



PRE-QUALIFICATION QUESTIONNAIRE (PQQ)

RELATING TO THE ESTABLISHMENT OF A QUALIFICATION SYSTEM

TENDER REFERENCE: 2361

Qualification System for Translation Services CFT 2710767
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Name of Applicant:	
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Deadline for PQQ Submission

For administrative purposes to ensure the maximum throughput of applications in as prompt a time as possible fully completed Pre-Qualification Questionnaire and all submissions relating to it must be uploaded in response to this notice on <http://www.etenders.gov.ie> no later than an initial deadline of 12.00 noon (local time) on 16th February 2024

Deadline for Submission of future PQQ

Applications will be accepted by An Post for future requirements up to the closing date of the Qualification System on 15th December 2033.

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IMPORTANT NOTICE

1. AN POST having its registered office at General Post Office, O'Connell Street, Dublin 1, Ireland is the Contracting Authority in respect of the competition the subject of this Procurement Process and this Pre-Qualification Questionnaire. AN POST operates in the postal sector and is a utility and its procurement procedures are governed by the Utilities Directive (2014/25/EU) of the European Parliament and Council dated 26 February 2014.

AN POST is the Irish Post Office and was established as a commercial company in 1984. It operates the national postal service as well as various money transmission, savings and retail services such as foreign exchange, bill payment and insurance throughout Ireland and also provides agency services for Government departments and other bodies.

AN POST has a network of 913 post offices and the Group produced revenues of €888.1 million during 2022, servicing some 2.4 million delivery points and handling transactions with an annual value of €13.4 billion over its counters. The Group operates a number of subsidiary and associated businesses, such as Post Insurance, Air Business and the Prize Bond Company, in Ireland and the United Kingdom. It also runs the GPO Witness History centre.

2. The entire of this document, including all of this Sections, clauses, and paragraphs and the questionnaire set out herein and any attachments or exhibits attached hereto (whether in electronic form or otherwise) is referred to as the "Pre-Qualification Questionnaire" or "PQQ". The questionnaire to be completed by Applicants attached to this PQQ is referred to as the "Questionnaire". An "Applicant" is a person/group of persons/economic operators who have expressed an interest in this competition and who is/are defined as such in Section 2 of this PQQ.
3. Neither AN POST nor any of its directors, officers, managers, employees, advisers, servants or agents, warrant or represent that this document, or any other information given to Applicants, is accurate or complete, and they do not accept liability for any error, misstatement, or omission (negligent or otherwise) in this document, or in any other information given to Applicants. Neither AN POST nor any of its directors, managers, officers, employees, advisers, servants or agents owes any duty of care to any recipient of this PQQ either in relation to this PQQ or any other information that an Applicant may receive at any time.
4. The Pre-Qualification stage of this Procurement Process may be cancelled at any time by notice in writing issued by AN POST to the Applicants without any liability attaching to AN POST in respect thereof and no compensation or payment of any kind shall be payable to any Applicant or any other person in the event of cancellation or termination of this Procurement Process. AN POST is not liable for Applicants' costs or expenses arising in connection with this pre-qualification stage or any other stage of this process, irrespective of the outcome of this competition, or if the competition is cancelled or postponed.

1. DESCRIPTION OF THE CONTRACT BEING PROCURED

1.1 Name of Contract and Summary of Services/Goods Required/Summary of Requirements

This is a call to competition by AN POST for Translation Services (the "Contract").

Summary of Requirements

The Irish language is an important part of the An Post brand. The company embraces the use of the language and is dedicated to meeting its Irish language requirements. An Post's Irish Language Officer manages the company's Irish language responsibilities and supports the delivery of designated services through Irish. The Irish language officer reports to the Public Affairs Manager within the Corporate Communications team.

From time to time, An Post may require translation services to assist with the delivery of initiatives. Initiatives may relate to An Post's obligations under the provisions of the Official Languages (Amendment) Act 2021. The [Official Languages \(Amendment\) Act 2021](#) was signed into law on 22 December 2021 and strengthens the Official Languages Act 2003. The aim of the Official Languages Act 2003 is to increase and improve in an organised manner over a period of time the quantity and quality of services provided for the public through Irish by public bodies.

As needs arise, An Post will call upon shortlisted panel members to support with expertise and / or the delivery of translation services across various areas, these include but are not limited to:

1. Correspondence/Letters
2. Stamp Design
3. Corporate Communications
4. Annual Reports
5. Website
6. Publications
7. Signage
8. Advertising
9. Product & Marketing information
10. Other Related Requirements

Some of the above will require time sensitive responses or translation tailored to the requirements of the material involved, spoken word, marketing, social media etc.

