

IRL-Dublin: Legal services  
OJ S 52/2013 14/03/2013  
Contract notice  
Services

Directive 2004/18/EC

Section I: Contracting authority

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**I.1. Name and addresses**

Official name: National Roads Authority ( NRA )  
Postal address: St Martin's House, Waterloo Road  
Town: Dublin  
Postal code: 4  
Country: Ireland  
Contact person: Rachel Cahill  
E-mail: [esptender@nra.ie](mailto:esptender@nra.ie)  
Telephone: +353 16602511  
Fax: +353 1668009

**Internet address(es):**

General address of the contracting authority: <http://www.nra.ie>  
Address of the buyer profile: [http://www.etenders.gov.ie/search/Search\\_AuthProfile.aspx?ID=AA01608](http://www.etenders.gov.ie/search/Search_AuthProfile.aspx?ID=AA01608)

**Additional information can be obtained from:**

Official name: National Roads Authority (NRA)  
Postal address: All communication to be done using the e-mail address provided below.  
Country: Ireland  
E-mail: [esptender@nra.ie](mailto:esptender@nra.ie)  
Internet address: <http://www.nra.ie>

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

Official name: National Roads Authority (NRA)  
Postal address: All communication to be done using the e-mail address provided below.  
Country: Ireland  
E-mail: [esptender@nra.ie](mailto:esptender@nra.ie)  
Internet address: <http://www.nra.ie>

**Tenders or requests to participate must be submitted:** Official name: National Roads Authority (NRA)

Postal address: St. Martin's House, Waterloo Road  
Town: Dublin 4  
Postal code: D4  
Country: Ireland  
Contact person: Commerical Operations  
For the attention of: Rachel Cahill  
E-mail: [esptender@nra.ie](mailto:esptender@nra.ie)  
Telephone: +353 16602511  
Fax: +353 16680009  
Internet address: <http://www.nra.ie>

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

Body governed by public law

### **I.3. Main activity**

Other: Roads Administration

### **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**

Enforcement Service Provider-ESP - procurement of an enforcement service provider for electronic tolling in Ireland.

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

Services

Service category No 21: Legal services

Main site or place of performance: Dublin.

NUTS code IE Éire / Ireland

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

The notice involves a public contract

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

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

The Authority is seeking to procure an ESP to provide a range of services relating to the recovery of unpaid tolls and fines charged for the use of tolled facilities within Ireland. The Authority currently employs a service provider ("Toll Operator") to collect tolls on the Authority's behalf. The ESP is responsible for carrying out a range of enforcement and legal debt collection actions on behalf of the Authority. During the term of the contract being procured, the Authority may exercise an option to extend the scope to include similar services for other tolled facilities that it operates (or are operated on its behalf) within Ireland. As set out in Section V1.3, the NRA reserves the right, in accordance with Regulation 32(5)(f) of the European Communities (Award of Public Authorities' Contracts) Regulations 2006, to award new services to the successful Tenderer. As set out in section VI.3, interested parties should note that this contract is classified as a "Part B" contract under the European Communities (Award of Public Authorities' Contracts) Regulations 2006 and that the detailed procedures of those Regulations, including timelines, do not apply to this competition. However the Authority is adopting a two-stage process similar to the restricted procedure under those Regulations. For the avoidance of doubt, this does not indicate that the Authority will, nor that it is obliged to, comply with all the requirements of the Regulations which would otherwise apply to a "Part A" contract.

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

79100000 Legal services, 79110000 Legal advisory and representation services, 79111000 Legal advisory services, 79112000 Legal representation services, 79940000 Collection agency services

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

The procurement is covered by the Government Procurement Agreement: yes

### **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**

See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie).

Estimated value excluding VAT: 8 000 000,00 EUR

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

Options: yes

Description of options: The Authority reserves the right to extend the duration of the contract by 24 months.

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

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

Duration in months: 48 (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**

See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

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

See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

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

See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

#### **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: See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

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

List and brief description of conditions: See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

Minimum level(s) of standards possibly required: See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

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

List and brief description of conditions:

See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

Minimum level(s) of standards possibly required:

See Instructions to Candidates and Pre-Qualification Questionnaire attached to notice on [www.etenders.ie](http://www.etenders.ie)

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

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

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

Execution of the service is reserved to a particular profession: yes

Reference to the relevant law, regulation or administrative provision: See Instructions to Candidates and Pre-Qualification Questionnaire.

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

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: yes

## **Section IV: Procedure**

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

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

Restricted

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

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

### **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**

no

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

Payable documents: no

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

30.4.2013 - 12:00

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

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

English.

#### **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**

This is a recurrent procurement: no

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

The procurement is related to a project and/or programme financed by European Union funds:  
no

#### **VI.3. Additional information**

— The Authority reserves the right, in accordance with Regulation 32(5)(f) of the European Communities (Award of Public Authorities' Contracts) Regulations 2006, to award new services to the successful Tenderer;

— Interested parties should note that this contract is classified as a “Part B” contract under the European Communities (Award of Public Authorities' Contracts) Regulations 2006 and that the detailed procedures of those Regulations, including timelines, do not apply to this competition. However the Authority is adopting a two-stage process similar to the restricted procedure under those Regulations. For the avoidance of doubt, this does not indicate that the Authority will, nor that it is obliged to, comply with all the requirements of the Regulations which would otherwise apply to a “Part A” contract;

– The Authority reserves the right to terminate the process at any time or to change the basis of, or the procedures for, the competition. The most economically advantageous or any tender will not necessarily be accepted;

– The National Roads Authority is subject to the Freedom of Information Acts 1997 and 2003. The Candidate shall state if any information supplied by it in response to this notice is confidential or commercially sensitive or should not be disclosed in respect for information under the aforementioned Acts. The Candidate shall state why it considers the information to be confidential or commercially sensitive. The Authority will consult with any Candidate/ Tenderer about sensitive information before making a decision on any Freedom of Information request received;

To receive more information about this tender, including any amendments and/or clarifications and to request any clarifications and/or to respond to this tender, you must register your interest to this tender on the following site: [https://irl.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=63370&B=ETENDERS\\_SIMPLE](https://irl.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=63370&B=ETENDERS_SIMPLE)

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

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

Official name: High Court of Ireland

Postal address: High Court Central Office, Four Courts, Inns Quay

Town: Dublin  
Postal code: D7  
Country: Ireland  
E-mail: [highcourtcentraloffice@courts.ie](mailto:highcourtcentraloffice@courts.ie)  
Telephone: +353 18886000  
Fax: +353 18886125  
Internet address: <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: High Court of Ireland  
Postal address: High Court Central Office, Four Courts, Inns Quay  
Town: Dublin  
Postal code: D7  
Country: Ireland  
E-mail: [highcourtcentraloffice@courts.ie](mailto:highcourtcentraloffice@courts.ie)  
Telephone: +353 18886000  
Fax: +353 18886125  
Internet address: <http://www.courts.ie>

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

12.3.2013