An Garda Síochána

Procedure Document

Procurement

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Policy Owner	Executive Director, Finance & Services

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1. Introduction

This document outlines the procedure for An Garda Síochána for the procurement of goods and services. It is the responsibility of all Garda personnel to satisfy itself that the requirements for public procurement are adhered to and to be fully conversant with the current value thresholds for the application of EU and national procurement rules.

All Garda personnel will ensure that competitive tendering will be standard procedure in the procurement process of all goods and services for An Garda Síochána. Management, and ultimately, all Garda personnel, will ensure that there is an appropriate focus on good practice in purchasing and that procedures are in place to ensure compliance with procurement policy and guidelines.

An Garda Síochána is considered a public body governed by Irish Law. Therefore, it is subject to the full rigours of EU and National Procurement legislation and guidance. It is open to public scrutiny by the Comptroller and Auditor General, Dáil Éireann, the Public Accounts Committee, and the public media on behalf of the Irish taxpayer. It is also subject to freedom of information requests and examination by the Garda Internal Audit Service. These rules govern the way public authorities such as An Garda Síochána purchase goods, works and services. The Procurement Office is responsible for ensuring good procurement governance and compliance with these rules and regulations.

2. Scope and Compliance

Compliance with this document and all associated documentation is mandatory for all An Garda Síochána personnel as defined by Section 44 of the Policing, Security and Community Safety Act, 2024. This includes Garda Trainees, other persons seconded to An Garda Síochána and Police Officers from the Police Service of Northern Ireland (PSNI) and in accordance with Sections 53, 93 and 94 of the Policing, Security and Community Safety Act, 2024 respectively.

3. Relevant Terms & Definitions

Relevant terms and definitions of words and phrases used throughout this Procedure document are shown below.

Garda Member means a member of any rank (including the Garda Commissioner) appointed, or deemed to have been appointed, under Part 2, Policing, Security and Community Safety Act 2024. under an enactment repealed by that Act or under an enactment repealed by the Act of 2005, but does not include a member of Garda staff.

Garda Staff means— (a) a person appointed under subsection (1) or (2) of section 54, or (b) a person designated by order of the Minister under section 54(5).

Garda Personnel refers to both Garda Members and Garda Staff.

eTenders: eTenders (www.etenders.gov.ie) is Ireland's free-to use national procurement portal. eTenders serves as a central facility for all contracting authorities to advertise public procurement opportunities and award notices, both nationally and in Official Journal of the European Union.

Non-Discrimination: All suppliers should have an equal opportunity to bid for contracts, and all Garda personnel are required to choose contracts based on value for money.

Procurement Officer: A member within the central procurement function whose responsibilities involve the procurement of goods and services.

Public Procurement: As defined in the Public Procurement Guidelines for Goods and Services version 3, public procurement refers to "the process by which public service bodies purchase goods, services or works from suppliers which they have selected for this purpose. It ranges from the purchase of routine goods or services, to large scale contracts for infrastructural projects and involves a wide and diverse range of contracting authorities".

Request For Quotation (RFQ): A process in which a company requests suppliers and contractors to submit price quotes and bids for the chance to fulfil certain goods or services.

Request for Tender (RFT): A formal, structured invitation to submit competitive bids to supply goods or services for a contract. RFTs follow strict guidelines from the Office of Government Procurement and EU legislation.

Transparency: All information relating to any Procurement process that any Garda personnel facilitates must be available to the contractors, suppliers, service providers and the public at large, unless there are valid and legal reasons to keep certain information confidential. This is critical in minimising the risk of fraud, corruption and mismanagement of public funds.

Value for Money: Value for money is the optimum balance between the benefits gained from a project and the investment made to acquire it.

4. Roles & Responsibilities

All members of Garda Personnel: Comply with this Policy and keep informed and up to date with changes, both internally and externally, that may affect these procedures.

