
DUBLIN CITY COUNCIL

***REVISED* INVITATION TO BID
FOR THE
PROVISION OF OUTDOOR
ADVERTISING AND PUBLIC AMENITIES**

***28th October* 2005**

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1. Introduction

1.1 Invitation to Bid

This Invitation to Bid ("ITB") provides information to Bidders participating in the competition being run by Dublin City Council ("the Council") as advertised in the contract notice published in the Official Journal of the European Communities on **12th July 2005** ("the Contract Notice").

The ITB consists of the following documents:

(a) Instructions to Bidders

The Instructions to Bidders (Sections 1, 2, 3 and 4) set out the rules of this competition and the required format and content of Bids. Bidders are required to comply with the Instructions to Bidders when preparing their Bid and participating in this procedure. Bidders' particular attention is drawn to the fact that non compliance with these Instructions may invalidate their Bid.

The Instructions to Bidders do not form part of the Contract.

(b) The Specification

The Specification sets out the Council's requirements in relation to the provision of outdoor advertising facilities. A copy of the Specification is set out at **Appendix II**.

(c) The Contract

The Contract sets out the terms and conditions, which will govern the successful Bidder(s) relationship with the Council. A copy of the Contract is set out at **Appendix IV**. Note that Bidders must satisfy themselves as to the Contract terms and are not entitled to rely in any way on the Instructions to Bidders in interpreting the Contract.

1.2 Project Summary

Dublin City Council is proposing to enter into a contract with a successful Bidder under which the successful Bidder will be permitted to utilise property consisting of lands and/or buildings owned by the Council ('the sites') for the purposes of providing outdoor advertising facilities. This should provide an opportunity to identify possible new forms of advertising in new locations. The project may also involve the provision by the concessionaire of certain types of street furniture and other services designed to enhance the public realm.

It is an objective of the Council to ensure high-quality and appropriate advertising structures that do not unduly affect visual amenity and that do not affect roadway safety or amenity. In particular, the Council hopes to promote and achieve the preservation of views, prospects and visual amenities of places and features of architectural, historical, artistic and cultural interest in Dublin City Council's area.

During the contract period, the concessionaire will be permitted to erect and to retain outdoor advertising structures at the sites. It will also be afforded such rights of access as are necessary to operate advertising facilities at the sites.

The concessionaire will not acquire any property rights in the sites or any of them. All rights accorded to the concessionaire will be by way of contractual licence only. Ownership and control of the sites will be retained by the Council at all times, subject only to the terms of the contract.

Bidders will be required to identify a suitable quantum of sites, owned by Dublin City Council, to be utilised by the concessionaire in the manner outlined above. It is envisaged that the concessionaire shall carry out certain works and services at those sites, including the construction and maintenance of outdoor advertising structures and street architecture.

It is also envisaged that the concessionaire will be required to apply for planning permission for the 100 -300 sites it selects (subject to Council approval) for the advertising structures. Bidders should note it is envisaged that sole responsibility for obtaining planning permission will at all times remain with the concessionaire. The planning application will be made to the Council's planning department in the first instance, and to An Bord Pleanála on appeal, if required.

The Council estimates that up to approximately 200 sites may be designated for the purposes of this project. However, this is an estimate only and the Council makes no commitment or guarantee that any of the sites proposed by the Bidders will receive planning permission from the planning authority.

Bidders are invited to propose, as part of their bids, the duration of the concession but the concession shall not, in any event, exceed 10 years.

It should be noted that, insofar as there is a disposal of interest in land pursuant to the contract, the consent of the Council under Section 183(1) of the Local Government Act, 2001 will be required.

2 Instructions

2.1 Communications Protocol

(a) Feedback

In addition to requesting specific comments on the Contract (**see Instruction 2.2 below**), the Council wishes to receive more general feedback on the scope and nature of the project. Comments on the project are welcome and should be submitted in writing to the Council as soon as possible and, preferably by the date indicated in **Instruction 2.1(b)** below. Amendments suggested which are acceptable to the Council may be incorporated into a revised Invitation to Bid.

(b) Enquiries

Bidders should raise any queries arising from the ITB with the Council by **07/10/2005**. The Council does not guarantee to respond to any enquiries received after this date.

In particular, Bidders shall immediately notify the Council should they become aware of any ambiguity, discrepancy, error or omission in or between the tender documents.

(c) Correspondence

All communications by the Bidders must be in writing. Telephone queries and their replies shall only become valid communications if both the query and the reply are confirmed in writing. (Facsimile and email communications shall be deemed to be written communications for the purpose of this ITB, save where expressly provided otherwise.)

Prior to the receipt of Bids, the response to any request for information which may have a relevance to the other Bidders will be communicated in writing to all Bidders by the Council. The identity of the Bidder seeking the information shall not be identified by the Council to the other Bidders.

