

Ireland-Dublin: Telecommunications network

OJ S 249/2015 24/12/2015

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Department of Communications, Energy and Natural Resources

National registration number: N/A

Postal address: 29-31 Adelaide Road

Town: Dublin

Postal code: D02 X285

Country: Ireland

Contact person: The National Broadband Plan

E-mail: nbpprocurement@dcenr.gov.ie

Telephone: +353 16783185

Internet address(es):

General address of the contracting authority: <http://www.dcenr.gov.ie>

Address of the buyer profile: <http://irl.eu-supply.com/ctm/Supplier/CompanyInformation/Index/326>

Electronic access to information: http://irl.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=95143&B=ETENDERS_SIMPLE

Electronic submission of tenders and requests to participate: http://irl.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=95143&B=ETENDERS_SIMPLE

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

Ministry or any other national or federal authority, including their regional or local subdivisions

I.3. Main activity

General public services

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

II.1. Description

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

Services concession for the provision of a high speed broadband network to deliver on the requirements of the National Broadband Plan (NBP).

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

Services

Service category No 5: Telecommunications services

Main site or place of performance: Ireland.

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 Department of Communications, Energy and Natural Resources is commencing procurement for the establishment of a high speed broadband network with minimum service requirements under the National Broadband Plan ('NBP'). This contract notice is for a 'service concession' whereby a contractor(s) will design, finance, develop, construct, operate, maintain and exploit a wholesale Next Generation Access network and associated services within the NBP Intervention Area ('IA'), which currently covers over 750 000 premises. More details are set out in the Project Information Memorandum.

The NBP's vision is to connect all Ireland's communities by dealing definitively with the broadband connectivity challenge in rural areas by stimulating investment at a wholesale level. This allows retail service providers to access network infrastructure and to compete on a level playing field in supplying retail services to end users in the IA.

Two Ownership Models are included within the procurement, subject to the Ownership Model Determination (see Section 5 of the PIM) as follows:

- Commercial Stimulus Model (private sector build, finance, own, operate and maintain with obligations)
- Concession Model (private sector finance, build, operate and maintain with asset reversion)

The IA is split into two geographic areas and a combined area as follows:

- Lot Area A: Southern Intervention Area
- Lot Area B: Northern Intervention Area
- Lot Area C: Combined Northern and Southern Intervention Area.

Bidders can opt for the Lot Areas individually or for the entire IA on either or both of the Ownership Options.

As there are 2 Ownership Models, separate lots have been created for each of these areas utilising the different Ownership Models. The Government will shortlist one Ownership Model at the end of pre-qualification.

The contract(s) will involve European Regional Development Fund (ERDF) funding and will be subject to any requirements arising under ERDF funding conditions.

II.1.6. CPV code(s)

32412100 Telecommunications network, 32412000 Communications network, 32412110 Internet network, 32413100 Network routers, 32415000 Ethernet network, 32417000 Multimedia networks, 32420000 Network equipment, 32424000 Network infrastructure, 32430000 Wide area network, 32510000 Wireless telecommunications system, 32520000 Telecommunications cable and equipment, 32521000 Telecommunications cable, 32522000 Telecommunications equipment, 32523000 Telecommunications facilities, 32524000 Telecommunications system, 32530000 Satellite-related communications equipment, 32531000 Satellite communications equipment, 32532000 Satellite dishes, 32560000 Fibre-optic materials, 32561000 Fibre-optic connections, 32562000 Optical-fibre cables, 32562100 Optical-fibre cables for information transmission, 32562200 Optical telecommunication cables,

32562300 Optical-fibre cables for data transmission, 32570000 Communications equipment, 32571000 Communications infrastructure, 32572000 Communications cable, 32572100 Communications cable with multiple electrical conductors, 32572200 Communications cable with coaxial conductors, 32572300 Communications cable for special applications, 32581000 Data-communications equipment, 32582000 Data carriers, 32583000 Data and voice media, 32584000 Data-bearing media, 45231400 Construction work for electricity power lines, 45231600 Construction work for communication lines, 45232310 Construction work for telephone lines, 45232320 Cable broadcasting lines, 45232340 Mobile-telephone base-stations construction work, 45314000 Installation of telecommunications equipment, 45314300 Installation of cable infrastructure, 45314310 Installation of cable laying, 51300000 Installation services of communications equipment, 64000000 Postal and telecommunications services, 64200000 Telecommunications services, 64216000 Electronic message and information services, 64221000 Interconnection services, 64227000 Integrated telecommunications services, 72400000 Internet 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: yes
Tenders may be submitted for all lots

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

The procurement is for Intervention Area (IA) which currently covers over 750 000 premises as described in Section 3 of the PIM (and, as noted in the PIM, the number of premises and the scope of the Intervention Area and each Lot Area may change).

