



AN TÚDARÁS PÓILÍNEACHTA
POLICING AUTHORITY

The Policing Authority

**Request for Quotations (RFQ) – Development of a Human Rights Framework
for Policing Oversight and Inspections**

Important Note

Quotations must be submitted no later than: 1 September 2023

Issued by:

**The Policing Authority
4th Floor
90 King St. North
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1. Context and Background

The Policing Authority (“The Authority”), working with the Garda Síochána Inspectorate (“Inspectorate”), invite quotations for the development of a human rights framework to inform the oversight and inspection of the operation and administration of the Garda Síochána, to be conducted by the proposed Policing and Community Safety Authority (PCSA)¹. The context for the services is to provide a basis on which the Authority and the future PCSA can evaluate the Garda Síochána’s adherence to its human rights obligations.

The performance of the Garda Síochána should properly be considered in the context of their Policing Principles, one of which states that *“Policing services are to be provided - (ii) in a manner that respects human rights...”*(section 3b). The Authority is an independent statutory body, established on 1 January 2016. The full list of Authority functions are set out in the Garda Síochána Act 2005, as amended (“the Act”). Its main function is to *“oversee the performance by the Garda Síochána of its functions relating to policing services”* (section 62H (1)(a)). Within it, the mission of the Authority is to hold the Garda Síochána fairly and transparently to account in the interests of all, particularly the most vulnerable.

Garda Integrity and Human Rights is a key strategic theme for the Authority in the current [Strategy Statement 2022-2024](#). The desired outcome of this theme is ethical policing that vindicates the human rights of all who engage with the service and those who are affected by it. This is in line with the function of the Garda Síochána, as cited in section 7(1)(c) of the Act: *“to provide policing and security services for the State with the objective of ...vindicating the human rights of each individual...”*.

Authority reports on performance and other oversight matters in relation to the Garda Síochána are available on the Authority website [here](#).

The Garda Síochána Inspectorate is an independent statutory body, established on 26 July 2006 under the Act. Its main objective is to ensure that the resources available to the Garda Síochána are used to achieve and maintain the highest levels of efficiency and effectiveness in its operation and administration. To achieve this, the Inspectorate:

- Undertakes inspections or inquiries into the operation and administration of different aspects of the Garda Síochána at its own initiative or at the request of Authority or the Minister for Justice.
- Submits a report of the inspection or inquiry, with recommendations for any action considered necessary, to the Minister for Justice.
- Provides advice to the Authority or the Minister for Justice with regard to best international policing practices if required.

Recent inspection reports are available on the Inspectorate website [here](#).

In 2018, the Commission on the Future of Policing in Ireland (“the Commission”) developed a suite of recommendations for the reform of policing services in Ireland. Among these is the guiding principle that human rights are the foundation and purpose of policing. Recommendations, including those relating to human rights, were included as actions in the Government Policing Reform Programme

¹ The Authority and the Inspectorate are currently engaged in a joint project to transition to the PCSA in line with the Policing, Security and Community Safety Bill and it is anticipated that this will happen on 1 January 2024.

(2019-2022). Human rights have been pillars of subsequent Garda Síochána Statements of Strategy with specific actions in Annual Policing Plans.

In addition, the Commission had recommendations concerning policing oversight, one of which was the integration of the roles of the Authority and the Inspectorate. This will be realised through the establishment of the PCSA. The objective of the PCSA shall be to “*oversee and assess in an independent and transparent manner the performance by the Garda Síochána of its function relating to policing services in order to support the effective provision and continuous improvement of such services to the benefit of the safety of the public*” (section 122(1)).

The PCSA may, in furtherance of its objective, “*carry out inspections in relation to aspects of the operation and administration of the Garda Síochána relating to policing services as it considers appropriate*” (section 142(1)).

2. Services Required

In the context of the foregoing, the Authority together with the Inspectorate is seeking a suitably qualified and experienced individual or organisation to **develop a human rights framework which could be of practical day to day use in informing the oversight and inspection work of the future PCSA**. It should also provide a basis on which the PCSA can evaluate the Garda Síochána’s adherence to its human rights obligations.

The proposed framework should have regard to the following:

- The prospective functions of the PCSA including to promote professional policing human rights standards and the continuous improvement of policing;
- Core human rights obligations and standards for policing;
- Key policing powers, e.g. use of force, arrest and detention, stop and search
- Key elements of policing service including to victims, suspected offenders, domestic, sexual and gender-based violence (DSGBV), homicide investigations etc;
- Potential sources of data and evidence.

3. Quotation Details Required

You are invited to submit a quotation for this service providing the following:

- a) A detailed proposal, which will outline the elements of the proposed framework and methodology to be applied;
- b) The price quoted for provision of the service, to include a detailed pricing schedule. Price should be quoted in Euros, exclusive of VAT with the applicable VAT rate(s) indicated separately;
- c) Confirmation of availability to immediately undertake the assignment;
- d) Timeline and confirmation of ability to complete the project and provide the requested deliverable by end of 2023.
- e) A brief overview of previous experience of relevant projects (at least two), which demonstrate ability to provide the service required, particularly with reference to similar organisations.

- f) A CV (maximum of two pages) showing the relevant qualifications, expertise, experience of the project leader and of each member of the proposed team within the organisation (if applicable).

4. Award Criteria

The successful bidder will be selected on the basis of the most economically advantageous quotation.