Applicants will be expected to demonstrate to AN POST's complete satisfaction that they have the capacity and capability to provide all the services required.

The requirements contained in this notice are based on AN POST'S current requirements which are indicative only, are not exhaustive and are subject to change in line with the business needs and ongoing operational requirements of AN POST.

Full Specifications of the requirements will only be provided at Tender Stage.

1.2 Number of Applicants to the Qualification System

All those who complete the questionnaire contained in Appendix 1 and meet the minimum criteria and rules outlined, will be invited onto the Qualification System. There will be no limit on the numbers admitted. The names and details of those admitted will be confidential and will not be released to any members of the Qualification System.

1.3 Duration of the Qualification System

The Qualification System will operate until the 15th of December 2033. For the avoidance of doubt, An Post confirms that the period of any contracts or frameworks awarded under the Qualification System may extend beyond the date of expiry of the system itself.

An Post reserves the right to extend or close the panel early in line with operational requirements.

1.3 Operation of the Qualification System

An Post will use this Qualification System as and when requirements within its scope arise. It is An Post's intention to issue its requirements in the form of Invitation to Tender competitions as applicable. An Post may, where it deems it advantageous to do so, issue a requirement to all members of the Qualification System. The Panel is divided into Lots as specified in Section 1.1. Full Specifications of the services required will only be provided at individual tender stage.

For the avoidance of doubt, admission to the Qualification System constitutes no guarantee that any particular quantity of services will be procured from any member.

As a condition for the establishment of the Qualification System, An Post, at its sole discretion, reserves the right to engage in separate procurement procedures outside of the Qualification System for any contract arising within the lifetime of the System.

1.4 Form of call off contracts under the Qualification System

An Post intends that any such call-off contract shall be in the form of a An Post standard Service Level Contract. An Post, however, reserves the right to use another form of contract should An Post deem it more suitable.

2. THE APPLICANT

2.1 Who is the Applicant

Applicants may be submitted by an individual, a single entity, or a consortium or grouping or persons (however constituted). For the purposes of this PQQ, an Applicant is an economic operator who has expressed an interest in participating in this competition, and may include without limitation any of the following (each referred to as the "Applicant"):

- (a) individual candidate who is a natural person or a sole trader or single legal entity;
- (b) a corporate entity, a joint venture, or a partnership;
- (c) a consortium or group of members whether incorporated or unincorporated, including without limitation where a group proposes to contract whether through:
 - (i) a special purpose vehicle (SPV); or
 - (ii) one or more members of the consortium or grouping acting as lead member; or
 - (iii) a consortium where one or more members are also acting as sub-contractors; or
 - (iv) a group of persons consisting of a prime contractor and one or more persons or entities acting as sub-contractors where the Applicant is the prime contractor;
 - (v) or an unincorporated grouping of two or more persons.

If a submission is being made by a consortium, please refer to Appendix 2 for additional requirements.

2.2 Sub-contracting

Applicants should make it clear from their submissions, (refer to Part 1.3 of Appendix 1) which entities they are proposing to act as sub-contractor(s) and if sub-contractors are also proposed as members of a consortium.

The Contract does not allow for the entire obligations of the contractor to be sub-contracted and sub-contracting under the Contract is at the sole discretion of AN POST who may withhold its consent.

Where there is any change or proposed change in the details concerning any sub-contractor or sub-contracting arrangements that has been notified to AN POST by the Applicant, such a change must be notified in writing to AN POST.

2.3 Reliance on Resources

If any Applicant, including an Applicant consisting of a consortium or group of members however constituted, or a grouping, wishes to rely on the resources of any person or other entity or entities, or in the case of a consortium, of the members of the consortium, or of sub-contractor(s), or of any third party, in order to meet the qualitative selection criteria set out in this PQQ and prove its economic and financial capacity and/or technical and/or professional expertise, including any minimum qualification criteria, it may do so whatever the nature of the legal link between itself and those persons/entities PROVIDED the Applicant can prove to the satisfaction of AN POST (in its absolute discretion) that it will have these necessary resources at its disposal when required.

AN POST may require, in this regard, a letter of undertaking from such other entity confirming that it will provide the necessary support at Pre-Qualification submission stage and any Applicant who seeks to rely on the resources of another party in order to fulfil selection criteria must comply with the requirements of Article 79 of Directive 2014/25/EU of the European Parliament and of the Council dated 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors (the "Utilities Directive").