The IA is split into two geographic areas and a combined area (details provided in Section 5 of the PIM) as follows:

- Lot Area A: Southern Intervention Area
- Lot Area B: Northern Intervention Area
- Lot Area C: Combined Northern and Southern Intervention Area.

Two Ownership Models are included within the Procurement, subject to the Ownership Model Determination (details provided in Section 5 of the PIM) as follows:

- Commercial Stimulus Model (private sector build, finance, own, operate and maintain with obligations)
- Concession Model (private sector finance, build, operate and maintain with asset reversion)

Bidders can opt for the Lot Areas individually or for the entire IA on either or both of the Ownership Options as described in Section 4 of the PIM.

Bidder(s) are referred to Section 6 of the PIM which details the likely wholesale network, products and services to be provided under the Contract.

The contract period will likely be for 25 years (300 months) with no options to extend.

Bidders should note that the Department reserves the right to refine, remove or change its requirements during the Procurement process. Bidders should also note that as set out in the PIM there may be changes in the scope and/or scale of the services required under the Contract and the Department may seek to agree a modification to the Contract after award to facilitate the provision of such services by the contractor.

Further details are set out in the PIM.

II.2.2. Information about options

Options: yes

Description of options: Please see Section 7.5 of the PIM which details the Department's position on optional and additional services.

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Information about lots

Lot No: 1

Lot title: Lot 1A Southern Intervention Area

1) Short description

Means the lot for the Southern Intervention Area under the Commercial Stimulus Model.

2) CPV code(s)

32412100 Telecommunications network, 32412000 Communications network, 32412110 Internet network, 32413100 Network routers, 32415000 Ethernet network, 32417000 Multimedia networks, 32420000 Network equipment, 32424000 Network infrastructure, 32430000 Wide area network, 32510000 Wireless telecommunications system, 32520000 Telecommunications cable and equipment, 32521000 Telecommunications cable, 32522000 Telecommunications equipment, 32523000 Telecommunications facilities, 32524000 Telecommunications system, 32530000 Satellite-related communications equipment, 32531000 Satellite communications equipment, 32532000 Satellite dishes, 32560000 Fibre-optic materials, 32561000 Fibre-optic connections, 32562000 Optical-fibre cables, 32562100 Optical-fibre cables for information transmission, 32562200 Optical telecommunication cables, 32562300 Optical-fibre cables for data transmission, 32570000 Communications equipment, 32571000 Communications infrastructure, 32572000 Communications cable, 32572100 Communications cable with multiple electrical conductors, 32572200 Communications cable with coaxial conductors, 32572300 Communications cable for special applications, 32581000 Data-communications equipment, 32582000 Data carriers, 32583000 Data and voice media, 32584000 Data-bearing media, 45231400 Construction work for electricity power lines, 45231600 Construction work for communication lines, 45232310 Construction work for telephone lines, 45232320 Cable broadcasting lines, 45232340 Mobile-telephone base-stations construction work, 45314000 Installation of telecommunications equipment, 45314300 Installation of cable infrastructure, 45314310 Installation of cable laying, 51300000 Installation services of communications equipment, 64000000 Postal and telecommunications services, 64200000 Telecommunications services, 64216000 Electronic message and information services, 64221000 Interconnection services, 64227000 Integrated telecommunications services, 72400000 Internet services

3) Quantity or scope

4) Indication about different time frame or duration

5) Additional information about lots

Lot No: 2

Lot title: Lot 1B Northern Intervention Area

1) Short description

Means the lot for the Northern Intervention Area under the Commercial Stimulus Model.