Any queries or comments with regard to this document should be directed to:

Niamh Lambert
Administrative Officer
Dublin City Council
Civic Offices
Wood Quay
Dublin 8
Tel.: 00 353 (0) 1 222 3315
Fax: 00 353 (0) 1 222 2830
E-mail: niamh.lambert@dublincity.ie

Any communication shall state clearly that it relates to the *"Provision of Outdoor Advertising Facilities"*.

Staff of Dublin City Council and its advisers have been instructed to refer all requests for information to Niamh Lambert and to inform the Council of any approaches received directly from Bidders. Failure to adhere to the process for

communication with the Council may result in the Bidder being excluded from the competition.

(d) Confidentiality of Communications

Where a Bidder submits a query/request for further information to the Council, the following procedure will apply:

- if a Bidder believes that a query/request and/or its response relates to a confidential or commercially sensitive aspect of its bid, then it must mark the query/request as “confidential” or “commercially sensitive”;
- if the Council, at its discretion, is satisfied that the query/request and/or its response could, and shall, be properly regarded as confidential or commercially sensitive, the nature of the query/request and its response shall be kept confidential (subject to the Awarding Authorities obligations under the Freedom of Information Acts 1997-2003);
- if the Council decides that it would be inappropriate to answer the query/request on a confidential basis, it will notify the Bidder and the Bidder will have the opportunity to withdraw the query/request;
- if the Bidder does not withdraw the query/request within five working days of such notification, the query/request and its response will, where appropriate, be released anonymously to all of the Bidders.

On receipt of the ITB, Bidders shall submit to the Council in writing the name, title and facsimile and e-mail address of the nominated person within their own organisation through whom all communications with the Council is to be directed during the tender period.

(e) Clarification Meetings

The Council intends to hold clarification meetings with Bidders during the week commencing **17/10/05**.

2.2 Contract

The Contract sets out the terms and conditions which will govern the successful Bidder(s) relationship with the Council. A copy of the Contract is set out at **Appendix IV**.

Bidders are asked to review the Contract and to revert with comments/proposed amendments as soon as possible and, in any event, **not later than 7th October 2005**. If the Council decides to take on board these comments, the Council may issue a revised version of the Contract in sufficient time before the deadline for receipt of Bids.

2.3 Specification

The Council's requirements for the project are set out in the Specification appended in **Appendix II** hereto, which is intended to be scheduled to the Contract.

2.4 Bid Validity Period

All Bids shall be deemed to remain open for a period of 6 months from the deadline for the receipt of Bids.

2.5 Bid Costs

The Council will not be liable for any costs incurred by Bidders in the preparation of Bids, or any associated work effort. It is the responsibility of Bidders to ensure that they are fully aware and understand the requirements as laid out in this document.

2.6 Currency

All prices given in the Bids shall be in euro (€).

2.7 Tax Clearance Certificate

In the case of a Bidder (and any proposed sub-contractors) resident in the Republic of Ireland it shall be a precondition of an award of contract that the Bidder shall within a stated period produce a current Tax Clearance Certificate. Application forms for such Tax Clearance Certificates may be obtained from their local authority or from www.revenue.ie. Completed forms should be forwarded to the Revenue, Sarsfield House, Francis Street, Limerick.

Non-resident Bidders, and any proposed non-resident sub-contractors, will require a statement from the Revenue of the Republic of Ireland that they are satisfied as to the suitability for tax purposes of the Bidder to be awarded a contract. They should apply to the Revenue, Nenagh, Co. Tipperary for this statement, which should then be forwarded to the Council.

The successful Bidder(s) and all sub-contractors (domestic or otherwise) shall continue to hold, in good standing, current issues of all such certificates for the duration of the construction. All payments under the Contract will be conditional on the contractor(s) being in possession of valid tax certificates at all times.

2.8 Status of submissions

Information supplied by Bidders in response to this invitation may be incorporated into the Contract by the Council. Note that the Council reserves the right to seek clarification or verification of any such information.

2.9 Language

All Bids and correspondence or documentation in relation to this tender process or the Contract shall be in the English or Irish language.

2.10 Presentations

The Council reserves the right to require the highest ranking Bidders to make presentations to the Council in respect of the Bidder's Bid.

2.11 Disclaimers

- (i) The information set out in this ITB is made available on the condition that it is used in relation to preparing Bids for this project only and for no other purpose. Bidders must make their own investigations so as to form their own view as to the accuracy and completeness of the statements contained herein and to

satisfy themselves as to the commercial value of entering into a contract with the Council in relation to the project.

