



Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

**Feasibility Study  
for the  
Construction of a Natural Gas Pipeline  
From Derry to Letterkenny**

**Invitation to Tender**

**22<sup>nd</sup> March 2004**

## **Background**

The Commission for Energy Regulation (CER) wishes to commission a feasibility study to evaluate the technical and economic issues that would arise in bringing natural gas to Letterkenny i.e. a land pipeline linking the Belfast-Derry pipeline (due to completed in October 2004) to a city gate station in Letterkenny. The study will consider the various route options for the pipeline including via Strabane. The study will be ultimately used to support the improvement of accessibility and connectivity to energy services in the North West region.

This project is being overseen by the Department of Communications, Marine and Natural Resources (Ireland) and the Department of Enterprise, Trade and Investment (Northern Ireland).

This project is funded under the EU INTERREG IIIA Programme for Ireland/Northern Ireland. The INTERREG IIIA Programme aims to address the economic and social disadvantages which can result from the existence of a border. Under Priority 2 of the Programme, Measure 1 aims to improve the transport, energy and communications infrastructure in the eligible area, in order to facilitate economic development and social co-operation in border locations.

## **Terms of Reference**

Please see the Terms of Reference document.

## **Format Of Proposal**

The proposal should include:

- Details of the proposed approach to the assignment;
- Particulars of consultancies of a similar type carried out by the consultants;
- Details of the consultants' knowledge and experience of the relevant sectors;
- The names of the personnel who will be assigned to the project, including up to date CVs with details of similar projects on which they have worked and their specific responsibilities in relation to those projects;
- The specific responsibilities proposed for each person to be assigned to the project;
- The names and roles of any subcontractors who the applicant proposes to retain.

Applicants should note that the selection process might involve presentations and interviews following receipt of proposals.

## **Group Or Consortium Applications**

Where a group or consortium is submitting a proposal, a lead contractor must be nominated who will assume overall responsibility for the full and effective completion of the assignment. The specific responsibilities of each member of the group or consortium should be indicated.

## **Conflict Of Interest**

Any actual or potential conflicts of interest involving an applicant must be fully disclosed together with a statement on how the applicant proposes to deal with any such conflict. The CER is reserving the right to terminate any consultancy assignment without liability in the event of failure to comply fully with this requirement.

## **Fees**

The applicant must include a costing proposal for the consultancy, comprising:

- The quotation (in Euro) for the consultancy (inclusive of VAT and all applicable taxes) on a fixed fee basis;
- The daily rate (in Euro) to be charged for each individual along with the estimate in consultant days for each identified consultant; and
- Detailed costing on all aspects of the consultancy (in Euro) including travelling, accommodation and other expenses.

## **Terms And Conditions**

The CER is not bound to accept the lowest tender or any tender.

All work related to the consultancy shall be deemed to be confidential. Under no circumstances may data be disclosed to other parties without the express permission in writing of the CER.

It will be a condition for the award of the contract that the successful applicant must promptly produce a Tax Clearance Certificate. In the case of a non-resident applicant, a statement from the Revenue Commissioners may be required.

The CER will retain all intellectual property rights over all documents, records (both hard copy and electronic) and reports produced, and all such material shall be returned to the CER on completion of the contract.

The work of the consultant will be deemed to be carried out in Ireland and will be governed by the laws of Ireland.

Under the Finance Act, 1987 a withholding tax must be deducted from payments for professional services. This tax, which is at a rate of 20% with effect from 6th April, 2001 will be deducted from payments made to the consultant in respect of work carried out and will be remitted to the Irish tax authorities. A non-national consultant can reclaim this tax by submitting an application on form F45/1, together with a completed questionnaire, to the Revenue Commissioners, International Claims Section, Government Offices, Nenagh, Co. Tipperary. In addition the claimant will be required to complete and submit a Company Gen form to their national tax office.

The successful applicant must demonstrate to the CER that it possesses adequate professional indemnity insurance cover.

The successful applicant will be required to enter into a formal contract in accordance with terms to be laid down by the CER.

The CER will not be liable in respect of any costs incurred by consultants in the preparation of bids or for expenses incurred prior to the signing of a contract with the CER.

### **Freedom of Information (Amendment) Act, 2003**

The Freedom of Information (Amendment) Act, 2003 enables members of the public to obtain access, to the greatest extent possible consistent with the public interest and the right to privacy, to information in the possession of public bodies, including Government Departments and the CER.

Proposal documents may be made available, if so requested, to members of the public. Accordingly, applicants are asked to consider if any of the information supplied in response to this Request for Tender should not be disclosed. Applicants should clearly indicate in their proposal any information they consider to be confidential or of a commercially sensitive nature and the reasons. The CER will consult with the applicant should such information be sought.

### **Evaluation Criteria**

Applicants will be evaluated on the basis of the most economically advantageous proposal by reference to the following criteria (the order of the criteria is not significant):

1. Previous relevant experience of the applicant;
2. Experience, expertise and qualifications of the project team members;
3. Price and value for money; and
4. Capacity to provide high quality advice.

## **Closing Date**

The closing date for receipt of tenders is **Friday 16th April 2004, 5pm.**

Tenders [5 copies] should be addressed to the undersigned, Commission for Energy Regulation, Plaza House, Belgard Road, Tallaght, Dublin 24 in an envelope marked **“Letterkenny Feasibility Study”**.

All expenses incurred by tenderers arising from the process shall be carried by the tenderers themselves. The issue of the enclosed documentation shall not be construed as creating any legitimate expectation of award of contract to any tenderer.