2) CPV code(s)

32412100 Telecommunications network, 32412000 Communications network, 32412110 Internet network, 32413100 Network routers, 32415000 Ethernet network, 32417000 Multimedia networks, 32420000 Network equipment, 32424000 Network infrastructure, 32430000 Wide area network, 32510000 Wireless telecommunications system, 32520000 Telecommunications cable and equipment, 32521000 Telecommunications cable, 32522000 Telecommunications equipment, 32523000 Telecommunications facilities, 32524000 Telecommunications system, 32530000 Satellite-related communications equipment, 32531000 Satellite communications equipment, 32532000 Satellite dishes, 32560000 Fibre-optic materials, 32561000 Fibre-optic connections, 32562000 Optical-fibre cables, 32562100 Optical-fibre cables for information transmission, 32562200 Optical telecommunication cables, 32562300 Optical-fibre cables for data transmission, 32570000 Communications equipment, 32571000 Communications infrastructure, 32572000 Communications cable, 32572100 Communications cable with multiple electrical conductors, 32572200 Communications cable with coaxial conductors, 32572300 Communications cable for special applications, 32581000 Data-communications equipment, 32582000 Data carriers, 32583000 Data and voice media, 32584000 Data-bearing media, 45231400 Construction work for electricity power lines, 45231600 Construction work for communication lines, 45232310 Construction work for telephone lines, 45232320 Cable broadcasting lines, 45232340 Mobile-telephone base-stations construction work, 45314000 Installation of telecommunications equipment, 45314300 Installation of cable infrastructure, 45314310 Installation of cable laying, 51300000 Installation services of communications equipment, 64000000 Postal and telecommunications services, 64200000 Telecommunications services, 64216000 Electronic message and information services, 64221000 Interconnection services, 64227000 Integrated telecommunications services, 72400000 Internet services

3) Quantity or scope

4) Indication about different time frame or duration

5) Additional information about lots

Lot No: 3

Lot title: Lot 1C Combined Northern and Southern Intervention Area

1) Short description

Means the lot for the combined Southern Intervention Area and Northern Intervention Area under the Commercial Stimulus Model.

2) CPV code(s)

32412100 Telecommunications network, 32412000 Communications network, 32412110 Internet network, 32413100 Network routers, 32415000 Ethernet network, 32417000 Multimedia networks, 32420000 Network equipment, 32424000 Network infrastructure, 32430000 Wide area network, 32510000 Wireless telecommunications system, 32520000 Telecommunications cable and equipment, 32521000 Telecommunications cable, 32522000 Telecommunications equipment, 32523000 Telecommunications facilities, 32524000 Telecommunications system, 32530000 Satellite-related communications equipment, 32531000 Satellite communications equipment, 32532000 Satellite dishes, 32560000 Fibre-optic materials, 32561000 Fibre-optic connections, 32562000 Optical-fibre cables, 32562100 Optical-fibre cables for information transmission, 32562200 Optical telecommunication cables, 32562300 Optical-fibre cables for data transmission, 32570000 Communications equipment, 32571000 Communications infrastructure, 32572000 Communications cable, 32572100 Communications cable with multiple electrical conductors, 32572200 Communications cable

with coaxial conductors, 32572300 Communications cable for special applications, 32581000 Data-communications equipment, 32582000 Data carriers, 32583000 Data and voice media, 32584000 Data-bearing media, 45231400 Construction work for electricity power lines, 45231600 Construction work for communication lines, 45232310 Construction work for telephone lines, 45232320 Cable broadcasting lines, 45232340 Mobile-telephone base-stations construction work, 45314000 Installation of telecommunications equipment, 45314300 Installation of cable infrastructure, 45314310 Installation of cable laying, 51300000 Installation services of communications equipment, 64000000 Postal and telecommunications services, 64200000 Telecommunications services, 64216000 Electronic message and information services, 64221000 Interconnection services, 64227000 Integrated telecommunications services, 72400000 Internet services

3) Quantity or scope

4) Indication about different time frame or duration

5) Additional information about lots

Lot No: 4

Lot title: Lot 2A Southern Intervention Area

1) Short description

Means the lot for the Southern Intervention Area under the Concession Model.

