44 2866323004  
Fax: +44 2866346257  
Internet address: <http://www.waterwaysireland.org>

**I.2. Type of the contracting authority**

Body governed by public law

**I.3. Main activity**

Other: Management and development of inland waterways in Northern Ireland and the Republic of Ireland

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting authority**

Personnel placement services for waterways Ireland.

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 22: Personnel placement and supply services

Main site or place of performance: Killucan, Co. Westmeath.

NUTS code IE012 Midland

**II.1.3. Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

**II.1.4. Information about framework agreement**

Framework agreement with several operators

Maximum number Envisaged maximum number of participants to the framework agreement : 4

**Duration of the framework agreement**

Duration in months: 72

In the case of framework agreements, provide justification for any duration exceeding 4 years:

This framework agreement concerns a non-priority (Annex IIB) service and, as such, is not subject to the provisions of Directive 2004/18/EC in respect of, inter alia, the choice of procedures, timescales and the operation of framework agreements.

**Estimated total value of purchases for the entire duration of the framework agreement**

Estimated value excluding VAT:

Range: between 1 000 000 and 2 000 000 EUR

**II.1.5. Short description of the contract or purchase(s)**

Waterways Ireland wishes to establish a multi-party framework agreement, of 6 years' maximum duration, for the provision of personnel placement services.

It is envisioned that personnel placement services will be required across a range of staff categories, including, but not limited to, manual, clerical, administrative, financial and operational.

This framework agreement will be established on the basis of an initial contract for the provision of 10 general operatives to work within the Operations Division of Waterways Ireland on the Royal Canal from 1.3.2012 until 31.8.2012. These personnel will be required to undertake the following:

- 1) Work a 39 hour week, which may involve Saturday and Sunday work;
- 2) Operate from a base in Thomastown Depot, Killucan, Co. Westmeath and undertake work at various locations which may stretch approximately 45 miles west to the Shannon or approximately 50 miles east towards Dublin;
- 3) Undertake all the required operational tasks as required in the maintenance and development of the Royal Canal;
- 4) All operatives must be in possession of a full driving licence;
- 5) Have demonstrable experience of working on civil engineering/building construction projects with relevant knowledge of applicable Health, Safety and Welfare Regulations.

Waterways Ireland reserves the right to interview the successful participants' proposed staff.

It is emphasised that this initial contract, and all contracts awarded under this framework agreement, will constitute contracts for services and not contracts of service.

Moreover, all contracts awarded under the framework agreement will be with the successful participants and will in no way constitute a contract or contracts of employment with those individuals delivering the services.

The successful contractors will be responsible for all direct or indirect remuneration to the individual staff engaged in relation to all wages, taxes, employee and employer contributions. The successful contractors will provide all relevant insurance cover for the staff engaged and will indemnify waterways Ireland against all claims, howsoever arising, during and after the staff engagement.

Note: to register your interest in this notice and obtain any additional information please visit the eTenders web site at [http://www.etenders.gov.ie/Search/Search\\_Switch.aspx?ID=379496](http://www.etenders.gov.ie/Search/Search_Switch.aspx?ID=379496).

#### **II.1.6. CPV code(s)**

79610000 Placement services of personnel, 79621000 Supply services of office personnel, 79620000 Supply services of personnel including temporary staff

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

#### **II.1.8. Lots**

This contract is divided into lots: no

#### **II.1.9. Information about variants**

Variants will be accepted: no

### **II.2. Scope of the procurement**

#### **II.2.1. Total quantity or scope**

This framework agreement concerns the provision of personnel placement services for a maximum duration of 6 years across a range of staff categories.

Estimated value excluding VAT:

Range: between 1 000 000 and 2 000 000 EUR

#### **II.2.2. Information about options**

Options: no

#### **II.2.3. Information about renewals**

This contract is subject to renewal: no

### **II.3. Duration of the contract or time limit for completion**

Duration in months: 72 (from the award of the contract)

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

To be determined with successful framework members.

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

A grouping, if successful, may be required to contract as a single entity having joint and several liability but subject to the agreement of the contracting parties. If it is proposed to sub-contract the delivery of any portion of the initial contract or any subsequent contract under the framework, it may be a condition of award of contract that both the service provider and any

proposed sub-contractor enter simultaneously into a collateral warranty with the contracting authority for the relevant portion of that contract.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

#### **III.2. Conditions for participation**

##### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: Please see the qualification questionnaire, available to download from [www.etenders.gov.ie](http://www.etenders.gov.ie).

##### **III.2.2. Economic and financial ability**

List and brief description of conditions: Please see the qualification questionnaire, available to download from [www.etenders.gov.ie](http://www.etenders.gov.ie).

Minimum level(s) of standards possibly required: Please see the qualification questionnaire, available to download from [www.etenders.gov.ie](http://www.etenders.gov.ie).