Business Owner: Within An Garda Síochána there are defined Business Owners for each division, unit, function or service requirement. The role of the Business Owner is to define and understand the product or service requirement to facilitate the organisation in meeting its objectives. The Business Owner will understand the scope and scale of the requirement along with an estimate as to the likely value of that requirement. Business Owners are responsible for the planning of the product or service requirement and ensuring that sufficient time is allowed for end to end contract and or purchase order processing. The Business Owner is responsible for ensuring that there is enough budget or financial sanction sought for any goods or services. Business Owners must be at Superintendent rank or Assistant Principal level grade, or higher.

Executive Director Finance and Services: As Policy Owner will ensure the development, monitoring and review of the Procurement Policy and Procedure.

Head of Procurement: Is responsible for oversight and will ensure implementation and compliance with the Procurement Policy and Procedure.

Procurement Function: It is the function of the Head of Procurement to ensure that the highest quality of procurement services is provided to all Garda personnel, and that their requirements are determined and satisfied throughout all phases of the procurement process. The Function provides assistance on all aspects of buying goods or services for all Garda personnel.

The Procurement Function will help select and provide the best goods, services, solutions and suppliers to achieve best overall value for money. The Procurement Function is required to oversee and govern all purchases to ensure competitive tendering processes are carried out under the domestic and EU procurement rules and regulations. The key functions of the Procurement Function are:

- Develop the procurement strategies and policies to meet the business needs and maintain an annual plan.
- Ensure compliance with legislation and government procurement guidelines.
- Maintain and oversee the end to end procurement processes.
- Maintain a central contracts register and make it available for inspection and audit as required and provide advice and guidance to service and Business Owners.

5. Overview of Public Procurement

5.1. Key Principles

The following principles will apply to procurement for all Garda personnel:

EU Treaty Principles

The major Principles that influence this policy are as follows:

- Equal treatment and non-discrimination.
- Transparency.
- Mutual recognition.
- Proportionality.

Accountability

All procurement carried out by all Garda personnel is guided by the following key principles:

- Compliance with EU and National Law and National Guidelines.
- The maximum use of centrally established framework agreements.
- Fairness, equity and best value for money.

Separation of Functions

In organising the procurement function, all Garda personnel will ensure appropriate separation of duties within the procurement cycle. For example, insofar as possible, ordering and receiving goods and services should be separate from payment for goods and services.

Training and Professionalisation

An Garda Síochána will ensure that Garda personnel engaged in procurement are fully familiar with the relevant EU and national rules and are compliant with these when performing procurement function.

Conflicts of Interest

All Garda personnel will take appropriate measures to prevent, identify and remedy conflicts of interest in the conduct of a procurement procedure to avoid any distortion of competition and to ensure equal treatment of tenders. A conflict of interest includes any situation where any Garda personnel has directly or indirectly a financial, economic or other personal interest which might be perceived to compromise his or her impartiality and independence in the context of the procurement procedure.

5.2. Office of Government Procurement

The Procurement Team must check with the Office of Government Procurement if they have an existing Framework or planned procurement project which may meet the needs for the goods or services. If there is a framework or planned project but it is decided not to use it on this occasion, the reasons for deviation from the Office of Government Procurement framework must be documented. The Head of Procurement determines if there can be a deviation from an existing framework.

5.3. Procurement Award Procedures

The Procurement Team is responsible for determining the correct procurement procedure to follow. The procedure followed can depend on the complexity or technicality of the goods or services, the knowledge of the supply base and whether the contract falls above or below EU financial thresholds. The process for Below Threshold Tendering is outlined in Section 6.2 and above EU Threshold Tendering is outlined in Section 6.3.

The Procurement Team is responsible for choosing the correct type of tender procedure. There are six award procedures as follows which are outlined on the Office of Government Procurement website here:

- **Open Procedure:** A single stage procurement process which allows a tenderer to simultaneously submit suitability assessment material and a tender for evaluation in a tender competition; but only those who pass the suitability test progress to the tender evaluation. The procedure ends when an award is made.