- (ii) Whilst the information in this ITB has been prepared in good faith, it does not purport to be a comprehensive review of all matters relevant to the Council's requirements and neither the Council nor its advisors will accept any liability or responsibility for its adequacy, accuracy or completeness, nor do they make any representation, warranty or undertaking, express or implied, with respect to the information contained in this ITB or future information supplied in connection with the project. No person has been authorised by the Council, its advisors or consultants, to give any information or to make any representation not contained in this ITB and, if given or made, any such information or representation shall not be relied upon as having been so authorised.
- (iii) This ITB does not constitute a contract with Dublin City Council. By participating in this procurement process, Bidders acknowledge that there does not exist any contractual or quasi-contractual relationship between the Council and Bidders prior to the execution of a formal agreement.
- (iv) The Council reserves the right, without notice, to terminate the process or change the basis and the procedures for the bidding process. In such circumstances, the Council and its advisers shall not be liable to any persons as a result thereof. Nothing in this ITB is, or should be relied upon, as a representation as to the Council's ultimate decision in relation to the project.
- (v) This ITB documentation expands upon the information contained in the Contract Notice. The Council also reserves the right to update or alter this ITB and the information and documents contained herein at any time by notice in writing to the Bidders.

2.12 Governing Law

Irish law is applicable to this ITB. The Irish courts shall have exclusive jurisdiction in relation to any disputes arising from this ITB.

2.13 Freedom of Information

Subject to **Instruction 2.15** below, the Council undertakes to treat as confidential any information supplied as part of a Bid, subject to its obligations under law. The Council is subject to the provisions of the Freedom of Information Acts 1997-2003. Bidders are asked to consider if any of the information supplied by them in response to this ITB should not be disclosed because of its sensitivity. If this is the case, Bidders should, when providing the information, identify same and specify the reasons for its sensitivity.

Please note, it is **not** sufficient to include a statement of confidentiality encompassing all the information provided in your Bid.

2.14 Publicity

Bidders should note that the Council may make public the amount of all Bids and shall publish the name of the successful Bidder(s).

2.15 Bidder's Obligation of Confidentiality

All documents issued and information given to Bidders must be treated as strictly confidential. Bidders shall not release details of the tender documents other than on an "In Confidence" basis to those who have a legitimate need to know or whom they need to consult for the purpose of preparing their bid.

Bidders shall not undertake (or permit to be undertaken) at any time, whether at this stage or after any contract award, any publicity activity with any section of the media in relation to this project other than with the prior written agreement of the Council. Such agreement shall extend to the proposed content of any publicity. For the purposes of this Instruction, the word "media" includes (but is not limited to) radio, television, newspapers, trade and specialist press, the Internet and e-mail accessible by the public at large and the representatives of such media.

2.16 Notices

The Council may at any stage, by notice to all Bidders, delete, vary or extend any item in this ITB. Bidders shall immediately acknowledge the receipt of each such notice in writing to the Council.

2.17 Anti-Competitive Conduct

Bidders' particular attention is drawn to the application of the Competition Act 2002. The Act makes it a criminal offence for Bidders to collude on prices or terms in a public tendering procedure. Should the Council become aware of direct or indirect communications through trade associations or otherwise between Bidders relating to the Bids or which might facilitate price collusion, it shall be the policy of the Council to disqualify such Bid(s) or Bidder(s) and to notify the matter to the Competition Authority with the recommendation that action be taken against such Bidders.

In this regard, Bidders are required to complete the declaration attached in **Appendix III** and include this as part of their Bid.

2.18 Interference or Attempts to Influence

Bidders shall note that any efforts to interfere with the tender process or to improperly influence the Council, or any of its agents or advisers, shall result in the immediate elimination of their Bid.

In this regard, Bidders are required to complete the declaration attached in **Appendix III** and include this as part of their Bid.

2.19 Conflicts of Interest / Registrable Interests

Any conflicts of interest involving a Bidder (or members of a bidding group) must be fully disclosed to the Council, particularly where there is a conflict of interest in relation to any recommendation or proposals put forward by the Bidder.

Any registrable interest involving the Bidder and the Council or their employees or relatives, must be fully disclosed in response to this ITB, or should be communicated to the Council immediately upon such information becoming known to the contractor, 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.

2.20 Ownership of ITB documents

The copyright in this ITB is vested in the Council and its advisers and may not be reproduced, copied or stored in any medium without the prior written consent of the Council. This ITB and any document issued on foot of it are and shall remain the property of the Council and must be returned upon demand.

2.21 Deadline for submission of Bids

3 hard copies of the Bid must be submitted not later than 12.00 noon (GMT) on 15/12/2005 to:

**Ciaran McNamara
Executive Manager
Dublin City Council
Wood Quay
Dublin 8**

No Bids will be accepted after the date and time specified, or such later date and time as may be notified in writing by the Council.

All Bids should be delivered in hard copy and sent either by registered post, recorded delivery, courier or hand delivery. Bids by fax or by email will be excluded from consideration.

All Bids shall be submitted in a single plain sealed package marked "*Provision of Outdoor Advertising Facilities/Services*" enclosing a covering letter in the format set out in **Appendix 1** identifying the name of the bidding group and signed by all the principals who form the bidding group. Bids are to be sent in packaging that must not bear the name, address or any other marking which may identify the sender. Bidders should also ensure that the carrier used by the Bidder for the delivery of bid documents does not attach any item to the packaging that identifies the sender.

