

15th March, 2021

Ms. Éilis Fallon,
Committee Secretariat,
Committee of Public Accounts,
Leinster House,
Dublin 2,
D02 XR20.

Ref: SO229 PAC33

Dear Ms Fallon,

I refer to your letter of 1st March last requesting an information note relating to the non-compliant procurement value of €1.14 million included in the TU Dublin financial statements for the period to 31 August 2019.

I attach a table detailing;

- The expenditure associated with this figure
- The goods/services procured
- The suppliers from whom these goods/services were procured and
- The reasons for the non-compliance.

The financial statements for the period include a total non-pay operating expenditure amount of €33.3 million. The statements are for the first financial period of the new University reflecting the coming together of the operations of the three previous Institutes of Technology. The University focused on ensuring that the higher value expenditure areas were procurement compliant hence, the list relates to relatively smaller individual expenditure amounts.

In a number of these instances, the University was awaiting the establishment of a national framework or the completion of a Uni

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versity tender exercise. In those cases, if the existing contract period had expired, expenditure was incurred with existing suppliers who had been selected through a procurement process at the procured rates.

The University is pursuing an objective of total compliance. It is in the process of appointing a procurement manager for the University to lead the effort in achieving that objective. The University Internal Audit function has recently been tasked with carrying out a specific Procurement review. Actions to address any findings and recommendations arising from that review will also assist this effort.

I trust the above and attached address the request of the Committee but if there is any further information required please let me know.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David FitzPatrick', with a long horizontal line extending to the right.

**Professor David FitzPatrick,
President TU Dublin.**

TU Dublin				
Procurement non-compliant spend Jan -Aug 2019				
TRN	Supplier	Amount €	Goods or Service procured	Reason for non-compliance
0053885S	RADIONICS	73,039	Electronic Components	Spend incurred pending outcome of sector tender being led by another HEI. Now in place.
8259023D	SIGMA	62,041	Scientific supplies	Spend pending activation of access to EPS procured framework contract. Now activated.
6339426E	DCB GROUP (SERVICE) LTD T/A DCB GROUP	60,155	ICT consumables and peripherals	Spend prior to purchasing from procured framework supply contract
4600635B	ROYAL UPHOLSTERY LTD	48,791	Lecture room furniture and blinds.	Tender had been completed for upholstery services; this was additional spend from same supplier and deemed non-compliant.
6561763O	COLLEGE CATERING SERVICES (KEVIN ST) LTD	47,511	Catering Services	Legacy supplier on Kevin St site; University exiting this campus so not included in new Catering Contract.
6336982T	THREE IRELAND (HUTCHISON) LTD. / MOBILE ACCOUNT	47,177	Telephony services	Spend with existing (procured) provider pending completion of mini-tender which resulted in contract award to Three
9Z54550G	VWR INTERNATIONAL LTD	46,597	Scientific supplies spend pending activation of access to EPS procured framework contract	Scientific supplies spend pending activation of access to EPS procured framework contract

8Y53199V	LENNOX LABORATORY SUPPLIES LTD	41,553	Scientific supplies	Spend pending activation of access to EPS procured framework contract. Now activated.
9698141S/9652815O	FISHER	37,414	Scientific supplies	Spend pending activation of access to EPS procured framework contract. Now activated.
8210044L	ENVIRONMENTAL & PROCESS AUTOMATION LTD	33,179	Energy Management systems service and supply, BMS control	This spend was incurred in relation to an existing Building Management System (BMS) whilst a tender for a BMS was being planned.
9852002K	COBALTSIDE LTD T/A ADVANCED LEARNING	32,257	Timetabling system.	Tender carried out in Q3 2019
9779393W	ECO MODULAR BUILDINGS LTD. T/A ECOMOD	29,600	Hire of Mobile Buildings for temporary sports changing facilities	To provide students with temporary changing facilities pending the completion of a procuremet exercise to purchase same.
9679901I	SPECIAL STEELS LTD	29,142	Steel supplies for academic use	Specifications being finalised for University tender publication
4737075D	D. KENNEDY STEEL SUPPLIES LTD.	28,320	Steel supplies for academic use	Specifications being finalised for University tender publication
IE9R53049V	EUROSALES LTD	27,658	Building Materials for academic use	Spend prior to signing up to OGP Single Supplier Framework Contracts for the Provision of Building Materials on 6th March 19.
4607127R	AIR PRODUCTS IRELAND LTD	25,288	Compressed air.	Spend pending activation of access to national (EPS) tendered framework