- **Restricted Procedure**: This is a two stage procurement process and can be used for any procurement. During the first stage, expressions of interest to compete in the tender competition will be considered by the contracting authority. Only those who meet the criteria set out in the selection criteria will be invited to submit a tender.

- **Competitive Procedure with Negotiation:** This allows contracting authorities to negotiate with more than one supplier in order to identify a preferred tenderer and to award a contract.
- **Competitive Dialogue**: This procedure allows contracting authorities to discuss different options with tenderers before deciding on a solution. This procedure is designed for certain particularly complex contracts e.g. technical solutions are difficult to define.
- **Innovative Partnership:** This can be used by contracting authorities where there is no existing good or service currently available on the market that meets its needs. The aim of an innovation partnership is the development of an innovative good, service or works and its subsequent purchase provided it corresponds to the performance levels and maximum costs agreed between the contracting authority and the participants. A record of clear reasons for selecting this approach is required.
- **Negotiated Procedure without Prior Publication:** Under certain circumstances this procedure can be chosen without publication of a notice in the Official Journal of the European Union. This is only permitted in extremely limited circumstances under Regulation 32 of S.I. No. 284 of 2016 "European Union (Award of Public Authority Contracts) Regulations 2016". It should be noted that circumstances set out in Regulation 32 are strictly interpreted by the Commission and the Courts. Where one of these exemptions is invoked, the contracting authority must be able to justify the use of the exemption. If a competitive process is not used, Department of Finance Circular 40/02: Public Procurement Guidelines - Revision of existing procedures for approval of certain contracts in the Central Government sector, requires Government Departments to send an Annual Report signed by the Accounting Officer to the Comptroller and Auditor General explaining why this was the case.

The Procurement Team will determine the best procedure to be used and this will be agreed with the Business Owner.

5.4. Procurement Process Approval [1]

The below thresholds relate to the required procurement process to be followed in section 6 below

Procurement	Approval
<€5,000	Business Owner
€5,000 to €50,000	Business Owner/ Head of Procurement
>€50,000 to EU Threshold	Business Owner/ Executive Director Finance & Services/ Head of Procurement
> EU Threshold	Business Owner/ Executive Director Finance & Services/ Head of Procurement

5.5. Pre-Procurement Phase

5.5.1. Identify Need

The Business Owner (as defined in Section 4) is responsible for establishing whether there is a business requirement for the product or service. The product or service should be essential for the conduct of normal business or to improve performance. The Business Owner will determine all requirements for the delivery of the product and or service including duration of contract, deadline for receipt of service and logistical details around service delivery.

[1] In the event approval is required of the Commissioner or the Chief Corporate Officer this will be managed by the Head of Procurement or his/her delegate.

5.5.2. Financial Sanction

The Business Owner is responsible for seeking the relevant financial sanction and approval from the relevant budget owner.

5.5.3. Contract Check

The Business Owner will check to see if there is a current contract in place by checking the central contract register which will be available on the Garda portal or contacting the central procurement team. In the event that there is no existing contract to meet the requirement of the product or service, the Business Owner will contact the Procurement Team to initiate the procurement process.

5.5.4. Contact Procurement

For contracts that are worth more than €50,000 (excluding VAT), the Procurement Team will manage the tendering process. Any contracts worth less than €50,000 (excluding VAT) will follow the below threshold process outlined in Section 6.2. Contracts worth more than the EU threshold of €143,000, should follow the threshold process outlined in Section 6.3. The tender Office will assign a tender and contract reference to be included on all correspondence and documentation

5.5.5. Check the Office of Government Procurement Portal

The Procurement Team will check with the Office of Government Procurement if they have an existing framework or planned procurement project which may meet the needs for the product or service requirement. In certain circumstances a decision may be made not to use the Office of Government Procurement framework, such as in instances where the Office of Government Procurement frameworks are not suitable for the contract (i.e. time, level of engagement). In such circumstances the decision to not use the Office of Government Procurement framework will be documented and retained in the contract file for later review by the governance team and /or internal audit. This decision can only be made by the Head of Procurement.