2) CPV code(s)

32412100 Telecommunications network, 32412000 Communications network, 32412110 Internet network, 32413100 Network routers, 32415000 Ethernet network, 32417000 Multimedia networks, 32420000 Network equipment, 32424000 Network infrastructure, 32430000 Wide area network, 32510000 Wireless telecommunications system, 32520000 Telecommunications cable and equipment, 32521000 Telecommunications cable, 32522000 Telecommunications equipment, 32523000 Telecommunications facilities, 32524000 Telecommunications system, 32530000 Satellite-related communications equipment, 32531000 Satellite communications equipment, 32532000 Satellite dishes, 32560000 Fibre-optic materials, 32561000 Fibre-optic connections, 32562000 Optical-fibre cables, 32562100 Optical-fibre cables for information transmission, 32562200 Optical telecommunication cables, 32562300 Optical-fibre cables for data transmission, 32570000 Communications equipment, 32571000 Communications infrastructure, 32572000 Communications cable, 32572100 Communications cable with multiple electrical conductors, 32572200 Communications cable with coaxial conductors, 32572300 Communications cable for special applications, 32581000 Data-communications equipment, 32582000 Data carriers, 32583000 Data and voice media, 32584000 Data-bearing media, 45231400 Construction work for electricity power lines, 45231600 Construction work for communication lines, 45232310 Construction work for telephone lines, 45232320 Cable broadcasting lines, 45232340 Mobile-telephone base-stations construction work, 45314000 Installation of telecommunications equipment, 45314300 Installation of cable infrastructure, 45314310 Installation of cable laying, 51300000 Installation services of communications equipment, 64000000 Postal and telecommunications services, 64200000 Telecommunications services, 64216000 Electronic message and information services, 64221000 Interconnection services, 64227000 Integrated telecommunications services, 72400000 Internet services

3) Quantity or scope

4) Indication about different time frame or duration

5) Additional information about lots

Lot No: 5

Lot title: Lot 2B Northern Intervention Area

1) Short description

Means the lot for the Northern Intervention Area under the Concession Model.

2) CPV code(s)

32412100 Telecommunications network, 32412000 Communications network, 32412110 Internet network, 32413100 Network routers, 32415000 Ethernet network, 32417000 Multimedia networks, 32420000 Network equipment, 32424000 Network infrastructure, 32430000 Wide area network, 32510000 Wireless telecommunications system, 32520000 Telecommunications cable and equipment, 32521000 Telecommunications cable, 32522000 Telecommunications equipment, 32523000 Telecommunications facilities, 32524000 Telecommunications system, 32530000 Satellite-related communications equipment, 32531000 Satellite communications equipment, 32532000 Satellite dishes, 32560000 Fibre-optic materials, 32561000 Fibre-optic connections, 32562000 Optical-fibre cables, 32562100 Optical-fibre cables for information transmission, 32562200 Optical telecommunication cables, 32562300 Optical-fibre cables for data transmission, 32570000 Communications equipment, 32571000 Communications infrastructure, 32572000 Communications cable, 32572100 Communications cable with multiple electrical conductors, 32572200 Communications cable with coaxial conductors, 32572300 Communications cable for special applications, 32581000 Data-communications equipment, 32582000 Data carriers, 32583000 Data and voice media, 32584000 Data-bearing media, 45231400 Construction work for electricity power lines, 45231600 Construction work for communication lines, 45232310 Construction work for telephone lines, 45232320 Cable broadcasting lines, 45232340 Mobile-telephone base-stations construction work, 45314000 Installation of telecommunications equipment, 45314300 Installation of cable infrastructure, 45314310 Installation of cable laying, 51300000 Installation services of communications equipment, 64000000 Postal and telecommunications services, 64200000 Telecommunications services, 64216000 Electronic message and information services, 64221000 Interconnection services, 64227000 Integrated telecommunications services, 72400000 Internet services

3) Quantity or scope

4) Indication about different time frame or duration

5) Additional information about lots

Lot No: 6

Lot title: Lot 2C Combined Northern and Southern Intervention Area

1) Short description

Means the lot for the combined Southern Intervention Area and Northern Intervention Area under the Concession Model.

