



AN TÚDARÁS PÓILÍNEACHTA POLICING AUTHORITY

Request for Tender – Recruitment Support Services

The Policing Authority invites tenders for the provision of Recruitment services to the Policing Authority.

1. Introduction - Purpose and Functions of the Policing Authority

The Policing Authority is an independent statutory body and was established on 1 January 2016. Our job is to oversee the performance of the Garda Síochána in relation to policing services, to promote public awareness of policing matters and to promote and support the continuous improvements in policing in Ireland. The statutory basis for the Authority is the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 which amended the Garda Síochána Act 2005. The Garda Síochána Act 2005 is the primary legislation under which the Authority operates, and thus is the fundamental underlying instrument for the Authority's governance.

2. Recruitment to positions in the Policing Authority

The Policing Authority holds a recruitment licence from the Commission for Public Service Appointments (CPSA) which allows it to directly recruit to positions within the Authority, which staff have the status of 'Civil Servants in the Civil Service of the State'.

The conditions under which this licence was granted require the Authority to abide by the CPSA's Codes of Practice¹ which sets out core recruitment and selection principles. This principle based approach is intended to maintain and enhance consistency, fairness, transparency, accountability and diversity in recruitment practices. The Code reflects the Authority's responsibilities with regard to protecting the public interest and the Authority is committed to a recruitment and selection policy which complies with these standards. These standards must also be observed by all those involved in the appointment processes under the Authority's remit, including any recruitment agency contracted to assist with the processes to which this RFT relate. The Authority's recruitment processes are also subject to audit by the

¹ <http://www.cpsa.ie/en/About-Us/What-we-do/Setting-Recruitment-Standards/Code-of-Practice-for-Appointment-to-Positions-in-the-Civil-Service-and-Public-Service-.pdf>

Commission for Public Service Appointments (CPSA).

3. Nature of engagement

The Policing Authority is seeking to appoint a designated recruitment partner to provide recruitment support services in relation to the recruitment of appropriate candidates for a number of roles.

The successful agency will be required to support the Policing Authority through the provision of recruitment services, including the following:

- To review Job Specifications and to advise on appropriate advertising, promotion and dissemination of information to receive the best response;
- To act as a focal point for queries, for receipt of applications and for appeals;
- To apply appropriate filtering and short-listing methods including desk - based skills assessment, phone interview, selection tests etc. to ensure candidates are suitably qualified;
- To provide a shortlist of suitably qualified candidates to the Policing Authority for interview;
- To source external experts for interview panels;
- To complete reference checks, as required;
- To ensure that the CPSA's code of practice is upheld throughout all stages of the process; and
- To carry out any incidental and ancillary functions related to the recruitment process.

The successful bidder will be able to demonstrate its understanding of the requirements of the Code of Practice for Appointment to Positions for the Civil and Public Service, and undertake to adhere to these requirements in compliance with the terms and conditions of the Authority's recruitment licence.

4. Type of Positions to be filled

The Policing Authority is seeking, in the first instance, to fill up to 4 positions at standard grade equivalent positions e.g. Principal Officer, Administrative Officer etc. in the Policing Authority. The salary scales for these posts are available on <http://circulars.gov.ie> . Notwithstanding the engagement, the Authority will continue to recruit candidates independently and retains the right at its sole discretion to recruit staff outside of this process whenever it determines it appropriate to do so. The staff appointed will be deemed 'Civil Servants in the Service of the State'.

5. Duration of contract

The contract duration will be for one year from the date of award of the contract, with an option to renew for a further year.

6. Tender Requirements

Persons and/or entities who consider that they possess the requisite expertise and experience to meet the Authority's requirements are invited to provide the information set out hereunder:

General Requirements

- a. A written proposal, in the English language, should be made setting the bidder's response to the requirements set out in this RFT.
- b. During the evaluation period, clarifications may be sought from bidders, who will be required to provide such clarification as required in writing. Responses to requests for clarification may not materially change elements of the tenders submitted.
- c. All tenders for the contract must be kept open for at least **30 days** from the closing date for receipt of tenders. Bidders should confirm this in their response.