5.5.6. Timeline

The Business Owner is responsible for ensuring there is sufficient time to carry out the procurement project to take account of the nature of the specification and the complexity of the contract when fixing a time scale for the procurement process.

5.5.7. Estimate life cost

The Business Owner is responsible for getting a realistic estimate of the value of the goods or services to be procured. The Business Owner may need to engage with the Procurement Team if a new good or service is required to determine the estimation of costs. The value of the contract will determine the applicable procurement procedure; the entire term of the contract must be included in the value including any extensions to contract.

Important: No project or purchase should be artificially split or subdivided to prevent coming within the scope of the National Guidelines or EU Directives. Where a project or purchase involves separate lots, the value of all lots must be included in estimating the value of the contract.

5.6. Templates

The Procurement Team is responsible for ensuring that the correct tender templates are used. Templates are linked in the Appendices, and are available from the Procurement Team or www.ogp.gov.ie.

5.6.1. Specification

The Business Owner has responsibility for providing the specification of requirements for the particular goods or service, ensuring that it is clear, comprehensive and non-discriminatory. If necessary a Request for Information (RFI) can be used to gather preliminary information about potential suppliers, products or services to assist the organisation in understanding the market, refining needs, and assessing vendor capabilities before specifications are finalised.

5.6.2. Tender Criteria

The Procurement Team in partnership with the Business Owner prepares the tender documentation, setting out selection criteria and award criteria and ensuring compliance with procurement rules. It is the responsibility of the Business Owner to ensure all documents are checked for completeness, accuracy and consistency prior to forwarding to the Procurement Team for final review and publishing on eTenders website where required. The Procurement Team is responsible for getting the tender documentation completed and raising any clarifications or issues with the Business Owner prior to publishing and during the tender application process.

5.7. Performing Contract Tender Evaluation and Award

The Procurement Team facilitate the tender evaluation with the Business Owner or their representatives (subject matter experts). Once the evaluation process has completed, the Procurement Team will award the contract to the preferred tenderer, subject to agreement of contract.

5.8. Support

The Procurement Team supports the introduction of the contract with the Business Owner to ensure the contract is set-up correctly. The Procurement Team is responsible for issuing the contract and ensuring that is has been appropriately authorised internally.

5.9. Ongoing Support and Advice

Throughout the procurement process, the Business Owner should liaise with the Procurement Team who in turn will liaise with the Office of Government Procurement where goods/services are being procured from the central Office of Government Procurement frameworks. This is applicable to all thresholds.

5.10. Process tender in accordance with chosen award procedure

The Procurement Officer must follow procurement procedures outlined in the European Union (Award of Public Authority Contracts) Regulations 2016 and Department of Public Expenditure and Reform's Public Procurement Guidelines for Goods & Services October 2023.

5.11. Purchase Orders

All procurement within An Garda Síochána requires a valid purchase order.

6. Public Procurement National and EU Threshold Procedures

The Procurement team provides a central procurement service to all Garda personnel. Their key responsibilities include:

Value	Responsibility
Up to €50,000	• Advice on the procurement of goods and services
Greater than €50,000	• Oversee and manage procurement on behalf of An Garda Síochána • Record and approve for compliance with procurement rules and regulation • Approval of issue of invitation to tender for any major item of goods/services for any likely expenditure over €50,000

6.1. National and EU Thresholds

The table below outlines Thresholds (exclusive of VAT) above which advertising of contracts in The Official Journal of the EU is obligatory, applicable from 1 January 2024. Thresholds are revised every two years. Full and up to date thresholds are available on the EU public procurement website, which is linked here.

Price (exclusive of VAT)		Thresholds for Goods and Services
Below Threshold	<€5,000	Procurements of less than €5,000 can be awarded on the basis of written quotes from one or more supplier or service provider.
	€5,000 - €50,000	May be awarded on the basis of responses to written specifications (for example, by email) issued to at least three suppliers or service providers.
	€50,000 - €143,000	Contracting authorities are required to advertise all contracts for goods and services on eTenders.
Above Threshold	€143,000+	Contracting authorities are required to advertise all contracts for goods and services on eTenders and the Official Journal of the European Union.

