

## Schedule B: Services: The Specification

The required services are as per Appendix 1B of the RFT and the Tender Submission. These Services include, but are not limited to the below:

### **National Broadband Plan (NBP)**

#### *Process Auditor*

#### *Terms of Reference*

The Process Auditor will be required to provide procurement process audit services in respect of the State led intervention programme for the National Broadband Plan (NBP).

In providing his/ her process auditor services, the Process Auditor will:

1. record that each step / procedure on the approved procurement process has been addressed by the Evaluation Teams, Evaluation Review Panel and Procurement Management Team, where relevant. In order to record that a step has been completed, the Process Auditor must be satisfied that the step has been given due consideration at the appropriate level.
2. be required to confirm that the appropriate guidelines (e.g. Capital Appraisal Guidelines, Capital Management Framework, Public Spending Code) have been adhered to in the procurement of the Project, in addition to confirming formally and independently that the operation of procurement process and decision making in respect of procurements associated with the NBP are fair, objective and follow the agreed processes.
3. be present at Tender Openings.
4. be required to directly observe the decision making process and confirm that this process is conducted in line with the process as set out in the procurement design in respect of the NBP procurement and that the decision making process is fair to all applicants.
5. be required to review the documentation issued in respect of the procurement "the NBP" and review the briefing documents used in the evaluation and selection process.
6. be responsible for obtaining and reviewing all relevant documentation relating to the procurement process in his/her role as Process Auditor. It should be noted that relevant documentation for the purposes of these terms of reference is documentation to which access is required only in order to check the fairness and robustness of the procurement process, and access to such documentation is on a needs-only basis.
7. be required to attend the Evaluation Review Panel meetings where in his/her view he/she needs to attend in order to be satisfied that due process is followed.
8. be required to attend and participate in (as required) Procurement Board meetings, indicatively on a bi-monthly basis, throughout the Procurement Process. These meetings may become more frequent at various key stages of the procurement.
9. be required to attend meetings where decisions on excluding parties based on award criteria or for other reasons are discussed and agreed.
10. be required to report to the Accounting Officer ( Secretary General, DCENR) or designate in respect of the implementation of decision making process.

11. be provided by the Department with documentary evidence outlining the consideration of and the basis for decisions made in relation to the NBP Procurement Process.

The Process Auditor must raise as a point of concern, instances where decisions or advice, relating to the stages as set out in the procurement process, do not appear to have been followed through by the Evaluation Teams/ Evaluation Review Panel/ Procurement Management Team or Senior Management. He/she shall communicate all concerns directly to the Chair of the Procurement Board (where relevant to its role) and/or Accounting Officer.

## **2. The Process Auditor is not a second layer of project management**

He/she is not required to comment on any action/omission/ decision taken in relation to the NBP which is not related to the steps set out in the procurement process. The Process Auditor will not contribute to the discussion in any way with respect to the proposals under consideration or with respect to any discussion on the Department's policy for the procurement of the NBP.

Decisions made in relation to the NBP are not the responsibility of the Process Auditor, nor does he/she have the authority to challenge or second guess any decisions or expert advice provided to the Department's NBP procurement and evaluation project teams.