



Oifig an Stiúirthóir Náisiúnta,
Caipéal agus Eastáit

Ospidéal Sir Patrick Dun,
Sráid na Canálach Móire Íochtarach.
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Mr Matt Shanahan, TD,
Dail Eireann,
Leinster House,
Kildare Street
Dublin 2

26th April 2024

PQ 12341/24*To ask the Minister for Health further to a recent Parliamentary Question, the explanation of ‘restricted procedure for works contractor’ protocol (details supplied: Response the following phrase was included – ‘The tender procedure was “Restricted Procedure for works Contractor” under the Capital Works Management Framework’); what differentiates it from an ‘unrestricted procedure’; the key criteria for making this distinction; the way and the reason it should be implemented in the opinion of his Department or the HSE; and if he will make a statement on the matter. -Matt Shanahan

Dear Deputy Shanahan,

The Health Service Executive has been requested to reply directly to you in the context of the above Parliamentary Question which you submitted to the Minister for Health for response.

Please note that ‘unrestricted procedure’ is not a defined term under Public procurement protocol. However, we understand the query relates to approved procurement protocol which public sector Contracting Authorities are obliged to use. These are the Open and Restricted procedures.

Open Procedure: A single stage procurement process which allows applicants to simultaneously submit a Suitability Assessment Questionnaire (SAQ) and a Tender response for evaluation in a tender competition. The SAQ requires the contractor to state general items such as previous similar experience, turnover, insurances and safety / construction execution management etc only applicants who successfully pass the SAQ stage, will have their tender offers evaluated against the defined award criteria. The procedure ends when an award is made.



Restricted Procedure: This is a two-step procurement process. The initial stage is the publication of the Suitability Assessment Questionnaire. The SAQ requires the contractor to state general items such as previous similar experience, turnover, insurances and safety / construction execution management etc. Once those applicants who successfully meet the particular requirements of the first step i.e. SAQ are then invited to compete in the tender competition i.e. the second step.

Yours sincerely

A handwritten signature in blue ink that reads 'Brian O'Connell'.

Brian O'Connell
Interim National Director
Capital & Estates