An Applicant must set out in its detailed responses to the Questionnaire in respect of each of the selection criteria what are the precise arrangements by which it proposes to rely on the capacity and resources of other persons or entities, in the case of each of the selection criteria where it proposes to do so and the relevant Parts of the Questionnaire must be completed in relation to reliance on resources where this is relied upon by the Applicant.

3. THE PROCUREMENT PROCESS

3.1. Numbers admitted to the Qualification System

AN POST anticipates that it will, following the PQQ stage of this Procurement Process, have established a shortlist of pre-qualified Applicants. All those who complete the questionnaire contained in Appendix A and meet the criteria and rules outlined will be invited to the Qualification System. There will be no limit on the numbers admitted. The names and details of those admitted will be confidential and will not be released to any other members of the Qualification System.

3.2. Tender Process

The tender will be run under a Negotiated Procedure process with prior publication. A summary of the process is set out below:

A summary of the process is set out below:

- PQQ Advertised;
- PQQ evaluation;
- Notifications issued to successful and unsuccessful candidates;
- Tender Stage (or award stage) for individual requirements during the term of the Qualification System;

Applicants should note that those who have been invited on to the Qualification System will be required to comply with the insurance requirements and be required to be in possession of and produce a Tax Clearance Certificate from the Revenue Commissioners of Ireland at the time of contract awards. For the purposes of this PQQ the "Tenderer" means person(s) firm(s) company(ies) partnership(s) corporation (s) or other commercial entity submitting a Tender in response to the ITT.

3.3. Insurance

The successful Tenderer(s) shall be required to hold for the term of the Contract the following insurances:

Type of Insurance	Indemnity Limit
Employer's Liability	Thirteen million euro (€13,000,000)

By signing the Applicant's Statement at Appendix 4, Applicant's confirm that, if awarded a Contract under this Competition, (i) they will, from the Commencement Date of the Contract (as defined in the Contract), obtain and hold the types and levels of insurance as specified above, (ii) the territorial limits and jurisdiction of its insurance policies include the Republic of Ireland and (iii) they are not aware of any exclusions, restrictions, conditions or warranties or, in the case of policies with an aggregate limit of indemnity, any outstanding claims, which could have a material adverse impact on the level of coverage specified above. A formal confirmation from the Applicant's insurance company or broker to this effect will be requested from the Successful Tenderer(s) prior to the award of (and shall be a condition of) any Contract.

The Successful Tenderer(s) will, during the term of the Contract, be required to:

- (a) immediately advise AN POST any material change to its insured status;
- (b) produce proof of current premiums paid upon request; and
- (c) produce valid certificates of insurance upon request.

3.4. Tax Clearance

It will be a condition of any Contract pursuant to this Competition that the Successful Tenderer(s) shall, for the term of such contract(s), comply with all applicable EU and domestic tax laws. Applicants are referred to www.revenue.ie for further information. Prior to the award of any Contract arising out of this Competition, the Successful Tenderer(s) shall be required to supply its Tax Clearance Access Number and Tax Reference Number to facilitate online verification of their tax status by AN POST. By supplying these numbers, the Successful Tenderer(s) acknowledges and agrees that AN POST has the permission of the Successful Tenderer(s) to verify its tax cleared position online.

4. PROCEDURAL REQUIREMENTS

The Questionnaire must be completed in the prescribed form. Failure to provide the requested information, omission of supporting documentation and the provision of incomplete or misleading information may result in exclusion from the Procurement Process. A summary of the procedure for pre-qualification of Applicants under this Procurement Process is as follows:

- (a) Each Questionnaire returned will be checked to ensure that the Applicant has complied with any applicable procedural requirements and that the Questionnaire has been submitted on time within the deadline for submissions set by this PQQ and is complete. Applicants who do not comply may be eliminated at this point;
- (b) Each Questionnaire will be checked to ensure that the Applicant complies with the pre-conditions for pre-qualification set out in Section 4.1 of this PQQ. Applicants who do not comply may be eliminated at this point;
- (c) Each Questionnaire will be checked to ensure that the Applicant meets the minimum qualification criteria which are set out in Section 5.1 of this PQQ. Applicants who do not meet the minimum qualification criteria will be eliminated at this point;
- (d) All Applicants who have passed the previous stages set out above, will then proceed to be evaluated under the further selection criteria set out in this PQQ and a further evaluation or shortlisting exercise will be carried out at this stage;
- (e) AN POST will then inform Applicants in writing of the outcome of the pre-qualification procedures and will inform Applicants whether or not they have been shortlisted; and
- (f) Shortlisted Applicants will be invited to tender and issued with the ITT documentation, if AN POST decides (in its sole discretion) to proceed to the tender stage.