Information requested from interested parties

- d. Letter of application. All bidders must submit a signed letter of application on the Bidder's official headed paper which must be signed by two officers of the bidder. It should clearly indicate the contact name, address, telephone numbers (mobile and landline) and e-mail address of bidder.
- e. Where a provider plans to deliver part of the contract through a third party the name, address, telephone and e-mail address of the third parties concerned is required. The tender document should clearly indicate the areas of the contract delivered by third parties.
- f. A statement of the undertaking's overall turnover and its turnover in respect of the type of services to which this tender relates for each of the past three years. Where a supplier is not in a position to provide this information, they should provide alternative material which would prove that they have sufficient economic and financial standing to undertake the contract
- g. Copy of valid Tax Clearance Certificate or confirmation that a valid certificate will be provided by the successful bidder prior to any contract being entered into. Alternatively, the Tenderer may supply the certificate and registration numbers, as they appear on the Tax Clearance Certificate, to facilitate online verification of their tax status by the Client.
- h. Indicate whether or not the tendering firm has obtained quality management

accreditation and if so, indicate the scope of the accreditation awarded. Bidders who have not obtained such accreditation should, in lieu, supply details of the quality assurance measures that they have in place.

- i. Completed Appendix Two.
- j. A statement confirming that none of the circumstances set out in S. I. 329 of 2006 – European Communities (Award of Public Authorities' Contracts) Regulations 2006 apply to the bidder.
- k. Evidence of insurance cover must be provided (employer's liability, public liability and professional indemnity). Bidders are required to submit a letter from their insurance company or broker indicating the level of cover with their proposals.
- l. Details of the composition and experience of the proposed engagement team, including named team leader and team member biographies, including relevant records of achievement.;
- m. Details of the bidder's proposed methodology to deliver recruitment services and support in compliance with the Authority's recruitment licence and obligations under the code of Practice for appointment to positions in the civil and public service.
- n. Two examples of relevant recent successful recruitment campaigns in public service bodies, including contact details for references in connection with the proposed contract. It is assumed that permission to contact the client is provided unless this is expressly stated otherwise.
- o. A cost proposal setting out the proposed fee and payment structure, which should be on the basis of an exclusive arrangement; and

Bidders are free to furnish any additional relevant information in support of their bid.

7. Selection and Award Criteria

Qualification Criteria

Tenders will be initially evaluated by reference to the following qualitative selection criteria:

- Completeness of tender documentation. Tenders must address all the requirements and include all information requested and comply with the format of responses requested in this Invitation to Tender and its subsections.
- Demonstrated ability of the bidder to meet all the mandatory requirements specified.

Award Criteria

The successful bidder will be selected from the qualifying tenders on the basis of the most economically advantageous tender. Each such tender response will be assessed and scored using the criteria below and will be ranked accordingly.

Selection criteria / ranking	Maximum score
Company standing and perceived ability to deliver on the project with reference to evidence of experience and success in provision of staff recruitment services and	200
Quality of proposed methodology	200
Expertise and experience of the proposed team members	200
Cost <i>(Note: In calculating this mark, the authority will favour proposals where the cost structure is weighted towards the majority of fees being payable on the successful recruitment of candidates.)</i>	300
Overall suitability for appointment	100
Total Mark Available	1000

Bidders should specifically note that the Policing Authority will not become involved in protracted clarification discussions and correspondence arising from the failure of bidders to provide the requisite information to support their bid. It is for bidders to ensure that sufficient information is provided to ensure full consideration of their proposal. Unless identified otherwise, products or services offered will be assumed to be an essential part of the solution.

8. Presentation and/or Interviews

During the evaluation, the Policing Authority may, at its discretion, request a presentation on the proposed solution or wish to interview the key personnel proposed by the bidder for the contract. Accordingly, bidders must be in a position to make such personnel as required for these purposes available, at reasonable notice, if so requested. It is intended that such presentations or interviews would be held in the Authority's premises in Dublin. An invitation to make a presentation is not an indication that a contract has been awarded.

Bidders will be required to bear their own costs in respect of any such interviews.

