

**An Roinn Iompair**  
Department of Transport



16 December 2021

Ms. Sarah Cremin,  
Committee Secretariat  
Committee of Public Accounts  
Leinster House,  
Dublin 2  
Ref: S0620 PAC33

**Appropriation Accounts 2020 Vote 31 Transport references non-compliant  
procurement to the value of €1,131,000**

Dear Ms. Cremin,

I wish to refer to your letter dated 15 November 2021 regarding the Appropriation Accounts for 2020 Vote 31 Transport references non-compliant procurement to the value of €1,131,000.

As requested please find attached an information note in tabular form that sets out contracts of my Department that were non-compliant with procurement guidelines in 2020, the associated expenditure, goods/services, supplier(s) and the reasons for the non-compliance.

Yours sincerely,

Ken Spratt  
Secretary General

## Information Note on Department of Transport non-compliant procurements 2020

### Item 1:

**Three contracts relating to maintenance of legacy emergency radio telecommunications equipment were extended beyond their contract date.**

**Value: €777,000**

**Supplier(s): Airspeed**

**Eir**

**Three**

### Departmental response/mitigating factors:

The Department commenced the tender generation process July 2020. In August 2020 the Department was advised to utilise the OGP telecommunications frameworks. Draft Tender documentation was prepared by the Department in April 2021. Finalisation of OGP request for tender (RFT) framework documents was confirmed by OGP on 4th November 2021 and as such, the Department can progress these procurements in relation to leased lines (WAN's).

### Outcome:

The timeline for completion of the first "contract award" is expected to be Q2 2022 with completion of installation and commissioning of circuits Q4 2022. The second procurement will commence upon satisfactory conclusion of the first contract where again "contract award" is expected to be Q2 2023 and commissioning of circuits Q4 2023. (Note: These two contracts need to be run consecutively as they are interdependent on each other).

### Item 2:

**One contract was awarded to provide a piece of urgent replacement personal protection equipment (boat lifejackets) required to maintain the Irish Coast Guard's emergency marine response of rescue boat teams around the country. The previous model in use was unexpectedly withdrawn from service on 15 November 2019.**

**Value: €85,000**

**Supplier: CH Marine**

### Departmental response/mitigating factors:

The necessary sudden withdrawal of lifejackets suspended all IRCG rescue boat operations and associated marine SAR services in 22 locations. This presented an extreme urgency to acquire suitable PPE in order to return services to operational status. The new lifejacket was chosen to meet the urgent PPE need based on availability, comparative design and service specifications and status in service with other marine rescue agencies. New lifejacket suitability was confirmed through a series of trials before confirming purchase. Price and delivery times were confirmed with the sole Irish supplier before purchase agreed.

### Outcome:

A total of 161 of this type of lifejacket were bought in 2020 in order to meet minimum operational equipment requirements of CG boat teams, training facilities and service spare stock.

**Item 3:**

**One contract was awarded following a restricted competitive procurement process to provide executive search services associated with the recruitment of three independent members of the Department's Major Projects Governance Oversight Group.**

**Value: €67,000**

**Supplier: Odgers Berndston**

**Departmental response/mitigating factors:**

A competitive procurement competition was held to select an executive search expertise to assist with the recruitment of three specialist roles on the Department's Major Projects Governance Group. The competition was held following engagement with the Public Appointments Service which advised it was not in a position to assist the Department directly and their experience in the transport sector was such that they recommended the Department engage specialist expertise to assist with the process.

A restricted competitive process was held to select executive search expertise. A restricted competitive process is recommended for contracts with an expected value less than €25,000. Ultimately while tenderers did bid circa €25,000; it was c€25k per role and it was decided that the most economically advantageous route was to award one contract to cover all three roles (notwithstanding the different specialisms of each role) which resulted in a total contract value of €67,000 ex VAT.

**Outcome:**

Contract fulfilled and 3 three independent members recruited for the Department's Major Projects Governance Oversight Group. One member has been appointed for two years and two for three years.

**Item 4:**

**One contract in relation to the provision of services and specialist advice on intelligent transportation systems was extended beyond the original contract date without a new competitive process having been completed.**

**Value: €26,000**

**Supplier: Arup**

**Departmental response/mitigating factors:**

The existing contract was ended due to procurement compliance issues. A Prior Information Notice in relation to the provision of services to develop a National Connected and Autonomous Mobility Strategy with an option to provide ongoing specialist advice in Intelligent Transport Systems was published in Quarter 3, 2021.

**Outcome:**

The Department is currently reviewing the responses and will aim to issue a request for tender for a new contract in Quarter 1, 2022.

**Item 5:**

**A contract relating to reactive maintenance services continued beyond the original contract date without a new competitive process having been completed.**

**Value: €33,748**

**Supplier: REM Home Construction**

**Departmental response/mitigating factors:**

A new tender process for reactive maintenance services commenced in March 2021 and the procurement process was completed in 2021.

**Outcome:**

A new contract has been put in place by the Department for Reactive site Maintenance services. The contract commenced on the 1st September 2021. The is valid until the 31st August 2023 with a provision for 2 x 1year extensions if required.

**Item 6:**

**Purchasing IT equipment for homeworking arising from Covid-19 – a competitive process was used albeit not a full competition.**

**Value: €142,178**

**Supplier(s): Creative Technologies**

**IP Options**

**Harvey Norman**

**DID Electrical**

**Impact:**

In March 2020, the Department moved in a very in short space of time to 100% remote working. ISD did not have enough mobile devices nor licensing for remote access and video conferencing systems.

**Departmental response/mitigating factors:**

The Department's ISD attempted to procure devices from the Office of Government Procurement's Framework however no suitable devices were available. ISD sought 3 quotes from vendor's who had devices in stock and selected the cheapest. ISD increased the Department's remote access licensing by twentyfold from the existing supplier. To access and implement any alternative solutions would have led to significant delays and disruption to staff. The Department's video conferencing activity also rose exponentially to levels that were never envisaged. Again, the delays that would have arisen by seeking alternative solutions would have led to unacceptable disruption, and ISD negotiated an annual license from the service provider.

**Outcome:**

All staff who could work from home, were able to do so within 2 weeks from the Taoiseach's announcement to work from home. This enabled the Department to not only manage their daily business but also deal with the impact of the pandemic on the various Transport sectors. These procurements were included as part of a 40/02 return for 2020 and all subsequent procurements in these areas has been regularised.