



Deputy Albert Dolan TD
Dáil Eireann
Leinster House
Dublin
D02 A272

26th March 2025

Re. Parliamentary Questions 209 and 210

Dear Deputy Dolan,

I refer to the following Parliamentary Questions submitted by you for written answer on 25th February 2025.

To ask the Minister for the Environment; Climate and Communications the total amount spent in excess of the contract award value for all public procurement tenders within his Department and agencies under the aegis his Department in each of the past five years.

And

To ask the Minister for the Environment, Climate and Communications to provide data on the final cost of public procurement tenders where his Department or agencies under the aegis of his Department acted as the contracting authority in each of the past five years, indicating the number of tenders where the final cost was under, on, or over the contract award value at the time of tendering, in tabular form.

At the time I requested a deferral while my Department collated the required information. The requested data has now been compiled and my response in respect of both questions is set out below.

All procurement within the Department of the Environment, Climate and Communications, is conducted in accordance with applicable EU and national regulations and guidelines and is subject to regular review and oversight to ensure that budgetary control is maintained over the life cycle of individual projects.



Procurement takes place in the context of Directive 2014/24/EU supported by the Procurement Guidelines published by the Office of Government Procurement (OGP). These set out a range of procedures governing the procurement process through tendering to the award of contracts. It also sets out the procedures governing the modification of contracts during their term.

The Department complies with circular 05/2023 and applies the use of a public tender for any procurement with a value over €50,000 excluding VAT. This threshold was increased from €25,000 during 2023 to facilitate SME participation.

The Department also participates fully in on-going initiatives of the Office of Government Procurement (OGP) focusing on ensuring value for money particularly through the use of shared framework agreements for the provision of different categories of supplies and services.

The contract value normally includes the value of all extensions and can also be dependent on usage, so contract expenditure under or over contract award value is not unusual. Additionally, contracts can be modified in accordance with procurement law and national guidelines.

The final cost of contracts entered into following a public tendering process and completed by the Department of the Environment, Climate and Communications, in each of the past five years, is detailed in the table overleaf. It should be noted that the 2020 and 2021 figures predated the introduction of the Department's current procurement recording process and have been compiled based on available data.



| Year | Final Cost of Public Tenders (exc. VAT) | Number of Relevant Contracts where final cost was: | | | Amount over original contract award value (exc. VAT) |
|--------------|---|--|----------------------------------|------------------------------------|--|
| | | Under Original Contract Award Value | On Original Contract Award Value | Over Original Contract Award Value | |
| 2024 | €27,480,406 | 32 | 24 | 16 | €7,333,244 |
| 2023 | €8,810,759 | 17 | 23 | 15 | €1,063,027 |
| 2022 | €3,250,806 | 26 | 16 | 11 | €121,254 |
| 2021 | €1,801,859 | 4 | 5 | 7 | €523,067 |
| 2020 | €330,590 | 6 | 0 | 4 | €44,842 |
| Total | €41,343,830 | 85 | 68 | 53 | €9,085,433 |

In relation to the State Agencies under the aegis of my Department, they are responsible for their own procurement processes. I have however asked the Agencies concerned to respond directly to the Deputy.

Yours sincerely

Darragh O'Brien TD

Minister for the Environment, Climate and Communications