4.1. Pre-Conditions for Qualification and Shortlisting

- 1) Completion of Appendix 1 (Pre-Qualification Questionnaire)
Applicants must complete all Parts of Appendix 1 (the Pre-Qualification Questionnaire). This is without prejudice to the completion of an ESPD ("European Single Procurement Document") by any Applicant (which is referred to in Article 59 of Directive 2014/24/EU (the "Public Sector Directive") which is referenced in Article 80(3) of the Utilities Directive (2014/25/EU);
- 2) Declaration in Part 2 (Appendix 1) relating to meeting the minimum qualification criteria, is required to be completed by Applicants and any other entity on whom reliance on resources is sought to be relied upon;
- 3) Declaration in Part 9 (Appendix 1) relating to mandatory exclusionary criteria and discretionary exclusionary criteria, referred to in the Utilities Directive, to be completed by the Applicant and any other entity on whom reliance on resources is sought to be relied upon (without prejudice to any declarations made in any ESPD document submitted by an Applicant and any other entity);
- 4) Compliance with Appendix 2 (Consortium Submission requirements) to be completed by the Applicant where applicable;

- 5) Statement of Confirmation (Appendix 4) to be completed by the Applicant/supporting entity and furnished to AN POST with the completed PQQ, confirming acceptance of terms and conditions of this PQQ and confirming all declarations and information has been submitted;
- 6) Conflicts of Interest: The Applicant including all its members where it is a grouping or consortium, must be able to comply with AN POST's policy on conflicts of interest (as set out in this PQQ), as a pre-condition for qualification;
- 7) Verification: AN POST reserves the right to seek verification from any Applicant, at any stage during the competition, (including the pre-qualification stage, invitation to tender stage and contract award stage) in relation to any item, data or information supplied or in relation to any item referred to in any of the Declarations to be completed and referred to in the Appendices to this PQQ, and to seek verification of evidence of any remedial measures taken by the Applicant to demonstrate its reliability despite the existence of a relevant exclusionary ground, as such reliability measures as are referred to in Article 57(6) of the Public Sector Directive (2014/25/EU) which is referenced in Article 80(1) of the Utilities Directive, and/or to verify its compliance with the selection criteria set out herein and seek supporting documents/references/clarifications.

If an Applicant, at any stage during the competition, refuses to provide evidence which is considered by AN POST to be sufficient to demonstrate

(a) compliance with the selection criteria or

(b) the Applicant's reliability despite the existence of a relevant exclusionary ground,

it shall be excluded from the competition, and this shall include evidence required in relation to any member of a consortium or in relation to any entity on whom the Applicant relies in order to fulfil any of the selection criteria.

AN POST reserves the right to require the Applicant to replace any entity who does not fulfil the selection criteria, or in respect of which a ground for exclusion exists, and remedial measures produced are not satisfactory in the opinion of AN POST (in its absolute discretion). Where an Applicant is required to replace an entity in respect of which there are grounds for exclusion (on whom it is seeking to rely), and the replacement entity does not fulfil the selection criteria, or is also entity in respect of which there are grounds for exclusion, it may be excluded from the competition.

- 8) National Databases: The provisions of this Section 4.1 are without prejudice to the availability of any supporting documents/certifications etc. as may become available on any national database or online repository of certificates, that is made available by Ireland as a Member State of the EU on its implementation of the Utilities Directive 2014/25/EU.

Shortlisting of Applicants who meet the pre-conditions for qualification and minimum qualification criteria, will be carried out in a non-discriminatory manner and on the basis of equality of treatment of such Applicants, based on the objective rules and criteria set out in this PQQ, and in accordance with all applicable law including the Utilities Directive 2014/25/EU.

4.2. Format of PQQ Submissions and Return of PQQ

The fully completed typed Questionnaire and all submissions relating to it must be uploaded in response to this notice on <http://www.etenders.gov.ie>. The fully completed Questionnaire and accompanying documentations should be marked with the tender reference and title and with the Applicant's Name. Applicants should present their completed Questionnaire as set out below:

PART NO (PQQ)	SUBJECT MATTER OF PART
Part 1	Applicant Details and General Information
Part 2	Information/Declaration re Minimum Qualification Criteria
Part 3	Technical Capability: Relevant Experience of Applicant
Part 4	Technical Capability: Technical Resources
Part 5	Sustainability
Part 6	Declaration of Eligibility
Part 7	Declaration Article 5k of EU Regulation 2022/576.
Appendix 3	Consortium Submission Requirements (where applicable)
Appendix 4	Requirements Concerning Sub-Contractors
Appendix 5	Applicant's Statement of Confirmation enclosing completed PQQ

4.3. Deadline for PQQ Submissions

The fully completed Questionnaire and all submissions relating to it must be uploaded in response to this notice on <http://www.etenders.gov.ie> no later than the date and time specified in the eTenders contract notice.

