

**Ireland-Dublin: Accounting, auditing and fiscal services**

**OJ S 238/2013 07/12/2013**

**Contract notice**

**Services**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: The RAs c/o Commission for Energy Regulation  
Postal address: The Exchange, Belgard Square North, Tallaght  
Town: Dublin  
Postal code: 24  
Country: Ireland  
For the attention of: Siobhan Keating  
E-mail: [procurement@cer.ie](mailto:procurement@cer.ie)  
Telephone: +353 14000800  
Fax: +353 14000850

**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:** the abovementioned address

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

Body governed by public law

**I.3. Main activity**

Other: Regulatory Authorities

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

The contracting authority is purchasing on behalf of other contracting authorities: yes

**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**

011-03- 291 – Market Auditor of the Single Electricity Market (2014-16).

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

Services

Service category No 9: Accounting, auditing and bookkeeping services

Main site or place of performance: Dublin, Belfast.

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**

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

Estimated value excluding VAT:

Range: between 200 000 and 600 000 EUR

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

The Commission for Energy Regulation (CER) and the Northern Ireland Authority for Utility Regulation (UR), jointly called the Regulatory Authorities (RAs), have developed a single all-island electricity market (the SEM) which came into operation on 1.11.2007.

The SEM Trading and Settlement Code (the Code or the TSC) is a multilateral contract which sets out the rules and procedures concerning the sale and purchase of wholesale electricity in Ireland and Northern Ireland. The Code was designated by the Regulatory Authorities on 3 July 2007 and can be modified from time to time thereafter in accordance with procedures set out in the Code. SEMO was established as the Single Electricity Market Operator to administer the TSC. EirGrid plc. and SONI, the transmission system operators for Ireland and Northern Ireland respectively established SEMO on a contractual joint venture basis. EirGrid plc. and SONI were both granted Market Operator licences by their respective RAs in 2007. The TSC provides that the Market Auditor shall conduct an audit of the Code, its operation and implementation and the operations, trading arrangements, procedures and processes under the Code at least once a Year. This is to be based upon the terms of reference ('the Scope') for the audit published and consulted upon annually by the Regulatory Authorities. The Market Auditor assess compliance with the Code by SEMO and the Meter Data Providers (MDPs). The Regulatory Authorities are now seeking tenders from organisations to carry out the function for the Market Auditor, as detailed in paragraphs 2.131 to paragraph 2.143 of the TSC. Please note: It is intended that the Market Auditor will invoice EirGrid plc. directly for the work over the lifetime of the contract (three years), although the Market Auditor's reporting requirement rests with the Regulatory Authorities.

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

79200000 Accounting, auditing and fiscal services, 72220000 Systems and technical consultancy services, 79210000 Accounting and auditing services, 79212000 Auditing 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**

This Request for Tender relates to the appointment of the Market Auditor of the Single Electricity Market for a 3-year period.

Based on the Audit Scope, the successful Market Auditor will prepare an audit plan setting out the detailed audit approach which will be presented to and agreed with the Regulatory Authorities. The requirement is for a Market Auditor to conduct an annual audit of the SEM Trading and Settlement Code, its operation and implementation and the operations, trading arrangements, procedures and processes under the Code.

The successful Market Auditor will be required to prepare a Market Audit Report to be addressed to the Regulatory Authorities. The final version of the Market Audit Report will be

provided to Parties to the Trading and Settlement Code, in line with the provisions of the TSC, and subject to any confidentiality provisions required by the Market Auditor.

The Specific Scope of the Market Audit since the start of the market has evolved. In recent years, the scope has broadened.

It is anticipated that this position will mainly involve on-site work in the Market Operator's offices (SEMO) in Dublin and Belfast for a length of time required by the Market Auditors to fulfil their brief. Depending on the scope decided upon for a given year, this work may also require visits to the offices of the Meter Data Providers (NIE T&D and ESB Networks) and the SOs (EirGrid plc. and SONI) whose offices are located in Dublin and Belfast also. In the Market Auditors reporting role, they may need to travel to the offices of the Regulatory Authorities (CER in Dublin and UR in Belfast). Attendance at an industry group (the Modifications Committee) will be required annually as this is the mechanism for providing the Market Audit to Participants of the SEM and these meetings take place in Belfast or Dublin.

Estimated value excluding VAT:

Range: between 200 000 and 600 000 EUR

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

Options: no

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

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

Duration in months: 36 (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**

In accordance with the Trading and Settlement Code (See paragraph 2.143), the costs of the Market Audit is borne by SEMO themselves. For this 3-year period, the successful Market Auditor will be invoicing EirGrid plc. directly.

However, the Market Auditor's reporting requirement rests with the Regulatory Authorities. This arrangement is expected to be facilitated through and reflected in a tri-partite agreement between the Market Auditor, the Regulatory Authorities and EirGrid plc. (as purchasing entity on behalf of the Market Operator, SEMO). EirGrid plc. is entering as a party to this contract solely for the purposes of discharging its obligation to pay the market audit fee as outlined in section 2.143 of the Trading and Settlement Code (TSC).

It is anticipated that the successful Market Auditor will contractually facilitate the tri-partite agreement referred to above through their Letter of Engagement/Appointment with the relevant parties.

Payment of any sums due shall be made on a net monthly account basis that is, payment is made on the last business day of the month following the month of the invoice date, provided all monies specified in the Consultant's invoice raised are due and the invoice is correctly addressed. All invoices must be sent to Accounts Payable, EirGrid plc. Block 2 – The Oval, 160 Shelbourne Rd., Ballsbridge, Dublin 4, quoting the relevant order number.

##### **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, must contract as a single entity, having joint and severable liability.

### **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: All tenderers are required to complete a Declaration of Bona Fides pursuant to Article 45 EU Directive 2001/1/EC (See Appendix B of Request for Tender).

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

List and brief description of conditions: Please refer to Section 4.1 of the Request for Tender document, available to download from: [www.etenders.gov.ie](http://www.etenders.gov.ie), for relevant conditions with respect to Qualification Criteria applicable to this contract.

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

List and brief description of conditions:

Please refer to Section 4.1 of the Request for Tender document, available to download from: [www.etenders.gov.ie](http://www.etenders.gov.ie), for relevant conditions with respect to Qualification Criteria applicable to this contract.

#### **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: no

#### **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**

Open

#### **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**

011-03-291

##### **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**

24.1.2014 - 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.

Other: GA

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

Duration in days: 160 (from the date stated for receipt of tender)

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

Date: 24.1.2014 - 12:00

Persons authorised to be present at the opening of tenders: no

### **Section VI: Complementary information**

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#### **VI.1. Information about recurrence**

This is a recurrent procurement: yes

Estimated timing for further notices to be published: December 2016.

#### **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**

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=72434&B=ETENDERS\\_SIMPLE](https://irl.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=72434&B=ETENDERS_SIMPLE)

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

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

Official name: The High Court

Postal address: Chief Registrar, Four Courts, Inns Quay

Town: Dublin

Postal code: 7

Country: Ireland

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**

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

5.12.2013