##### **III.2.3. Technical and professional ability**

List and brief description of conditions:

Please see the qualification questionnaire, available to download from [www.etenders.gov.ie](http://www.etenders.gov.ie).

Minimum level(s) of standards possibly required:

Please see the qualification questionnaire, available to download from [www.etenders.gov.ie](http://www.etenders.gov.ie).

##### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

##### **III.3.2. Information about staff responsible for the performance of the contract**

### **Section IV: Procedure**

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#### **IV.1. Type of procedure**

##### **IV.1.1. Type of procedure**

Accelerated negotiated

As the subject matter of the framework agreement is a non-priority service, the provisions of Directive 2004/18/EC in respect of time limits do not apply.

##### **IV.1.2. Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 6

Objective criteria for choosing the limited number of candidates: As stated in the qualification questionnaire, available to download from [www.etenders.gov.ie](http://www.etenders.gov.ie).

##### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated yes

#### **IV.2. Award criteria**

##### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

**IV.2.2. Information about electronic auction**

An electronic auction will be used: no

**IV.3. Administrative information**

**IV.3.1. File reference number attributed by the contracting authority**

**IV.3.2. Previous publication concerning this procedure**

**IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

**IV.3.4. Time limit for receipt of tenders or requests to participate**

21.2.2012 - 12:00

**IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

21.2.2012

**IV.3.6. Languages in which tenders or requests to participate may be submitted**

English. Irish.

**IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

**IV.3.8. Conditions for opening of tenders**

**Section VI: Complementary information**

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**VI.1. Information about recurrence**

**VI.2. Information about European Union funds**

**VI.3. Additional information**

- 1) Interested parties must register their interest on the eTenders web site ([www.etenders.gov.ie](http://www.etenders.gov.ie)) in order to be included on the mailing list for clarifications. All information relating to attachments, including clarifications and changes, will be published on the Irish Government Procurement Opportunities Portal ([www.etenders.gov.ie](http://www.etenders.gov.ie)) only. Registration is free of charge. The contracting authority will not accept responsibility for information relayed (or not relayed) via third parties.
- 2) This is the sole call for competition for this service;
- 3) The contracting authority will not be responsible for any costs, charges or expenses incurred by candidates or tenderers;
- 4) Establishment of this framework agreement will be subject to the approval of the competent authorities;
- 5) It will be a condition of membership of the framework agreement that economic operators produce a valid Tax clearance certificate from the Irish Revenue Commissioners as part of their application for participation in the competition;
- 6) If for any reason it is not possible to admit to the framework agreement one or more of the tenderers invited following the conclusion of this competitive process, the contracting authority reserves the right to invite the next highest scoring tenderer(s) to join the framework agreement as appropriate. If, following the conclusion of the competitive process, it is not

possible to award the initial contract to the designated successful tenderer; or if having awarded the initial contract the contracting authority considers that the successful tenderer has not met its obligations; the contracting authority reserves the right to award the initial contract to the framework member with the next highest score on the basis of the original competition and as tendered by that party. This shall be without prejudice to the right of the contracting authority to cancel this competitive process and/or initiate a new contract award procedure at its sole discretion;

7) At its absolute discretion, the contracting authority may elect to terminate this procurement process, the framework agreement or any contract awarded under the framework agreement at any time;

8) Operation of the framework:

As and when additional requirements which fall under the scope of the framework agreement arise during the lifetime of the framework, new contracts will be awarded by mini-competition among the framework members. Those admitted to the framework will be entitled to due consideration for all contracts awarded under that framework. However no guarantee can be given that any contract will be awarded to any given firm within a framework. The contracting authority at its sole discretion reserves the right to engage in a separate procurement procedure for any contract arising within the lifetime of the framework;

9) Without prejudice to the principle of equal treatment, the contracting authority is not obliged to engage in a clarification process in respect of questionnaires with missing or incomplete information. Therefore, candidates are advised to ensure that they return fully completed questionnaires in order to avoid the risk of elimination from the competition;

10) As this framework agreement concerns a non-priority (Annex IIB) service, the contracting authority is employing shortened timescales in respect of the establishment of this procurement process;

11) The selection of participants to enter negotiations will be based upon an initial submission comprising a completed qualification questionnaire plus a standard set of terms and a rate card with proposed charges for the initial contract.

(ET Ref:379496).

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: The High Court

Postal address: Four Courts East Wing Inns Quay

Town: Dublin 7

Country: Ireland

E-mail: [SupremeAndHighCourtOperations@courts.ie](mailto:SupremeAndHighCourtOperations@courts.ie)

Telephone: +353 18886198

Internet address: [www.courts.ie](http://www.courts.ie)

##### **VI.4.2. Review procedure**

##### **VI.4.3. Service from which information about the review procedure may be obtained**

Official name: Please contact a legal advisor

Country: Ireland

#### **VI.5. Date of dispatch of this notice**

10.2.2012