Qualification Criteria

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

- Completeness of documentation. Quotations must provide all the requirements and include all information requested and comply with the format of responses requested in this document.
- Demonstrated ability of the provider to meet all the mandatory requirements specified.
- Tender received on time.

The contract will be awarded in accordance with the following criteria:

	Selection Criterion	Weighting	Maximum marks	Minimum Marks required
A	Expertise and experience of personnel involved	45%	450	315 (70%)
B	Quality of the proposed approach and methodology for developing a Framework	25%	250	175 (70%)
C	Project management and timelines	10%	100	50 (50%)
D	Cost	20%	200	N/A
		100%	1000	N/A

5. Submissions of Quotations

Quotations, which should be clearly marked '**Quotation – Development of Human Rights Framework for Policing Oversight and Inspections**', should be submitted by **5:00 pm on 1 September 2023** by email to Tenders@policingauthority.ie.²

² Appendix 1 contains General Conditions relating to this procurement.

Appendix 1 – General Conditions

Costs

Bidders must provide a clear fee and payment structure, specifying the total cost of providing the services required under this contract, which is the fee to carry out all of the work required to satisfy the requirements set out in this RFQ; this sum shall include all costs (i.e. including but not limited to staff costs, equipment, administration costs, travel & subsistence, profit margin and all other costs/expenses).

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 bidding 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 RFQ. It is the responsibility of bidders to ensure that the costs quoted are correct and properly calculated.

General Conditions

a. Confidentiality of Information

The Policing Authority will undertake to use its reasonable endeavours to maintain the confidentiality of any confidential information provided by bidders in response to this RFQ 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 RFQ, 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. However, the Policing Authority will give no undertaking or assurance that such information will not be released under the provisions of the Freedom of Information Act 2014 and the final decision on whether or not to release such information rests with the Policing Authority or as set out in the Freedom of Information Act 2014.

b. Data Protection Requirements

Attention is hereby drawn to the provisions of the Data Protection Act 2018 and to the General Data Protection Regulation (GDPR) (EU) 2016/679 (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.

c. Costs and expenses

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

d. Declaration of Interests

Any conflicts of interest or potential conflict of interest on the part of a bidder must be fully disclosed to the Authority without delay, and/or as soon as the conflict or potential conflict is or becomes apparent.

e. Environmental, Social, Human Rights and Labour Law

In the performance of any Services Contract awarded, the successful Tenderers and their Subcontractors (if any), shall be required to comply with all applicable obligations in the field of environmental, social, human rights and labour law that apply at the place where the services are provided, that have been established by EU law, national law, collective agreements or by international, environmental, social and labour law listed in Schedule 7 of the Regulations.

Tenderers shall be required to include an undertaking to comply fully with the provisions of Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, business or parts of undertakings or business and as implemented in Irish law by Statutory Instrument No. 131 of 2003, the European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003 and to indemnify the Contracting Authority for any claim arising or loss or costs incurred as a result of its failure or incapacity to fulfil its obligations under the said Directive and Statutory Instrument.

The Protection of Employees (Temporary Agency Work) Act 2012 (the "2012 Act") provides that an Agency Worker (as defined in the 2012 Act) is entitled to the same basic working and employment conditions as those which apply to employees recruited directly by the Hirer (as defined in the 2012 Act) to do the same or a similar job. Where the provision of the Services will involve the provision to the Contracting Authority of Agency Workers (within the meaning of the 2012 Act), Tenderers should ensure that they consider their obligations under the 2012 Act when pricing their Tender. The Contracting Authority shall have no liability for any increase in salaries that may be payable as a result of the application of the 2012 Act to the provision of the Services.

f. Law

Both the Policing Authority and the successful tenderer shall comply with Irish law and the jurisdiction of the Irish courts, which will govern the contract.

Payment

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

Contract

The successful contractor will agree and enter into a contract with the Policing Authority to govern the provision of services for this request for quotation.

The right to avail of services elsewhere

The Policing Authority reserves the right to obtain services from another service provider in the event that the successful contractor is unavailable to provide services required.

Evaluation of Quotations

Quotations must address and fulfil all the requirements set out in this document and applicable information must be completed in the appropriate appendices. Quotations which do not comply with these requirements or who omit any of the requested information will not be considered.

Information Supplied Binding

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

Queries/Clarification for Potential Bidders

While every effort has been made to accurately inform potential bidders of the requirements for this contract, providers 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.

All queries or requests for clarification in relation to this RFQ and any of the requirements specified therein should be emailed to Cian.Finn@policingauthority.ie as soon as possible and **no later than 5.00pm on 18 August 2023**.

Please note that an anonymised version of the responses to any such queries will be sent by email to all of the service providers who have been invited to submit a quotation.

Appendix 2 – Response template

Responses to be provided in either Microsoft Word or Adobe Acrobat and in the format set out in this response template.

Section 1 – Contact details

CONTACT DETAILS	
Name of Bidder/Organisation	
Contact Person	
Title of Contact Person	
Telephone Number of nominated contact	
E-mail Address of nominated contact	
<ul style="list-style-type: none">• Information regarding partnership or subcontracting including the names of all sub-contractors and/or consortium members who will be involved in the provision of services;• A description of the role to be fulfilled by each subcontractor and/or consortium member; and• The name, title, telephone number and email address of the nominated contact authorised to represent the main contractor.	

Section 2 – Assessment criteria

1. Cost:
2. Description of proposed approach including methodology:
3. Qualifications, capacity and experience of bidder:
4. Experience of bidder in the delivery of similar services: