



Comhairle Contae Thiobraid Árann
Tipperary County Council

REQUEST FOR QUOTATION
FOR AGGREGATE SPEND UP TO €25,000 (Excl. VAT)

Subject of Quotation	
<p>Provision of Services for Local Live Performance Programming Scheme Phase 4- August – October 2022 (please tick relevant area below)</p> <p>Carrick on Suir MD area <input type="checkbox"/></p> <p>Clonmel BD area <input type="checkbox"/></p> <p>Tipperary Cahir Cashel MD area <input type="checkbox"/></p> <p>Thurles MD area <input type="checkbox"/></p> <p>Nenagh MD area <input type="checkbox"/></p>	
Key Dates	
Issue Date	24 th June 2022
Closing Date for Queries	12 noon 15 th July 2022
Closing Date for Quotations	12 noon 22nd July 2022
Contact for Queries	
artsoffice@tipperarycoco.ie	
<p>Format for submission of quotations – use the <u>Quotation Response Document</u> provided</p> <p>Quotations should be submitted by e-mail to : artsoffice@tipperarycoco.ie clearly marked “Quotation LLPPS Phase 4”</p>	

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1. ABOUT THE CONTRACTING AUTHORITY

1.1 The Contracting Authority

Tipperary County Council, herein after referred to as the Contracting Authority, is the authority responsible for this procurement.

Further information is available at our corporate website www.tipperarycoco.ie

1.2 Small and Medium Enterprise Participation

It is the policy of the Contracting Authority to encourage participation by Small and Medium Enterprises (SMEs) in this competition.

SMEs are encouraged to explore the possibilities of forming relationships with other SMEs or with larger enterprises to meet the financial, economic or technical capacity requirements of the competition, if required.

2. SCOPE OF REQUIREMENT

2.1 Specification of Requirements

Tipperary County Council invites quotations from producers/ promoters /venues /event management /professional production companies for the programming and delivery of services in relation to live performances to take place throughout Tipperary, in each of the five Municipal District (MD) areas, between August and 31st October 2022.

Please note there is a separate tender for each MD area. Service providers may tender in more than one municipal district and must submit a separate tender for each district if submitting to more than one. When submitting please indicate which district area your tender relates to.

The aim of this scheme is to assist producers, promoters, production companies and venues to provide support for people in the industry to facilitate programming of live performances, animating towns and town centers for local communities from August to October 2022, in line with public health guidance. Performances can be recorded or streamed if health restrictions prevent live events or as local authorities deem appropriate.

The funding can be used to support employment and wellbeing in the commercial arts and culture sectors through the provision of live performances by engaging the services of

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professional artists, musicians, crew and other staff members involved in live outdoor performances for the period from now to 31 October 2022.

As part of this scheme Tipperary County council is inviting proposals from producers, promoters, venues, event management, professional production companies to work in each of the 5 municipal districts (Clonmel BD; Nenagh MD; Thurles MD; Tipperary-Cahir-Cashel MD, Carrick-on-Suir MD) to programme and deliver events in each district from now to 31 October 2022.

Producers, promoters, venues, event management, professional production companies may propose to work in one or multiple districts in the delivery of one or multiple live performance events. A separate tender must be completed for each Municipal District area- please indicate which area you are proposing to work in. Funding will only be considered net of any box office or other revenue (as relevant).

All genres of performance (Music, Spectacle, Circus, Street Arts etc.) are included in this scheme, from small scale solo performances and unplugged presentations through to amplified concerts (in line with Public Health Advice). Family or all-ages performance events are also welcome. All events must be ticketed for crowd control purposes and should be offered on a subsidized or free of charge basis.

The intention of this scheme is to support employment and wellbeing in the commercial arts and culture sectors therefore programming of local professional performers will be prioritised.

The delivery of services will entail the following:

- Live performances to be delivered in the proposed municipal district area in compliance with the prevailing public health advice and in consultation with local authorities.
- Performances to take place between August – 31 October 2022.
- Work closely with the relevant District Staff/Arts Office on final programme design and delivery details.
- Ensure diversity of artistic programming and equality of opportunity for local performers-please address how you plan to achieve this in your proposal.
- Promote accessibility for all events.
- Ensure that deliverables are inclusive, appropriate and respectful.
- Propose and manage an appropriate booking and ticketing system for events that is GDPR compliant.
- Provide all tech set up to include lighting team, sound team, stage team, rigging and derigging.
- Provide and manage all event management, booking and managing of all artists, crew etc.
- Provide staff for security and stewards for events.
- Propose a payment system for all artists, crew, staff etc funded under this scheme (to be agreed by TCC with successful tenderer)- proof of payment and claim documentation to be submitted as required in advance of payment for services and according to the agreed payment schedule at contract stage.
- Tenderers must ensure that all artists (contracts of service and contracts for service) are paid in line with the Art Council's policy for fair pay for artists.

<http://www.artscouncil.ie/News/The-Arts-Council-Launches-Policy-on-the-Fair-And-Equitable-Remuneration-Of-Artists/>

- Marketing and PR of the events is the responsibility of the tenderer -successful tenderers should also work with each municipal district and arts & tourism offices in TCC in additional promotion of the programme through their channels.
- This funding may not be used as a top-up or substitute funding for existing events.
- If successful funding will be awarded net of any box office or other revenue (as relevant)
- Funders must be acknowledged in all publicity relating to the programme- to be agreed at contract stage.
- Funding partners retain the royalty free right to freely use, publish, distribute and make public any intellectual property generated under this funding scheme.
- The option for recording /live-streaming of events should be addressed in the project proposal in the case that live events cannot proceed due to public health guidance.
- Provide a copy of Insurances as required.
- Provide a Health and Safety Event Management plan
- Provide a COVID-19 Response Plan
- Provide a Child Protection Plan
- Provide evidence of Tax Compliance e.g. Tax Clearance Certificate
- Successful producers, promoters, venues, event management, professional production companies will be required to submit a final report/complete required drawdown tables with relevant receipts, attendance figures, programme details, numbers of individuals employed, numbers of days employment, breakdown of costs by type and any other documentation required by the deadlines as outlined at contract stage.
- Tenderers must ensure that all artists, performers and crew attached to the project comply with the Health and Safety at Work Act 2005 and have a duty to prevent any improper conduct or behaviour which is likely to put the health and safety of employees at risk.
- Tenderers must monitor advice provided in relation to COVID-19 at www.gov.ie and www.hse.ie

2.2 Delivery Locations

This tender invites proposals for the delivery of live performances across Tipperary. County Tipperary is administratively divided into 5 areas or districts as follows:

Carrick on Suir MD area

Clonmel BD area

Tipperary Cahir Cashel MD area

Thurles MD area

Nenagh MD area

The total budget for each district is €22,000 excluding VAT. We invite tenderers to submit proposals on a district by district basis. Tenderers may submit for more than one district but should submit a separate tender for each district. It is not a requirement to submit a tender for

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the full budget available if tenderers are planning smaller events. All applications will be assessed against the criteria as outlined and in a competitive context.

Final programmes must be agreed between the appointed producers, promoters, venues, event management, professional production company, the District Administrator and the Arts Officer and must take place in line with prevailing public health advice.

The proposal should indicate a planned approach to an event/ a programme of events to include type of event and scale and timeframe of proposed offer. It should also indicate proposed content of programme and how the programming will be designed in terms of accessing local performers, ensuring opportunity of participation by relevant groups/individuals and envisaged approach to curation of the programme outlining proposed genres, content etc.

2.3 Options (if applicable)

The option to record or live stream events in the event that public health advice will not allow live performance should be addressed in the proposal.

2.4 Pricing

Tenderers' Pricing Schedules must be completed and submitted in accordance with the instructions set out in the Quotation Response Document.(QRD)

This will be a fixed priced contract for *Local Live Performance Services* (inclusive of all expenses and VAT) and the Price identified in the Quotation Response Document.(QRD) of the successful tenderer/s will form part of the contract.

Budget:

Tenderers are advised that the maximum budget allocation for each Municipal District Area is a maximum of €22,000 EX VAT. Proposals should include all costs associated with the provision of the service including artists/performers costs & fees, technical costs including crew, production costs including venue and equipment hire if applicable, creative team and management fees, video streaming costs, venue costs, marketing and advertising costs, health and safety costs, Intellectual property costs, insurance etc. This amount is **inclusive** of all expenses and **exclusive** of VAT. Tenderers are advised to take this into account in preparing their tender response and are asked to show VAT separately.

2.5 Review of Performance

A quality service is required under this contract. Therefore, performance will be continually monitored over the term of the contract. Cost competitiveness, performance, quality of service and turnaround time will be the main criteria for measuring performance.

2.5.1 Account Management

Economic operators submitting a quotation are required to nominate a dedicated account manager who will act as the main point of contact for the duration of the contract. This person shall have the authority to deal with all matters in relation to the contract and be responsible for the satisfactory delivery of the services required.

2.5.2 Invoicing

Invoices shall be submitted by the successful economic operator on a monthly basis for all costs incurred in the preceding month, or as otherwise agreed by the parties. All official invoices must quote a Contracting Authority purchase order number. All invoices which do not quote the relevant order number(s) will be returned to the service provider.

2.6 Award to Runner Up

If for any reason, it is not possible to award the contract to the successful economic operator emerging from this competitive process, or if having awarded the contract, the Contracting Authority considers that the successful economic operator has not met its obligations, the Contracting Authority reserves the right to award the contract to the next highest scoring economic operator on the basis of the terms advertised, at any time during the quotation validity period of 6 months.

3. EVALUATION CRITERIA

3.1 Suitability

The Contracting Authority will only consider quotations from competent and financially sound and compliant economic operators. To this end, you are required to confirm the following by completing the self-declaration contained in the separate Quotation Response Document (QRD).

- (a) General economic operator information.
- (b) Confirmation of tax compliance.
- (c) Confirmation that the economic operator is appropriately insured.
- (d) Confirmation via declaration that the economic operator is not bankrupt, guilty of corruption, fraud, money laundering, membership of a criminal organisation, not involved in child labour and/or human trafficking and is fully compliant with all its statutory obligations.

3.2 Award Criteria

The contract will be awarded on the basis of a quality and cost evaluation as assessed by the Contracting Authority, who is not obliged to accept the lowest or indeed any quotation. The following criteria will be applied:

Qualification Criteria

Technical and Professional Ability

All tenderers must demonstrate that they have the following technical and professional ability and must furnish the following documentation with their quotations. Tenderers will either pass OR fail this qualification criterion;

A minimum of five years relevant professional event management/ production experience demonstrated for personnel proposed through inclusion of professional CV indicating relevant experience.

Award Criteria

The contract will be awarded from quotes evaluated on the basis of the Most Economically Advantageous Quote consistent with the following award criteria:

Criterion A	Weighting	Maximum Marks
Qualitative Criteria		
A	Proposed methodology	30%
		3000

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This criterion will be assessed on the basis of demonstrated understanding and proposed methodology to deliver the services required as outlined – to include a proposed timeline for delivery.			
B	Previous Experience	20%	2000
This criterion will be assessed on the basis of demonstrated previous experience of providing services of a similar size and nature to include event and production management, producing, publicity and marketing. Demonstrable experience in the commercial arts and culture sectors is desirable.			
C	Key personnel/nominated project manager:	20%	2000
This criterion will be assessed on the basis of knowledge and experience of proposed key personnel to include event management, programming and production experience.			
D	Any proposed additional services/ benefits	10%	1000
This criterion will be assessed on the basis of any proposed additional demonstrated skills, services or benefits proposed such as capacity to live stream, record etc.			
Quantitative Criteria		20%	2000
E	Ultimate Cost		
Total		100%	10,000

4. FORMAT OF RESPONSE

Service Providers are required to complete the separate Quotation Response Document which contains:

- (i) General Economic operator Information
- (ii) Information regarding compliance with the Suitability Criteria – tax, insurances and declarations
- (iii) The Quotation Form and where relevant response to the Qualitative Award Criteria.

Please ensure you read the Instructions to Economic operators Quoting as detailed in Section 5.

5. INSTRUCTIONS FOR ECONOMIC OPERATORS QUOTING

(a) Closing Date

The closing date for receipt of quotations is **12 noon on 22nd July 2022**

Quotations that are received late will not be considered in this competition.

(b) Submission of Quotations

Quotations should be submitted to the following email address: artsoffice@tipperarycoco.ie

clearly marked Quotation for **Local Live Performance Programming Scheme PHASE 4**.

(c) Queries

All queries regarding this quotation should be submitted to the following email address: artsoffice@tipperarycoco.ie, clearly marked Query for Quotation for **Local Live Performance Programming Scheme 2022**.

Queries should be raised as soon as possible and in any case **by 15th July 2022 at 12 noon.**

For the purpose of circulating responses, queries will be edited to avoid disclosing the identity of the querist, and any sensitive information included in the query should be clearly indicated.

(d) Currency and Payments

The currency and invoices in which all prices and rates shall be quoted, and which payments under the contract will be paid, shall be Euros (€). All prices and rates quoted should be exclusive of VAT. VAT should be shown separately.

A schedule of payments will be agreed with the successful economic operator. The Contracting Authority operates in accordance with the European Communities (Late Payment in Commercial Transactions) Regulations 2012.

The standard method of payment used is Electronic Funds Transfer.

(e) Confidentiality

The distribution of the quotation documents is for the sole purpose of obtaining offers. The distribution does not grant permission or licence to use the documents for any other purpose. Economic operators are required to treat the details of all documents supplied in connection with the quotation process as private and confidential.

(f) Conflict of Interest

Any conflict of interest involving an economic operator (or economic operators in the event of a consortium bid) must be fully disclosed to the Contracting Authority. Any registrable interest involving the economic operator and The Contracting Authority or employees of the Contracting Authority or their relatives must be fully disclosed in the quotation submission or

should be communicated to the Contracting Authority immediately upon such information becoming known to the economic operator, in the event of this information only coming to their notice after the submission of a bid and prior to the award of the contract. The terms 'registrable interest' and 'relative' shall be interpreted as per Section 2 of the Ethics in Public Office Act, 1995. Failure to disclose a conflict of interest may disqualify an economic operator or invalidate an award of contract, depending on when the conflict of interest comes to light.

(g) Freedom of Information Acts

Economic operators should be aware that, under the Freedom of Information Act 2014 and the European Communities (Access to Information on the Environment) Regulations 2007 to 2014, information provided by them during this Competition may be liable to be disclosed.

Economic operators are asked to consider if any of the information supplied by them in their Quotation should not be disclosed because of its confidentiality or commercial sensitivity. If economic operators consider that certain information is not to be disclosed because of its confidentiality or commercial sensitivity, economic operators must, when providing such information, clearly identify the specific sections of their quotation containing such information and specify the reasons for its confidentiality or commercial sensitivity. For the avoidance of doubt economic operators may not assert confidentiality or commercial sensitivity over the entire quotation but must clearly identify the specific section containing such information. If economic operators do not identify information as confidential or commercially sensitive, it is liable to be released in response to a request under the above legislation without further notice to or consultation with the economic operator. The Contracting Authority will, where possible, consult with economic operators about confidential or commercially sensitive information so identified before making its decision on a request received. The Contracting Authority accepts no liability whatsoever in respect of any information provided which is subsequently released (irrespective of notification) or in respect of any consequential damage suffered as a result of such obligations.

(h) Data Protection

“Data Protection Laws” means all applicable national and EU data protection laws, regulations and guidelines including but not limited to Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (the “General Data Protection Regulation”), the Data Protection Act, 2018 and any guidelines and codes of practice issued by the Data Protection Commission or other supervisory authority for data protection in Ireland from time to time.

The Contracting Authority will be a Controller (where Controller has the meaning given under the Data Protection Laws) in respect of any Personal Data (where Personal Data has the meaning given under the Data Protection Laws) required to be provided by the Tenderer in response to this Request for Quotation.

The Tenderer, as Controller in respect of any Personal Data provided by it in its Tender, is required to confirm by way of statement in the “Declarations” section of the accompanying Quotation Response Document (QRD) that all Data Subjects (where Data Subject has the meaning given under the Data Protection Laws) whose Personal Data is provided by the Tenderer have consented to the processing of such Personal Data by the Tenderer, the Contracting Authority, the Evaluation Team and the supplier of the etenders.gov.ie website, for the purposes of the participation of the Tenderer in this Competition or that the Tenderer otherwise has a legal basis for providing such Personal Data to the Contracting Authority for the purposes of its participation in this Competition.

(i) Tax Clearance Certificate

It will be a condition of award of this contract and any subsequent contract that the successful economic operator(s) comply with all EU and national tax laws. Economic operators are referred to the Irish Revenue web site <http://www.revenue.ie/>. Non-resident economic operators should apply to the Office of the Revenue Commissioners, Non-Resident Tax Clearance Unit, Office of the Collector General, Sarsfield House, Francis Street, Limerick, Ireland; e-mail: nonrestaxclearance@revenue.ie.

(j) Withholding Tax

Relevant payments shall be subject to Irish ‘Professional Services Withholding Tax’ at the prevailing rate (currently at 20%) as laid down by the Revenue Commissioners in Ireland. Non-residents may be able to reclaim such deducted Tax from the Office of the Revenue Commissioners in Ireland, International Claims Section located currently at Government Buildings, Nenagh, Co. Tipperary, Ireland (Tel: +353-67-63400).

(k) Interference and Inducement to Purchase

Any effort by the economic operator to unduly influence the Contracting Authority, relevant agency personnel or any other relevant persons or bodies in the process of examination, clarification, evaluation and comparison of quotations and in decisions concerning the Award of Contract shall have their quotation rejected. In accordance with Section 38 of the Ethics in Public Office Act 1995 any money, gift or other consideration from a person holding or seeking to obtain a contract will be deemed to have been paid or given corruptly unless the contrary is proved.

(l) Notification of Evaluations

All parties will be informed of the outcome of their proposals following evaluation and any necessary clarifications.

(m) Award to Runner-up

If for any reason, it is not possible to award the contract to the designated successful party emerging from this competitive process, or if having awarded the contract, the Contracting Authority considers that the successful party has not met its obligations, the Contracting Authority reserves the right during the quotation validity period to award the contract to the

next highest scoring party on the basis of the terms advertised without re-opening the competition. This shall be without prejudice to the right of the Contracting Authority to cancel this competitive process and/or initiate a new contract award procedure at its sole discretion.

(n) Replacement Personnel

Notification must be sent in writing (by post or electronic means) as soon as possible to the Contracting Authority on any proposed change of nominated personnel, such change to be subject to the written approval of the Contracting Authority. Replacement personnel must be of equal or better standing than the existing personnel in terms of qualifications and experience.

(o) Copyright

The Contracting Authority will have copyright ownership of any material developed for use by the Contracting Authority under the terms of this quotation. The service provider may have a non-exclusive licence to use such material but only for its own purposes (to be agreed with the successful economic operator).

(p) Responsibility of Successful Party

As a condition of award, it shall be the sole responsibility of the tenderer (in the event of success in this competition) to fulfill the obligations under the Contract, notwithstanding any changes in circulars, laws, regulations, taxation, duties or other factors which might arise following the withdrawal of the United Kingdom from membership of the EU.