3 Format of Bids

All Bids submitted must be fully paginated with an index, annotated and cross referenced where appropriate. Bidders must provide **3 hard copies** of the Bid which should contain the information requested in this ITB structured as follows:

Section one	Executive Summary
Section two	Bidder's Details
Section three	Bid Form
Section four	Economic/Financial Proposal
Section five	Design Proposal
Section six	Management, Maintenance and Cleaning Programme
Section seven	Installation and Delivery Plan
Section eight	Proposal for Enhancement of Public Realm
Section nine	Bidder's Team
Section ten	Declaration in form set out in Appendix III

3.1 Information to be included in Bids

The following shall be included in the Bids:

Section one Executive Summary

The Bidder is to submit an executive summary describing the Bid. The summary should be contained on no more than three A4 sheets of paper.

Section two Bidder Details

Bidders should use this section to describe their organisational details. Details of prime contractors and sub-contractors must also be supplied.

Contact person

Each Bidder should provide the name, telephone number and email address of a contact person dealing with the Bid.

Group Bidders

If consortia are making proposals, they must appoint a Prime Contractor who will assume overall responsibility for the delivery of the project and the signing of the Contract. The name, address, email address, telephone and fax numbers of Prime Contractor should be provided.

Bidders are required to identify each member of the bidding group, indicating the role to be carried out by each member. A description of the relevant companies must be given together with an overview of the structure of the group.

Section three Bid Form

The Bid must include a completed Bid Form as set out in **Appendix I**.

Section four *Economic/Financial Proposals*

Bids must indicate the value to the Council in Euros over the period of the contract. This shall include the following:

- a) Proposed percentage or percentages of annual Net Revenue (as defined in the Contract), together with the estimated Net Revenue in a tabular form for each year of the contract; and
- b) The Minimum Guaranteed Net Rental (as defined in the Contract); and
- c) The value of any public amenities or other services being offered at no cost to the Council (including for example, street furniture a way-finding system, an information and communications system, bicycle rental services, advertising space for the Council). The value of each such service should be separately set out.
- d) The concessionaire shall state how many faces of Advertising Structures/Displays it will make available to Dublin City Council for its own use, such faces to be made available at no cost to the Council subject to the council giving to the Concessionaire three months notice of its intention to use the Advertising Structures/Displays.

In addition to the above, the Bidder may also offer an alternative pricing structure (ie as an alternative to (a) and/or (b)).

Section five *Outdoor Advertising Design Proposal*

Bidders must submit:

- a) Details on the carrying capacity of the city, this information should establish the intensity of intervention on an area-by-area basis across Dublin city.
- b) Precise details regarding location and number of all proposed outdoor advertisement structures should be submitted.
- c) Locations of all proposed structures, mapped on an ordnance survey bases map at a minimum scale of 1:1000.
- d) Scaled drawings at 1:25 of the proposed advertisement structures(s), including plans, sections and elevations.
- e) Details of the proposed materials as well as types of technology and illumination.
- f) In the event of more than one type of structure being proposed, scaled drawings of the various typologies.

Section six *Public Realm Enhancement Proposal*

Bidders should include in their proposals the following information:

- (a) The locations, number, type, materials, dimensions and detailed design of the proposed ranges of streets furniture;
- (b) Details of the management, maintenance and cleaning programme for the proposed range of street furniture, including details of the method and frequency of cleaning operations, previous experience of providing such a service elsewhere and the technical means to do so;

- (c) Details of any other services offered to enhance the public realm, such as way-finding systems, information and communications systems and bicycle rental services;
- (d) Details of the installation plan for the selected range of street furniture and for the provision of any other services offered, indicating time scale and completion date, following the award of the contract by the Council and satisfactory completion of the appropriate planning process(es).

Section seven Duration of Concession

Bidders shall set out the minimum number of years they would propose for the concession contract. The Council's preferred maximum would be 10 years.

Section eight Management, Maintenance and Cleaning Programme

Bidders must provide details on their proposed programme for Management, Maintenance and Cleaning of the advertising structures and street furniture.

Section nine Installation, Delivery Plan

Bidders must provide details of the time scale for delivery and the final completion date following the award of the contract by the Council and satisfactory completion of the appropriate planning process(es).

Section ten Bidder's Team

Bidders must provide details of the relevant professional and educational qualifications and expertise of all of their team, responsible for the design, maintenance and management of the proposed structures and advertising services and the proposed staff. In particular, the Bidder should set out details of the proposed team's experience in the design management, co-ordination and construction of projects of a similar nature, complexity and size.

Section eleven Declaration

Bidders are required to complete and submit the Declaration appended at **Appendix III**.

4. Evaluation of Bids

4.1 Compliance

The Council will firstly determine whether each Bid submitted complies with the terms and conditions of this ITB. The Council may eliminate any Bid it determines to be non-compliant with the requirements of this ITB.