6.2. Below EU Threshold Tendering

Pre-Procurement Process: The Business Owner must ensure budget is available or financial sanction is sought before the initiation of the procurement process.

Procurement Steps: The Below EU Threshold Tendering is for contracts or purchases less than the EU threshold of €143,000. There are no prescribed time limits in relation to below threshold procedures, however, sufficient tie must be permitted for preparation and submission to tenders to allow competition and subject matter experts to participate in the process. As a general rule, it is recommended that a minimum of 10 days be allowed for receipt of tenders where a more formal process is used. However, sufficient time must be permitted for preparation and submission of tenders to allow for genuine competition and SMEs to participate in the tender process. Contracting authorities should consider the complexity of a contract when placing time limits on the receipt of tenders.

6.2.1. Procedure for less than €5,000 (excluding VAT)

- Request approval from the relevant budget holder / financial sanctions for expenditure.
- One written quote is required but where practical, best practice is to seek up to three quotes from competitive suppliers.
- Select the best value offer.
- Seek approval for award of purchase from the Business Owner.
- The Business Owner is responsible for ensuring all procurement records are retained for audit purposes.
- A sanction reference must be included on the purchase order.

6.2.2. Procedure for between €5,000 - €50,000 (excluding VAT)

- When carrying out the Request for Quotations (RFQ) process the Business Owner may use An Garda Síochána RFQ templates or request quotations by email.
- The Procurement Team will assign an RFQ reference number to be included on all correspondence and documentation.
- The Business Owner sets the basis and agrees weighting for the award criteria when required for the Most Economically Advantageous Tender (MEAT) and the Procurement Team can provide guidance if required. If necessary a Request for Information (RFI) can be used to gather preliminary information about potential suppliers, products or services to assist the organisation

in understanding the market, refining needs, and assessing vendor capabilities before specifications are finalised.

- Contracts can be awarded on the basis of responses to at least three quotations.
- Where required an evaluation of quotes must be conducted. There is no standstill time required for procurements below €50,000. The evaluation report including the conflict of interest declaration must be signed off by each member of the evaluation team even if only a single response is received.
- The preferred supplier and unsuccessful email/letter will be issued by same team that issued the RFQ.
- The RFQ reference must be included on the purchase order.
- Any agreements should only be approved and signed by those authorised to do so.
- If awarded value is above €25,000 (and less than €50,000) a voluntary award notice must be published on etenders by the Procurement Team. Contracting authorities are required to publish contract award information for all procurements over €25,000 (exclusive of VAT).
- Where a signed contract is completed it must be forwarded to the Procurement Team to put on the central contracts database. The Business Owner is responsible for maintaining the procurement audit trail where the procedure has been processed locally and not by the central procurement team.

6.2.3. Procedure above €50,000 and below €143,000 (excluding VAT)

- When carrying out the tender process the An Garda Síochána tender templates will be used.
- The Procurement Team will assign a tender reference number to be included on all correspondence and documentation.
- The Business Owner will agree specification, selection and award criteria in conjunction with the Procurement Team.
- The Procurement Team will prepare the tender and publish it on the eTenders website.
- When responses are received a tender evaluation must be carried out by a team with requisite competency (i.e. a minimum of 3 people including 1 member of the Procurement Team).
- The Evaluation Team will evaluate tenders using the weighted criteria sheet and prepare an evaluation report to include the conflict of interest declaration. This must be signed off by each member of the evaluation team even if only a single response is received.
- The Evaluation team will then select the highest scoring tender and ensure that EU rules and Regulations where adhered to.
- The Procurement Team will issue the outcome letters to the preferred and unsuccessful tenderers through the eTenders website.
- The Procurement Team will arrange contract signing approved and signed by those authorised to do so and enter it on the central contracts database.
- The Procurement Team is responsible for maintaining the procurement audit trail.