2) CPV code(s)

32412100 Telecommunications network, 32412000 Communications network, 32412110 Internet network, 32413100 Network routers, 32415000 Ethernet network, 32417000 Multimedia networks, 32420000 Network equipment, 32424000 Network infrastructure, 32430000 Wide area network, 32510000 Wireless telecommunications system, 32520000 Telecommunications cable and equipment, 32521000 Telecommunications cable, 32522000 Telecommunications equipment, 32523000 Telecommunications facilities, 32524000

Telecommunications system, 32530000 Satellite-related communications equipment, 32531000 Satellite communications equipment, 32532000 Satellite dishes, 32560000 Fibre-optic materials, 32561000 Fibre-optic connections, 32562000 Optical-fibre cables, 32562100 Optical-fibre cables for information transmission, 32562200 Optical telecommunication cables, 32562300 Optical-fibre cables for data transmission, 32570000 Communications equipment, 32571000 Communications infrastructure, 32572000 Communications cable, 32572100 Communications cable with multiple electrical conductors, 32572200 Communications cable with coaxial conductors, 32572300 Communications cable for special applications, 32581000 Data-communications equipment, 32582000 Data carriers, 32583000 Data and voice media, 32584000 Data-bearing media, 45231400 Construction work for electricity power lines, 45231600 Construction work for communication lines, 45232310 Construction work for telephone lines, 45232320 Cable broadcasting lines, 45232340 Mobile-telephone base-stations construction work, 45314000 Installation of telecommunications equipment, 45314300 Installation of cable infrastructure, 45314310 Installation of cable laying, 51300000 Installation services of communications equipment, 64000000 Postal and telecommunications services, 64200000 Telecommunications services, 64216000 Electronic message and information services, 64221000 Interconnection services, 64227000 Integrated telecommunications services, 72400000 Internet services

3) Quantity or scope

4) Indication about different time frame or duration

5) Additional information about lots

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

The Department reserves the right, at its absolute discretion, to reasonably require the successful Bidder(s) / Preferred Bidder(s) as a condition of Contract to procure the provision to the Department of guarantees, collateral warranties or other forms of security such as a performance bond in respect of the delivery of the Project / Contract (or a part of the Project / Contract) to the satisfaction of the Department. Such a requirement may apply to the deployment phase of the Project and/or to the operating phase.

Further details are provided in Section 10 of the PIM.

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

The Department will pay to the Contractor a capital related subsidy in the form of a capital grant, part of which is expected to be paid during deployment and part of which is expected to be paid over the operational life of the Contract. Payments will be made in accordance with the conditions of Contract that will be provided to the short listed Bidders at the next stage of the Procurement and refined through the Procurement process. Further details are provided in section 5.3 of the PIM.

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

No special legal form is required or specified at the prequalification stage. However, where the Bidder is a consortium, the Bidder may be required to contract on a basis which the Department considers appropriate in its discretion having regard to the nature, size and

complexity of the contract. For example, the Department may require the Bidder to contract:

- on the basis of joint and several liability among the Consortium Members; or
- with a particular single Consortium Member of the Bidder as the prime contractor (with some or all of the Consortium / Bidder Members providing collateral warranties and/or guarantees); or
- as an incorporated or unincorporated special purpose vehicle (with guarantees and/or collateral warranties from the other Consortium / Bidder Members); and in any event

— in a manner and on terms satisfactory to the Department.

Please see section 10 of the PIM which details the Departments requirements in relation to Bidder composition.

In addition, the Department will also include a requirement in the Contract for the Contractor (or, at the Department's absolute discretion, a wholesale entity responsible for operating the network and making decisions regarding access and related terms) to be established as a separate legal entity. Any divergence from this requirement will only be in exceptional circumstances where it can be justifiably demonstrated that taking such an approach would not be value for money for Government due to its evidenced high cost or taking such an approach is demonstrated to be impractical or where it simply cannot be implemented for legal or other reasons.

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: The Department will, subject to section 12.3 of the PIM, disqualify any Bidder who (or whose Bidder Member) falls within any of the circumstances set out in Regulation 53(1) of the European Communities (Award of Public Authorities' Contracts) Regulations 2006.

The Department may, subject to section 12.3 of the PIM, disqualify any Bidder who (or whose Bidder Member) falls within any of the circumstances set out in Regulation 53(4) of the European Communities (Award of Public Authorities' Contracts) Regulations 2006.

These grounds are as described in the Pre-Qualification Questionnaire available on eTenders.

III.2.2. Economic and financial ability

List and brief description of conditions: The Bidder must in their response to the Pre-Qualification Questionnaire provide the information and evidence required within the Pre-Qualification Questionnaire.