4.2 Evaluation

The Contract, if awarded, shall be awarded to the Bidder that has submitted a Bid:

- a) in compliance with this ITB; and
- b) that is determined by the Council to be the most economically advantageous, having regard to the application of the award criteria.

The Bid(s) adjudged to be the most economically advantageous to the Council will be the Bid(s) with the highest marks following the application of the following **award criteria**:

1. Economic Criteria (30 points)

This concerns the value of the proposal to the Council over the course of the contract, having regard to the information requested in paragraph 3.1, section 4 above (and not the greatest amount of advertising space that can be provided in the city.)

2. Outdoor advertising design (30 points)

This will involve a qualitative and quantitative assessment of proposed locations and intensity (city's carrying capacity) together with design, quality, aesthetic and functional assessment of the advertisement structures and their compatibility with the Dublin streetscape. Positive consideration will be given to the use of well designed/high quality bespoke ranges specific to Dublin city.

3. Public Realm Enhancement (20 points)

This concerns the strengths of the proposal in terms of street furniture and other services/other proposals for the enhancement of the public realm. It will involve a qualitative/quantitative assessment of selected locations and ranges of street furniture together with design, quality, aesthetic, functional assessment and their compatibility with the Dublin streetscape. Positive consideration will be given to use of well designed/high quality bespoke ranges specific to Dublin City. It should be noted that the Council has a particular interest in the development, provision and maintenance of a rental bicycle scheme and city information panel scheme.

4. Duration of Concession (10 points)

The shorter the concession period, the more favourably the Council will look on the proposal.

5. Management, Maintenance and cleaning programme for the advertisement structures and street furniture (5 points)

6. Delivery Programme (5 points)

All submissions will be assessed against the six above criteria and must, in respect of each criterion, attain at least 50% of the marks available for that criterion.

The Council does not bind itself to accept the lowest or any Bid and will not pay any compensation whatsoever in connection therewith. It reserves the right to accept or reject in whole or in part any or all Bids received.

Appendix I

BID FORM

To: Dublin City Council
Civic Offices
Wood Quay
Dublin 8
(the "Council")

Re: **Provision of Outdoor Advertising Services and Public Amenities ("the Project").**

1. We confirm that our Bid is submitted fully in accordance with the requirements of the Invitation to Bid in relation to the above Project ("ITB") and we understand and accept the terms and conditions set out in the ITB, including (without limitation) the conditions as to confidentiality, canvassing and collusion, and conflict of interest. We also confirm that we have had an adequate opportunity to make our own enquiries during the preparation of this Bid and we understand and accept the terms of the disclaimers contained in the ITB.
2. Having examined the Specification and the Contract, we hereby offer to carry out the Services (as defined in the Contract) on the terms set out in the enclosed Bid.
3. We confirm our understanding that the Council is not obliged to accept the lowest or any Bid and, further, that the Council may at its discretion terminate the competition without accepting any Bid at all.
5. In consideration of the Council supplying us with the ITB, we agree to abide by this bid for the period of 6 months days from the deadline for the receipt of Bids and it shall remain binding on us and may be accepted at any time before the expiration of that period.
6. We confirm that the information set out in our Bid is complete and accurate to the best of our knowledge and belief.

Signed on behalf of the Bidder by;

Signed:

Name & position:

For and on behalf of:

Dated

Signed:

Name & position:

For and on behalf of:

Dated

Signed:

Signed:

Name & position:

Name & position:

For and on behalf of:

For and on behalf of:

Dated

Dated

Note: where the Bidder is a consortium, this form must be signed by a duly authorised representative of each member of the consortium.

Appendix II

Specification

Dublin City Council is proposing to develop a modern, efficient and well-designed system of outdoor advertising located within the public realm, tapping into the significant but latent commercial value of public land. It is intended to use this 'commercial value' to facilitate not only the integrated delivery of a scheme of high quality outdoor advertising, but also well designed and preferably bespoke ranges of street furniture to facilitate the enhancement of the public realm.

Submissions shall provide for creative, intelligent and co-ordinated interventions that are informed by a clear understanding of the city's distinctive city identity. Furthermore, they should recognise and reflect the City Council's wider goal to develop a strong and coherent urban identity in both the inner and outer city. This goal is presented in a number of strategic documents in particular the Dublin City Development Plan 2005-2011 and 'Legible Dublin' which focuses on the inner city.

Planning and Policy Context

Legible Dublin

Dublin City has a special sense of place shaped by its historic urban qualities: the river, streets, squares and spaces and a special architectural character. Following a period of intense activity, however, the city is now in the process of developing a new identity, marrying the urban legacy of the past with the new wave of economic and cultural activities that have colonised different parts of the city.

A recent study carried out by the City Council – 'Legible Dublin' seeks to build on this intense level of activity and develop a distinctive city identity. It presents a strong vision to create a world class walking city, placing the pedestrian at the heart of the design process. It is underpinned by three themes:

The walkable city - creating a pedestrian friendly extended core.