6.3. Procedure for above EU Threshold Tendering

All tenders with an estimated value equal to or above the EU threshold of €143,000 (ex VAT) must be advertised in the Official Journal of the European Union. These tenders follow all the steps in Section 6.2.3 and contracts are awarded in accordance with the provisions of the EU Public Procurement Directive 2014/24/EU. This directive was implemented into Irish law by the European Union (Award of Public Authority Contracts) Regulations (S.I. No. 284 of 2016).

Full and up to date EU thresholds and Directives can be checked on the EU Public Procurement website https://ted.europa.eu/en/ and on www.procurement.ie.

7. Procurement Exceptions outside of the Competitive Tendering Process

Procurement of goods and services by all Garda personnel must be conducted in accordance with EU and national regulatory requirements. Exceptional arrangements are allowed under national and EU procurement rules in limited circumstances.

The Department of Finance Circular 40/02: Public Procurement Guidelines - Revision of existing procedures for approval of certain contracts in the Central Government sector, outlines the course to be followed in those cases where it is proposed to award contracts without a competitive process, which is linked here.

It is a basic principle of public procurement that a competitive process should be used unless there are justifiably exceptional circumstances for not doing so. In relation to contracts above €25,000 (exclusive of VAT) awarded without a competitive process, An Garda Síochána must send an Annual Report signed by the Commissioner as Accounting Officer to the Comptroller and Auditor General explaining why a competitive process was not used.

In the case where a procurement exception is required, the following rules must be complied with:

- Business Case / Financial Sanction (based on supplier quotation/proposal) must be prepared
- The rationale for the proposed exception must be completed utilising the An Garda Síochána Procurement Exceptions Application Form (PEAF).
- If a security derogation is required for procurement the rationale must be submitted utilising An Garda Síochána Security Derogation Application Form.
- Forms must be signed by the Assistant Commissioner or the Executive Director of the Unit in the first instance, and must be sent to the tender office for review and submission for approval at the correct level. The tender office will assign an exception reference code to be included on all correspondence and documentation
- Once approved then a Purchase Order can be requested.

In the case of a procurement applicable in the fields of defence and security a derogation from the normal procurement procedures is permissible in specific situations for security sensitive equipment under the EU Defence Directive 2009/81/EC. Sensitive is defined in Article 1(7) of Directive 2014/24 (the Classic Procurement Directive) as meaning equipment, works and services for security purposes, involving, requiring and/or containing classified information.

In the case of emergency situations all Garda personnel will follow an emergency procedure, which enables the purchase of goods or services without a purchase orders. However, purchase orders must be raised retrospectively to ensure that receipting of goods and services are appropriately accounted for.

This procedure comes into effect in the case of major emergencies. As defined by citizen's information, a major emergency is an incident beyond the normal capabilities of the principal emergency services, which causes or threatens:

- Death or injury;
- Serious disruption of essential services; and
- Damage to property, the environment or infrastructure.

The Head of Procurement may consider publishing a Voluntary Ex-Ante Transparency (VEAT) notice when using a Negotiated Procedure without Prior Publication. The notice will give sufficient information as to the justification for direct award of a contract without the Official Journal of the EU (OJEU) advertising and observe the minimum standstill period before the contract is awarded. This will allow economic operators the opportunity to challenge the decision of the contracting authority and obtain pre-contractual remedies should a challenge be upheld.

8. Circular 40/02

Circular 40/02: Public Procurement Guidelines - Revision of existing procedures for approval of certain contracts in the Central Government sector, outlines the responsibility for ensuring compliance with all national and EU procurement rules and procedures rests with contracting or purchasing departments and public agencies. Additionally, Circular 40/02: Public Procurement Guidelines - Revision of existing procedures for approval of certain contracts in the Central Government sector, notes the responsibility to communicate all non-compliant procurements to the board and audit committee, the Department of Justice and to the Department of Expenditure, NDP Delivery and Reform. Circular 40/02: Public Procurement Guidelines - Revision of existing procedures for approval of certain contracts in the Central Government sector can be found in the Appendices and here.

