

Ms Sarah Cremin
Committee Secretariat
Committee of Public Accounts
Leinster House
Dublin 2
By email only: pac@oireachtas.ie

16th January 2023

Dear Ms Cremin

Your Ref S1152 PAC33

On behalf of the Chair of the Residential Tenancies Board I wish to thank you for your letter of 30th December 2022 requesting an information note in tabular form regarding procurement in the RTB for the period 2021.

In relation to the request for information in your letter dated 30 December 2022, it is important to note that the position of the RTB is that the four (4) contracts referred to in the 2021 Statement on Internal Control (SIC), with spending during 2021 of €3,239,000 (ex VAT), are compliant with procurement rules. The RTB considers that each contract meets the exceptional circumstances, justifying either a direct award of, or an extension to the contract, in accordance with the 2014/24 EU Directives. Specialist procurement advice(s) have been sought to support this position.

Kindly find attached an information note in tabular form to include contracts or otherwise, associated expenditure, goods/services/ supplier (s), reasons for the non-compliance and plans to rectify procurement issues.

Should you require any further information please do not hesitate to contact me

Yours sincerely



Louise Loughlin
Deputy Director



Public Accounts Committee- Information Note

16 January 2023

The Residential Tenancies Board developed an RTB specific procurement policy and procedures document which aims to ensure that all procurement is carried out in accordance with best practice and is compliant with the Office of Government Procurement's Public Procurement Guidelines and EU Procurement Directives. All procurement processes and procedures are reviewed annually in the first quarter of each year. Please find the public procurement guidelines available [here](#).

Details of current tender competitions over €25,000 are available on www.etenders.gov.ie Public contracts awarded including contract type, contractor, value, award date, duration and brief description (tabular format) over €25,000 contracts are available on the RTB website [here](#).

In relation to the request for information in your letter dated 30 December 2022, it is important to note that the position of the RTB is that the four (4) contracts referred to in the 2021 *Statement on Internal Control (SIC)*, with spending during 2021 of €3,239,000 (ex VAT), are compliant with procurement rules. The RTB considers that each contract meets the exceptional circumstances, justifying either a direct award of, or an extension to the

contract, in accordance with the 2014/24 EU Directives. Specialist procurement advice(s) have been sought to support this position.

RTB declared the spending on these four (4) contracts in the 2021 SIC in order to be fully transparent that there were four (4) were non-competitive, but compliant contracts, due to the unique situation which arose with the delays to the release of our new tenancy management system. The Table below sets out the details of these four (4) compliant but non-competitive contracts for 2021.

| 2021 expenditure (ex VAT) | Goods/services | Supplier | Reason(s) for non-compliance* | Plan for rectification |
|---------------------------|---|---------------------|-------------------------------|--|
| €2,277,000 | Outsourced business processing services | Capita | N/A | RTB will commence a procurement process in 2023 as part of our 2023 Business Plan commitments. |
| €422,000 | Software system support for legacy tenancy system | Codec | N/A | This is a legacy system in operation for 12 years which consequently requires intensive ongoing support. This system was developed by the provider's predecessor, Vulcan, who were purchased/ taken over by Codec. RTB is committed to replacement of this system as part of a wider digital transformation. |
| €379,000 | Data/system integration specialists | Eastpoint Solutions | N/A | Concluded Contract. No longer active. |
| €161,000 | RTB quarterly rent index | ESRI | N/A | The ERSI is the sole supplier for this |

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|--|--|--|--|-----------------------------|
| | | | | type of specialised service |
|--|--|--|--|-----------------------------|

*Reasons for non-compliance is shown as N/A as the RTB position is that each contract meets the exceptional circumstances justifying a direct award of, or extension to, a contract in accordance with the exceptions afforded in the 2014/24 EU Directives. Specialist procurement and legal advice(s) has been received supporting our position.