The reclaimed city - creating a public domain of international standing

The connected city - creating a way finding and information system

In support of these themes, Legible Dublin identifies a strategic spatial framework made up of several key elements; the River Liffey and Quays, Civic Spine, significant public spaces and major pedestrian routes. By focusing on the development of a high quality, legible and well-connected public realm, the Study creates the opportunity to draw together the city's various economic and cultural activities, magnets and destinations and address the challenge of spatial unity.

Dublin City Development Plan 2005 - 2011

The Dublin City Development Plan also recognises the necessity to bring a new energy to the suburbs and address the lack of urban identity. While significant attention is placed on the implementation of Framework Plans for Ballymun, North Fringe, Pelletstown and Park West, the Development Plan also seeks to make sense of the more established suburbs, integrating economic, cultural and social dimensions with the physical and spatial within the context of a coherent urban structure.

The Dublin City Development Plan also addresses the specific issue of outdoor advertising and street furniture. It acknowledges that well-designed advertising signs in selected locations and on an appropriate scale can contribute to the character and vitality of commercial areas of the city, particularly at night. However, it also notes that insensitively located advertisements can have an adverse effect on the character and attractiveness of Dublin, damaging the character of individual buildings, streets and historic and conservation areas of the city. Dublin City Council will continue to seek the removal of such advertisements and permit only advertising structures which are used sensitively and sympathetically and which enhance the appearance and vitality of an area. Prompt enforcement action is taken against all unauthorised development.

The Plan has policies on a range of outdoor advertising structures including advertising hoardings, illuminated signs, free standing advertisement displays as well as on street furniture and the use of outdoor advertising in sensitive locations such as conservation areas (see relevant extracts attached).

Outdoor Advertising/Street Furniture

Outdoor Advertising

Dublin City Council defines outdoor advertising as all advertising communication experienced outside the home and as stated has developed a range of policies to control and manage it in terms of size, format, location and extent. However the medium and technology associated with outdoor advertising has developed dramatically in the last few years, and current policies do not always address the sophistication and quality of this advertising, particularly in the public realm.

Street Furniture

Street furniture can be defined as bins, signs, bollards, way finding systems, information and communication systems etc. located in the city's streets and spaces. Since, these elements are often provided by different agencies, or different parts of the City Council, their siting, liveries and design are frequently uncoordinated, unattractive and cluttered resulting in a poor and inefficient urban realm.

The Role of Outdoor Advertising

Commercial Issues

Commercial Advertising and Revenue Generation

Dublin City Council is seeking to build on Dublin's physical assets and to generate an urban realm of the highest possible quality and individuality. It recognises that significant under-utilised value exists in the public realm which if carefully harnessed can provide the means by which the City Council can create a high quality public realm that enhances the city's distinctive character of the city. Dublin City Council wants to capitalise on this asset, and in line with many other European cities is now seeking to co-ordinate the management and enhancement of the public realm with the provision of outdoor advertising. This is to be achieved through the development of co-ordinated delivery systems of outdoor advertising, attractive and well-designed ranges of street furniture and ongoing environmental enhancement programmes.

By adopting this new approach, the City Council expects to exercise a much greater degree of control over the future of Outdoor Advertising, develop a significant revenue generator for the city and secure an enhanced public realm.

Planning a New Approach to Outdoor Advertising

The development of a modern outdoor advertising scheme must be based upon a rigorous analysis of what makes Dublin special, but also critically, the city's carrying capacity. This does not preclude the possibility of introducing new advertising mediums into the built fabric of the City. In this regard, a coherent geographical assessment of planning and urban design issues has been carried out to provide a robust and sustainable framework for the provision of any form of outdoor advertising.

This is developed in a zonal policy that is carefully tailored to fit the urban form and characteristics of the city (Map 1 – this will be attached). It is based on a geographical sensitivity analysis of the city that allowed for:

A heritage and residential area sensitivity analysis of the city
A review of the geographical opportunities for advertisement structures and
The development of a hierarchical framework of sensitivity

The geographical sensitivity analysis is based on a sieving system, identifying for example – areas of sensitivity such as conservation areas, protected structures, residential and amenity areas. It is also related to the nature of movement within and through the city, identifying vehicular routes - orbital and radial - and principal areas of pedestrian movement, important interchanges and lines of existing and planned public transportation corridors such as QBCs and the LUAS throughout the city. It also identifies opportunity areas – related to a combination of commercial and public transport activities - to provide guidance on the potential value of advertising in the street scene.

This information has been 'layered' on a composite map to establish a hierarchy of zones covering the city, based upon their relative merit in architectural, historic and townscape terms, as well as prevailing or proposed land uses such as commercial or residential activities. These zones range from most sensitive to least sensitive, establishing in turn, constraints and opportunities for the location of advertisement structures on a sliding scale of intervention.

The Zones

Six zones have been identified based on this strategy and are identified on the attached map.