9. Central Arrangements

Central contracts or frameworks put in place by the Office of Government Procurement highlights the importance of maximising the value for money achievable when centrally procuring any commonly acquired goods or services in line with the Department of Public Expenditure and Reform Circular 16/2013 Revision of arrangements concerning the use of central contracts put in place by the Office of Government Procurement. Central procurement arrangements should be utilised where possible. When not utilised, value for money justifications should be made. Central Procurement Arrangements facilitate efficient and better procurement practice, optimise value-for-money and support public bodies in meeting their obligations to consider more strategic outcomes. The relevant Department of Expenditure, NDP Delivery and Reform Circular 09/2024 – Reporting on the Use of Centralised Procurement Arrangements can be found here.

10. eTenders

The eTenders system supports the use of electronic request for tenders for contracts over €50,000 (exclusive of VAT for national tenders). All contracts above €143,000 are required to be advertised on eTenders and Official Journal of the European Union.

11. Related Documents

As a public body, An Garda Síochána complies with the Office of Government Procurement National Procurement Policy Framework, which consists of 4 strands:

- Legislation (Directives and Regulations): Key European Legislation is detailed on pages 69-70 of the Public Procurement Guidelines for Goods and Services Version 3: Issued October 2023, which can be accessed here.
- Policy (Circulars etc.): Key circulars can be found in the Appendices and here.
- General Guidelines as outlined in the Public Procurement Guidelines for Goods and Services Version 3: Issued October 2023, which can be accessed here
- Technical Guidelines (template documents and notes issued periodically by Policy Unit of Office of Government Procurement)

Primary Relevant Procurement Directives

- Directive 2014/24/EU on Public Procurement.
- Directive 2014/23/EU on the Award of Concession Contracts.
- Directive 2007/66/EC on Remedies.

12. Legal & Human Rights Screening

This document has been legal and Human Rights screened in terms of the respective obligations placed on An Garda Síochána for the subject area concerned.

13. Ethical Standards & Commitments

Every person working in An Garda Síochána must observe and adhere to the standards and commitments set out in the Code of Ethics for An Garda Síochána and uphold and promote this Code throughout the organisation.

14. Policy & Procedure Review

This Procedure and associated documents will be reviewed 12 months from its date of effect and every three years thereafter. This document will be revised following any changes to EU and National legislation or updates to National guidelines.

15. Disclaimer

This document is not intended to, nor does it represent legal advice to be relied upon in respect of the subject matter contained herein. This document should not be used as a substitute for professional legal advice.

This document is not intended to create binding or legal obligations on An Garda Síochána.

16. Policy & Procedure Document Feedback

The Policy and Governance Coordination Unit maintains a Policy Issues Log. Where there are potential issues regarding the implementation of the Procedures set out in this document, please forward an outline of same through the relevant Divisional Office to the Section mailbox policy.governance@Garda.ie. Divisional submissions will be recorded in the Policy Issues Log and forwarded to the Policy Owner for whatever action deemed necessary.

17. General Data Protection Regulations / Directive 2016/680/EU - Police and Criminal Justice Authorities Directive

In respect of the personal data processing activities associated with this procedure, as no personal data is processed with these procedures, no DPIA is required in accordance with the requirements of the General Data Protection Regulation.