Minimum level(s) of standards possibly required: The Department will, subject to section 12.3 of the PIM, disqualify any Bidder who fails to satisfy the minimum score relating to its demonstrated Economic and Financial Standing which will be assessed in accordance with section 12.7 of the PIM.

The Department will, subject to section 12.3 of the PIM, disqualify any Bidder who fails to self-certify to the satisfaction of the Department its agreement and capability to provide insurances and a performance bond (where applicable) in accordance with PQQ questions A.9 and B.9 respectively.

These grounds are further described in Section 12 of the PIM and in the PQQ, which are available on eTenders.

III.2.3. Technical and professional ability

List and brief description of conditions:

The Bidder must in their response to the Pre-Qualification Questionnaire provide the information and evidence required within the Pre-Qualification Questionnaire.

Minimum level(s) of standards possibly required:

The Department will, subject to section 12.3 of the PIM, disqualify any Bidder who fails to satisfy the minimum score relating to its demonstrated Technical and Professional Capability which will be assessed in accordance with section 12.8 of the PIM.

The Department will, subject to section 12.3 of the PIM, disqualify any Bidder who fails to self-certify to the satisfaction of the Department its compliance to PQQ Questions A.6, A.10 and/or A.11.

These grounds are further described in Section 12 of the PIM and in the PQQ.

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: no

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

competitive dialogue

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

Envisaged number of candidates: 5

Objective criteria for choosing the limited number of candidates: The Department intends to invite five Bidders to tender for each of the individual Lots.

The Department will rank the eligible Bidders based upon the overall weighted scores awarded to them in respect of their demonstrated 'Economic and Financial Standing' and 'Technical and Professional Capability', in accordance with Section 12 of the PIM.

Once the Responses have been ranked, the Department will then follow the procedure set out in section 5.2 of the PIM to select one of the Ownership Models.

Once the Ownership Model has been selected, the Department will invite the top 5 highest ranked Bidders for each of the three Lots associated with the selected Ownership Model to the dialogue stage (and will terminate the Lots associated with the other Ownership Model).

In the event that there are a number of Bidders with scores tied at fifth position (i.e. mathematically equal) for a particular Lot, the Department will select from those tied Bidders the Bidder(s) with the highest aggregate score across the criteria relating to questions C.1 and C.2 in the PQQ in order to select a top five.

In the event that the aggregate scores across the criteria relating to questions C.1 and C.2 are also tied, the Department reserves the right to extend the shortlist to include all the Bidders which are tied for fifth position and which achieved the same score across the criteria relating to questions C.1 and C.2 in the PQQ so that they will be invited to participate in the dialogue.

If there are less than five eligible or sufficiently qualified Bidders for a particular Lot, the Department may, at its absolute discretion, continue the competition by inviting the eligible and sufficiently qualified Bidder(s) to participate in the dialogue, despite the fact that there may be

less than five such Bidders for the relevant Lot.

Bidders should note that pre-qualified Bidders may be required to complete a Bidder's protocol undertaking before the start of the competitive dialogue process which will be provided as part of the ITPD. The purpose of the protocol is to secure the commitment of the short listed Bidders to the Department's policies for the conduct of the competitive dialogue procurement process and to providing an equal competitive opportunity to every short listed Bidder participating in this Procurement. The policies that will be covered by the protocol undertaking include policies on information sharing and 'ethical walls' / 'Chinese walls'.

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

2015/12

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2015/S 207-375761](#) of 24.10.2015

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

29.2.2016 - 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

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:
yes

Identification of the project: Please note the project involves European Regional Development Fund (ERDF) funding, see section 2.5 of PIM.

VI.3. Additional information

ETenders

Bidders must register on the www.etenders.gov.ie website in order to get clarifications.

Background Documentation

There are various background documents referred to in the PIM (including, in particular, the High Speed Broadband Map 2020 and the various reports identified in section 3 of the PIM such as the Intervention Strategy and the Technical Report). These documents can be found at the following website address:

<http://www.dcenr.gov.ie/communications/en-ie/Broadband/Pages/Connecting-Communities.aspx>

VI.4. Procedures for review

VI.4.1. Review body

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

22.12.2015