- Zone 1 - the Georgian city - outdoor advertising prohibited.
- Zone 2 - areas of significant urban quality - with retail /commercial uses - outdoor advertisement may be permitted subject to special controls.
- Zone 3 - the radial routes - significant opportunity for outdoor advertisement - normal controls will apply.
- Zone 3A – additional radial routes - significant opportunity for outdoor advertisement - normal controls will apply.**
- Zone 4 - the River Liffey Corridor - an area of high quality urban form - limited opportunities for advertising.
- Zone 5 - urban renewal areas - advertising may form part of newly created streetscapes.

Zone 6 - residential areas - limited commercial viability - outdoor advertisement may be visually inappropriate.

Dublin City Development Plan 2005-2011

Extracts from Chapter 15 General Site Development Standards

15.10.4 Development in Conservation Areas

All new buildings should complement and enhance the character and setting of conservation areas. In considering proposals for development in conservation areas, it is policy to have particular regard to:

- The effect of the proposed development on buildings and the surrounding environment, both natural and man-made
- The impact of development on the immediate streetscape in terms of compatibility of design, scale, height, plot width, roof treatment, materials, landscaping, mix and intensity of use proposed

Development within conservation areas should be so designed so as not to constitute a visually obtrusive or dominant form of development. New alterations and extensions should complement existing buildings/structures in terms of design, external finishes, colour, texture, windows/doors/roof/chimney/design and other details.

The Planning Authority discourages the use of uPVC or aluminium in windows, fascias and doors in historic buildings that are not protected. Proposals for the application of cement render to the external brick fabric of older buildings will not be encouraged in conservation areas. In assessing development proposals, the Planning Authority will seek the retention of mature trees (those in good condition) which contribute to the character of conservation areas where appropriate.

In conservation areas, no advertising material other than brass or stone name-plate type signs will be permitted. On commercial properties leading into such areas, advertising will be severely restricted, and shall only relate to the service provided in the premises. In dealing with all advertising in conservation areas, the overriding consideration will be the enhancement and protection of the essential visual qualities of the area. Where applications for security cameras are proposed, every effort should be made to conceal the device and to employ best available technology, including the smallest scale of device available, to ensure that the device would not be obtrusive and would not detract from the integrity of the conservation area.

In conservation areas, the development of housing between the main house and the mews building, particularly on corner sites, has had a detrimental effect on the visual and residential amenities of these areas. Hence, backland development will not be permitted in conservation areas where the development proposed would introduce a third line of buildings between the main building and its associated mews.

15.27.0 Street Furniture

Certain uses in the public realm including elements of street furniture can lead to problems of visual clutter and to obstruction of public footpaths for pedestrians, in particular people with disabilities. These elements include newspaper stands, telephone kiosks, traffic and bus signs, tables and chairs, taxi and bus shelters as well as unauthorised A-frames and spinner stands erected by retailers. It is an objective of Dublin City Council to control the location and quality of these structures in the interests of creating a high quality public domain.

All outdoor furniture provided by private operators including retailers, publicans and restaurateurs etc., and utility companies should be to the highest quality, preferably in good contemporary design avoiding poor historic imitation and respect the overall character of the area and quality of the public realm and be so located to prevent any obstruction of all footpaths and paved areas including landings.

In this regard, street furniture will require either a licence under Section 254 of the Planning and Development Acts, 2000 to 2002 or planning permission (including street furniture erected on private landings).

In both instances, the applicant will be required to submit details of the location, design, specification and quality of the proposed elements of street furniture. Details of maintenance and cleansing schedules together with a certificate of structural stability may also be required.

15.32.0 Outdoor Advertising

Pending the completion and adoption of an outdoor advertisement strategy, these development standards will be applied to all proposals for advertisement structures. They may be superseded by the completion of the Outdoor Advertising Strategy.

Well-designed advertising signs in selected locations and on an appropriate scale can contribute to the character and vitality of commercial areas of the city, particularly at night. However, the character and attractiveness of Dublin is adversely affected by many insensitive advertisements. They have damaged the character of individual buildings and streets, and have had a detrimental effect upon the historic and conservation areas of the city.

Dublin City Council will seek the removal of such advertisements and permit only advertisements which are used sensitively and sympathetically and which enhance the appearance and vitality of an area and prompt enforcement action will be taken against all unauthorised advertisements.

In order to enhance, protect and secure their architectural integrity and to prevent unwelcome litter pollution, the granting of permission for advertising hoardings or signage on all Luas bridges will be deemed incompatible with the objectives of the City Development Plan.

15.32.1 Advertising Hoardings

Advertising hoardings, (including tri-vision and three-dimensional signs), in addition to meshes, scaffolding and banners which are inappropriately located can constitute one of the most obtrusive elements of all forms of outdoor advertisements. They rely for their impact on size, scale and location, and, thus, are usually detrimental to the character of the area in which they are situated. However, they can help to screen building sites and sites awaiting redevelopment.

There is scope for the temporary screening of derelict sites and building sites through the use of outdoor advertising, landscaping, suitable boundary treatment (such as railings), and the provision of public seating in liaison with the outdoor media industry.

The industry will be expected to co-operate with the guidelines which are set out below and as may be amended from time to time.

- As a general principle, outdoor advertising will only be permitted within commercial zones. It will not be permitted within residential zones, historic or conservation areas, or amenity areas.
- Outdoor advertising will not be permitted either on protected structures or within the vicinity of such protected structures in such a way as to detract from the visual quality of their setting.
- Meshes or banners mounted on, or hung from, buildings or scaffolding will not be permitted. In exceptional circumstances, meshes or banners may be permitted for a temporary period to promote a cultural event, subject to the space devoted to the name/logo promoting the event or the advertising material relating to this company not exceeding one tenth of the overall display area.
- The scale of display panels must be related to the scale of the buildings and streets in which they are located. Ninety-six sheet and forty-eight sheet panels will not be permitted. As a general principle, the Planning Authority has a clear preference for smaller-sized panels, such as the Europanel (3m x 4m). Vertical proportions are preferred.
- Where illuminated hoardings are proposed, the effect on the streetscape, including during the hours of darkness and on the amenities of the area, will be considered.
- Display panels may form part of the visual screening around building sites or sites awaiting redevelopment. In such cases, temporary permissions will be considered, where appropriately sized panels form an integral part of an overall boundary treatment and do not comprise more than half of the total surface area of such treatment.
- As a general rule, permissions for outdoor advertising will be limited to a maximum of three years in the first instance to enable the position to be reviewed by Dublin City Council in the light of changing circumstances at the end of that period.

- The number and scale of hoardings in the vicinity of the site will be taken into consideration when assessing proposals.

15.32.2 Illuminated Signs

Illuminated signs in appropriate locations can provide both information and colour in the townscape after dark.

The following guidelines will apply:

- The type of illuminated signs, internally or externally illuminated, individual letters, and neon tubes should be determined by consideration of the design of the building and its location.
- The design of an illuminated sign should be sympathetic to the building on which it is to be displayed. It should not obscure architectural features such as cornices or window openings in the area. On new buildings they should be part of the integral design.
- The daytime appearance when unlit will be considered.
- Sky signs, i.e. signs that project in any part above the level of a building parapet or obtrude on the skyline, are regarded as objectionable in principle and will not be permitted.
- Internally illuminated scrolling signs, or signs with exposed neon tubing are generally not acceptable.
- The number of illuminated signs in the vicinity of the site will be taken into consideration when assessing proposals.

15.32.3 Free Standing Advertising Displays

Dublin City Council will consider appropriately designed and located freestanding advertising panels on city centre and district centre streets. In all such cases, the panels must be of a high quality design and materials and must not obstruct pedestrians.

Appendix III

Declaration in relation to Collusion and Canvassing

To: Dublin City Council
Civic Offices
Wood Quay
Dublin 8
(the "Council")

Re: **Outdoor Advertising and Public Amenities ("the Project").**

Dear Sirs

I refer to the Invitation to Bid issued by the Council on **26th September 2005** in respect of the Project.

I am a Director / authorised officer [*delete as appropriate*] of the company named below ("the Bidder") and I am responsible for the preparation of a Bid in relation to the Project.

On behalf of myself and the Bidder, I hereby declare to the Council that I/we have not and will not attempt to unfairly influence the conduct or outcome of the procurement process of the Project. In particular, I/we declare that I/we have not and will not, directly or indirectly, at any time:

- (i) Fix, amend or adjust the amount or content of a Bid in accordance with any agreement or arrangement with any other person, other than in good faith where such other person is a proposed partner, subcontractor, advisor or provider of finance;
- (ii) Communicate to any person other than the Council, or seek or obtain from such other person, information about the amount or content of any Bid, other than in order to obtain quotations for materials, supplies, services or finance;
- (iii) Enter into any agreement or arrangement with any other person that will result in such a person refraining from submitting a Bid;
- (iv) Enter into any agreement or arrangement with any other person as to the form, content or amount of any Bid submitted by any other Bidder; and
- (v) Offer or pay a sum of money, incentive or valuable consideration to any person proposing to effect changes in or omissions from any other Bid;
- (vi) canvass any elected member, officer, employee, advisor or agent of the Council in relation to the procurement process of the Project or attempt to obtain information from any elected member, officer, employee, advisor or agent of the Council in relation to any other Bidder or Bid; and

- (vii) Without limitation to the foregoing, engage in any anti-competitive practices in relation to the procurement process of the Project.

I/We hereby acknowledge that, in the event that the Council determines that I/we are in breach of this declaration, the Bidder shall be disqualified from the procurement process relating to the Project.

Signature _____

For and Behalf of _____
(Name of Company)

Date _____

Appendix IV

Draft Contract