18. Appendices

Key Circulars

- DPENDR Circular 09/2024: Reporting on the Use of Centralised Procurement Arrangements
- DPENDR Circular 05/2023: Initiatives to assist SMEs in Public Procurement 2023
- DPER Circular 20/2019: Promoting the use of Environmental and Social Considerations in Public Procurement
- DPER Circular 24/2019: Update of the Public Spending Code: Guidelines for the use of Public Private Partnerships (PPPs) and Related Rules
- DPER Circular 02/2016: Arrangements for Digital and ICT-related Expenditure in the Civil and Public Service
- DPER Circular 10/2014: Initiatives to Assist SMEs in Public Procurement 2014
- DPER Circular 16/2013: Revision of arrangements concerning the use of Central Contracts put in place by the National Procurement Service
- DPER Circular 13/2013: The Public Spending Code: Expenditure Planning, Appraisal & Evaluation in the Irish Public Service – Standard Rules & Procedures DPER Circular 05/2013: Procurement of Legal Services and Managing Legal Costs
- DOF Circular 01/2011: Model Tender and Contract Documents for Public Service and Supplies Contracts
- DOF Circular 02/2011: Additional Arrangements for ICT Expenditure in the Civil and Public Service
- DOF Circular 40/2002: Public Procurement Guidelines - Revision of existing procedures for approval of certain contracts in the Central Government sector

Key Guidance

- OGP Public Procurement Guidelines for Goods & Services 2023
- Green Public Procurement – Guidance for the Public Sector (EPA)
- Green Tenders – An Action Plan on Green Public Procurement
- Buying Green! Publications Office of the EU
- Code of Practice for the Governance of State Bodies
- S.I. No. 672/2005 - Ethics in Public Office
- The Public Spending Code
- OECD - Managing Conflict of Interest in the Public Sector – A Toolkit
- Freedom of Information Model Publication Scheme

Request for Tender and Contracts Templates

- Annual Report Template
- Circular 09/2024 Reporting Template
- OGP Goods Request for Tender 15 Jan 2024
- OGP Services Request for Tender 15 Jan 2024
- Userguide RFT for Services 09 02 2021
- Userguide RFT for Goods 09 02 2021
- Goods Contract 15 Jan 2024
- User Guide Goods Contract 09 02 2021
- Services Contract 15 Jan 2024
- User Guide Services Contract – 09022021
- Goods Confidentiality Agreement 15 Jan 2024
- Services Confidentiality Agreement 15 Jan 2024

European Legislation

European Legislation	Implementation in Ireland
Public Procurement Directive 2014/24/EU of 26 February 2014 on public procurement and repealing Directive 2004/18/EC	S.I. No. 284/2016 – European Union (Award of Public Authority Contracts) Regulations 2016
Defence and Security Directive 2009/81/EC of 26 of February 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2001/18/ EC	S.I. No. 62/2012 - European Union (Award of Contracts relating to Defence and Security) Regulations 2012 - Part 10 of S.I. No. also deals with implementation of Remedies Directive.
Concessions Directive 2014/23/EU of 26 February 2014 on the award of concession contracts	S.I. No. 203/2017 - European Union (Award of Concession Contracts) Regulations 2017
Electronic Invoicing Directive 2014/55/EU of 16 April 2014 on electronic invoicing in public procurement	S.I. No. 258/2019 - European Union (Electronic Invoicing in Public Procurement) Regulations 2019
Remedies Directive Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts	S.I. No. 327/2017 - European Communities (Public Authorities Contracts) (Review Procedures) (Amendment) Regulations 2017
Amendment to Remedies Directive Directive 2007/66/EC of 11 December 2007 amending Council Directives 89/665/EEC and 92/13/EEC with regard to improving the effectiveness of review procedures concerning the award of public contracts	S.I. No. 130/2010 – European Communities (Public Authorities Contracts) (Review Procedures) Regulations 2010
Energy Efficiency Directive (2012/27/EU) Specific requirements apply to contracts for buildings, energy labelled products and products covered by the Eco design Directive	S.I. No. 426/2014 - European Union (Energy Efficiency) Regulations 2014
Clean Vehicles Directive (2019/1161/EU) All contracting authorities must take emissions and efficiency into account when purchasing road transport vehicles, through specifications, award criteria or LCC	S.I. No. 381/2021 - European Union(Clean and Energy Efficient Road Transport Vehicles) Regulations 2021