0685808B	MACE IRELAND LIMITED T/A MACE PROMOTIONS	25,230	TU Dublin Branded goods	Slightly higher than anticipated spend on branded goods in respect of international student recruitment fair for all University campuses.
6582811Q	BIO-SCIENCES	24,416	Laboratory supplies	Spend incurred pending access to draw down from national (EPS) tendered framework.
6388871E	GVD LTD	22,927	IP Video Solutions	University tender in process
9Y49157H	AEF LTD.	20,742	Engineering supplies	Multiple small purchases of class supplies for Engineering faculty.
0647174S	MASON TECHNOLOGY	19,890	Scientific supplies	Spend pending activation of access to EPS procured framework contract. Now activated.
8217900Q	SNAP PRINTING (JERVIS STREET)	19,295	Printing Services	Incorrect supplier selected. Tender had been won by another Snap outlet which was a different legal entity.
IE3331674F	KILKENNY WELDING SUPPLIES LTD	14,008	Steel supplies for academic use	Specifications being finalised for University tender publication
4537241D	Bryan S Ryan	20,719	Print Services	Original contract expired August 2018. Due to not finding a suitable submission on the first tender, this went to tender again which caused a delay and the extension with Bryan S Ryan. A new supplier was awarded this contract after tender and commenced in early 2019.

0069814I	St Maelruains Parish	10,800	Hire of the Parish Hall for sports activities.	Agreement was until 31/12/2018. New contract from tender did not commence until September 2019. When this went to tender the only submission was from St Maelruains Parish hall.
9854254B	Island networks	10,961	Network Services	Tender expired Oct 2018 however the service was still required until the new contract was put in place. A New Supplier won this contract and commenced 1st May 2019.
4530738W	MCKEON CONSTRUCTION LIMITED	49,568	Minor Capital Works	Successful minor works tenderer had withdrawn and this expenditure was incurred prior to new tender completion
4811872R	TONY HARMON SERVICES LIMITED	46,545	Electrical Services	Service had been tendered but contract period had expired and this expenditure was incurred before the new contract was in place.
1946282W	KIRBY GROUP ENGINEERING LIMITED	45,238	Mechanical Services	Service had been tendered but contract period had expired and this expenditure was incurred before the new contract was in place.

6374250P	MANAGEMENT AND PROFESSIONAL SERVICES LTD (MAPS LTD)	44,298	Pension Systems support	Service required to meet requirements of Single Pension Scheme to provide benefit statements to c 70 employees. Significant data cleanse and review required to do this. Expertise had to be outsourced in order to meet the requirement to produce the benefit statements within the obligated timeframe. No time to put a tender in place.
8270849U	PLANNET 21 COMMUNICATIONS LIMITED	39,065	Network Maintenance	Network Maintenance normally in the region of €20,000 p.a.. This was procured in a compliant manner. In the period in question however, there was an additional purchase required for a new building of a Catalyst costing €17,000 approx which resulted in this non-compliance. There is now a University Tendered Contract in place covering this expenditure.

6564479J	KOPIKAT	31,106	Equipment maintenance	Multi-function devices (MFD) were purchased from suppliers on foot of tender processes. The most recent tender process was in 2014 where six MFD's were acquired, equipment purchased from this process were written-off over a five year period. In all cases however, the maintenance and service fees are levied on a usage basis. And only the contractor who won that tender can provide the service and maintenance on these machines
9754738Q	AKARI SOFTWARE LIMITED	25,830	Software Licence	An annual renewal charge exists for this software and was retained pending University wide tendering after the establishment of TU Dublin on 1 January 2019. In subsequent years tendered pricing has been used.
Total		1,140,360		