9. Costs

Bidders must provide a clear fee structure, including the basis for determining cost, including where applicable number of hours' support envisioned to be provided per recruitment campaign and placement fee rates. The price quoted should be inclusive of all costs. Details of scales of payments as well as information on refunds for unsuccessful campaigns (i.e. where no candidate is recruited as a result of a campaign) should be included.

All prices must be quoted in **Euro currency denominations (€)**, net of VAT. The applicable VAT rate(s) should be indicated.

Fixed definitive pricing in respect of all services offered must be provided. Unquantified or contingent costs (e.g. where a bidder fails to quantify expenses or makes costs dependent on currency exchange rates etc.) will not be accepted. Any allowances which the bidder wishes to make for expenses, travel, subsistence etc. must be quantified at this stage and included within the fixed price quoted.

Bidders should note that it is the responsibility of the tendering organisation to ensure that all and any costs associated with the services they propose arising from this procurement are included. Bidders should specifically note that any costs not included will be deemed to have been waived.

The Policing Authority will not be responsible for any errors in the calculation of the costs provided in response to this Invitation to Tender. It is the responsibility of bidders to ensure that the costs quoted are correct and properly calculated.

10. Payment

Payment for all services and products covered by this Invitation to Tender will be on foot of appropriate invoices. Invoicing arrangements will be agreed with the successful contractor(s) in due course and will be subject to the provisions of the Prompt Payment of Accounts Act 1997 (No 31 of 1997) as amended.

11. Service Level Agreement

The successful bidder will agree and enter into a Service Level Agreement with the Policing Authority to govern the provision of Services for this invitation to tender. The Service Level Agreement will include agreed key performance indicators, response times, escalation procedures and penalties.

12. Tender Evaluation

Tenders must address and fulfil all the requirements set out in this document and applicable information must be completed in the appropriate appendices. Tenders which do not comply with these requirements or that fail to provide any of the requested information will not be considered for the award stage.

13. Information Supplied Binding

Information supplied by bidders will be treated as contractually binding. However, the Policing Authority reserves the right to seek clarification of any such information.

14. Confidentiality of Tender Information

The Policing Authority undertake to use their best endeavours to hold confidential any information provided by bidders in response to this RFT, subject to obligations under law,

including the Freedom of Information Act, 2014. Please note that, in response to a request under the Freedom of Information Act, information not identified as sensitive (with supporting reasons) could be released. **Therefore, in responding to this RFT, you should identify the specific information which you do not wish to be disclosed, stating the reasons for its sensitivity.** The Policing Authority will consult with you about this sensitive information before making a decision on any Freedom of Information request received. The final decision on disclosures rests with the Office of the Information Commissioner.

15. Data Protection Requirements

Bidders attention is hereby drawn to the provisions of the Data Protection Act, 1988 and 2003 and to Directive 95/46/EC of the European Parliament and Council (including, but not limited to, provisions relating to the processing of data, ensuring the security of data and restrictions on transfers of data abroad) and any legislation and regulations implementing same.

16. Bidders’ costs and expenses

The Policing Authority will not be liable for any costs incurred by bidders in the preparation, submission or presentation of tenders for this contract, or any associated work or effort howsoever incurred.

17. Submission of Tenders

Expressions of interest, which should be clearly marked ‘**Tender –Recruitment support services**’, should be submitted by **5:00pm, 25 November 2016** to one of the contact points set out below:

Address	Email
<p>Ms. Karen Shelly, Policing Authority 90 King Street North, Dublin 7 D07 N7CV Ireland</p>	<p>recruitment@policingauthority.ie</p>

While the Authority’s preference is for electronic receipt of tenders by email, paper copies of tenders are acceptable. In the event of submitting a paper tender bidders are required to provide three paper copies of the tender and one electronic copy on USB or CD in a sealed package. The name and contact details of the bidder should be clearly identified on the package.

Tenders received after the above deadline will not be considered. The Authority is committed to a policy of equal opportunity and welcomes expressions from persons with disabilities.

It is the responsibility of the bidder to ensure that the tender is delivered before the time and date specified and to make their own arrangements to obtain proof of delivery by for example obtaining a receipt. Tenders received after the closing date and time will not be accepted and will be returned to the sender.

18. Queries/Clarification for Potential Bidders

Whilst every endeavour has been made to accurately inform potential bidders of the requirements for this contract, bidders should form their own conclusions about the methods and resources needed to meet those requirements. The awarding authority cannot accept responsibility for the bidder's assessment of the assignment.

19. Evaluation of Tenders

Bidders to whom any of the circumstances listed in paragraph 1 and 2 of Article 45 of EU Council Directive 2004/18/EC (coordinating procedures for the award of public works contracts, public supply contracts and public service contracts) apply will be excluded from this competition. The said circumstances are outlined in Appendix I below. The suitability of bidders not so excluded will then be checked by reference to the supplier's financial and economic standing and technical capacity in accordance with the said Directive.

Bidders should include in their tender document a completed Appendix II - Declaration of Personal Circumstances of Bidder which sets out where they stand in relation to the Directive.

20. Nature of the Contract

It is envisaged that the contract will be awarded to the most economically advantageous bidder in accordance with the award criteria. If for any reason it is not possible to award the contract to the top scoring bidder following the conclusion of this competitive process, or if having awarded the contract and during the tender validity period, the contracting authority terminates the contract, the contracting authority reserves the right to invite the next highest scoring bidder on the basis of the terms advertised 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.

Awarding of the contract will be conditional upon the designated bidder agreeing to the terms and conditions contained in this Invitation to Tender document and which include requirements for Professional Indemnity Insurance.

The Lowest Tender or Any Tender May Not Be Accepted. The issue of this RFT does not imply that the lowest tender or any tender will be accepted.

21. Applicable Laws

The Policing Authority asks all bidders to ensure and confirm that they are compliant with all applicable laws including employment and taxation law (as required above) and that they have regard to statutory terms relating to minimum pay and to legally binding industrial or sectoral agreements and that the laws of Ireland apply in other matters such as official secrets, data protection and health and safety.

22. Conditions of Tender

Detailed contractual arrangements are not within the scope of this document. However, it is intended that this RFT and the successful bidder's tender will be referenced in and form part of the final contract.

The awarding authority reserves the right to seek clarification of any information provided in the bidder's tender.

Whereas this invitation to tender is issued in good faith, no legitimate expectation shall arise therefrom and the contracting authority shall not be obliged to award a contract or proceed to further stages in the procurement process.

Any contract concluded will be governed by Irish law and, subject to arbitration provisions, the parties will submit to the exclusive jurisdiction of the Irish Courts.

Before any contracts are awarded, the successful contractor (and agent, where appropriate) will be required to comply with the prevailing tax clearance procedures:

- A successful contractor resident in Ireland will be required to promptly produce a Tax Clearance Certificate from the Irish Revenue Commissioners. Alternatively, the Tenderer may supply the certificate and registration numbers, as they appear on the Tax Clearance Certificate, to facilitate online verification of their tax status by the Client.
- A successful non-resident contractor or sub-contractor will be required to produce a statement (in lieu of a Tax Clearance Certificate) from the Irish Revenue Commissioners confirming suitability on tax grounds to be awarded the contract.
- Application for either of the above may be made to the Irish Revenue Commissioners in due course by way of a standard form.
- Where a certificate or statement expires during the course of the contract, the contracting authority will require a renewed certificate or statement.
- All payments under the contract will be conditional on contractors being in possession of valid certificates at all times.

Any conflicts of interest involving a candidate (or candidates, in the event of a group or consortium application) must be fully disclosed to the Authority, particularly where there is a conflict of interest in relation to any recommendations or proposals put forward by the

bidder.

Any “registerable interest” involving the candidate or candidates and the Policing Authority, the Minister for Justice and Equality, members of the Government, members of the Oireachtas (Parliament) or their relatives must be fully disclosed in the application or should be communicated to Authority immediately upon such information becoming known to the candidate, in the event of this information only coming to their notice after the submission of an application. The terms “registerable interest” and “relative” shall be interpreted as per Section 2 of the Ethics in Public Office Act, 1994, as amended.

23. Payment terms and conditions

The successful bidder will be required to enter into a written contract reflecting, *inter alia*, the cost and payment terms for the engagement.

All proposed costs should be quoted in euro, including VAT where applicable at the appropriate rate.

No additional fees, other than those originally quoted for the work when tendering for the project and included in the contract shall be paid.

To allow sufficient time for tender assessment, a tender validity period of 30 days is required, this period commencing on the closing date for submission of tenders.

Payment will be made in accordance with the terms of the contract and the provisions of Statutory Instrument No. 850 of 2012 (EU (Late Payment of Commercial Transactions) Regulations) on receipt by the Authority of a valid invoice from the Service provider.

The successful bidder will be required to produce a current Tax Clearance Certificate. Alternatively, the Tenderer may supply the certificate and registration numbers, as they appear on the Tax Clearance Certificate, to facilitate online verification of their tax status by the Client.

In accordance with the Irish Finance Acts, a deduction of tax at the specified rate may have to be made from all payments in respect of professional services (Professional Services Withholding Tax). The successful bidder will be required to submit details of their tax reference number.

24. Confidentiality

Bidders should note that, as the appointee will be a professional adviser to the Authority, the appointee shall be bound by the statutory obligations with respect to the confidentiality of information imposed by section 62M of the Garda Síochána Act 2005 (as amended) and other relevant legislation. The successful bidder will be required to sign an acknowledgement that s/he/they is/are aware of the obligations imposed by section 31 and that all information that is obtained by the bidder in acting as advisor to the Authority and that has not otherwise come into the public domain shall not be disclosed except in accordance with law. A breach of section 62M is an offence and may result in criminal liability.

25. Other Information

The Authority shall be free to accept any or none of the proposals tendered. The intellectual content of any reports/documents produced shall become the sole property of the Authority. The bidders shall maintain strict confidentiality in relation to the services being sought and the tendering process. The work of the service provider shall be deemed to be carried out in Ireland and shall be governed by the laws of Ireland. Failure to disclose any material interest at the time of its occurrence may disqualify a bidder or cause the termination of a contract and entitle the Authority to seek appropriate remedies, such as costs or compensation for loss. Any conflicts of interest or potential conflict of interest on the part of a bidder must be fully disclosed to the Authority without delay. The tender response as submitted and this Request for Tenders will form the basis of a contract of services to be agreed between the Authority and the successful bidder.

26. Further information

Relevant legislation, together with further information regarding the Authority and its activities, can be obtained at www.policingauthority.ie

Appendix I

Extract from Article 45, Paragraph 1 & 2 of EU Council Directive 2004/18/EC of 30th April 2004 – (co-ordinating procedures for the award of public works contracts, public supply contracts and public service contracts).

Article 45

Any candidate or tenderer who has been the subject of a conviction by final judgment of which the contracting authority is aware for one or more of the reasons listed below shall be excluded from participation in a public contract:

- participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA(20);
- corruption, as defined in Article 3 of the Council Act of 26 May 1997(21) and Article 3(1) of Council Joint Action 98/742/JHA(22) respectively;
- fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities(23);
- money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering (24).

Any economic operator may be excluded from participation in a contract where that economic operator:

- is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;
- is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- has been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;
- has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information.

Appendix II: Declaration as to Personal Circumstances of Tenderer

Re: Request for Tender for Recruitment Services.

Name of Tenderer: _____

Address: _____

I/We declare that none of the circumstances listed in paragraph 1 and 2 of Article 45 of EU Council Directive 2004/18/EC (coordinating procedures for the award of public works contracts, public supply contracts and public service contracts) apply.

I/We do not have any alignment with entities or interests that could compromise objectivity. I understand and acknowledge that the provision of inaccurate or misleading information in this declaration may lead to my business/firm/company/partnership being excluded from participation in this or future tenders, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1938. This declaration is made for the benefit of the Contracting Authority.

Signature of Declarant: _____

Name of Declarant: _____
(in print or block capitals)

Date: _____