AN POST, at its absolute discretion, may extend the PQQ submission Deadline. Any extension will be notified via eTenders before the original PQQ submission deadline.

The onus is on Applicants to ensure that their completed Questionnaire and all submissions relating to it are submitted via the eTenders portal on time. It is not advisable to wait until the last moment to upload documents and applicants should allow enough time to complete the uploading process to eTenders. Applicants should also note that after the deadline for PQQ submissions has passed the uploading facility may be removed from eTenders.

AN POST is not responsible for corruption in documents. Applicants must ensure that the documents are not corrupted and are in a readable format. AN POST accepts no liability regarding the eTenders Website.

5. SELECTION CRITERIA

5.1. Minimum Qualification Criteria

The minimum qualification criteria that each Applicant must satisfy in order to proceed to the next stage of the qualification evaluation are as follows:

(1) Financials

(PASS/FAIL)

The Applicant must have the following Turnover:

TURNOVER (exclusive of VAT): A minimum annual turnover of forty thousand euro (€40,000) per annum for any two of the last three financial year ends. Applicants must provide evidence of turnover that is satisfactory to AN POST, by way of a copy of the audited accounts for the last three most recent financial years. If audited accounts are not completed for the most recent year, signed auditor's statement should be provided. A signed Declaration in the Minimum Qualification Criteria in the form set out in Part 2 of the Questionnaire must be submitted.

Reliance on resources to meet Turnover Requirement: Where the Applicant seeks to rely on the resources of another person to meet the minimum financial qualification criteria of Turnover, it must provide evidence of the turnover for such other person/entity for each of the financial years listed above and prove to AN POST that the necessary resources will be available to it when required, whether by way of a signed auditor's statement or similar.

Reliance on a Consortium Member: where an Applicant who is a consortium, seeks to rely on the resources of a consortium member to satisfy the minimum qualification financial criteria, this must be stated in the Declaration set out in Part 2 of the Questionnaire and a letter confirming this reliance on resources must be furnished by each other member of the Applicant.

Parent company: Where the Applicant is a subsidiary and relying on its parent company to meet the minimum turnover requirements, the details required by this section must also be provided by the parent company.

AN POST reserves the right to conduct any due diligence checks to assess financial capacity to undertake the services.

(2) Insurance

(PASS/FAIL)

The Applicant must provide completed and signed Self Declaration in accordance with Part 2.

(3) Tax Clearance

(PASS/FAIL)

The Applicant must provide completed and signed Self Declaration in accordance with Part 2.

(4) Applicant Declaration of Eligibility

(PASS/FAIL)

The Applicant must provide completed and signed Applicant Declaration of Eligibility in accordance with Part 9.

(5) Declaration Article 5k of EU Regulation 2022/576 (PASS/FAIL)

The Applicant must provide completed and signed Applicant Declaration Article 5k of EU Regulation 2022/576 in accordance with Part 10.

(6) Declaration of going concern**(PASS/FAIL)**

Please enclose a statement from a Director of the Applicant, of each Applicant Member, and of each Entity Being Relied Upon, based on the current financial evidence available, certifying that the entity in question: (a) is a going concern (b) that its average turnover as specified in this document is based on available forecasts, remains valid into the future and (c) that it has the financial and operational capacity to: (i) trade successfully for the next 12 months, and (ii) deliver such of the Contract requirements as are proposed to be delivered by such entity from the date of Response to this PQQ, (a "Going Concern Statement")

Notwithstanding the above, the Contracting Entity reserves the right to raise further queries in relation to this Going Concern Statement with the Applicant, and to seek explanation(s) where the Applicant's past financial results, in any of the financial statements submitted, show financial issues which could give rise to uncertainty regarding the validity of the Going Concern Statement, such as, for example, post-tax losses, or an adverse capital and reserves position, or other material issues. In this case, the onus shall be on the Applicant to demonstrate and explain to the reasonable satisfaction of the Contracting Entity that any concerns or financial issues will not have an adverse bearing on the ability of the Applicant to perform the Contract, before the Applicant can achieve a Pass.

5.2. Technical/Professional Ability

The following table sets out the further shortlisting criteria in respect of Technical capacity and company resource of Applicants (it also includes the Minimum qualification score where this relates to each criterion). The scoring methodology allocated to these criteria is set out in Section 6 of this PQQ. AN POST reserves the right to seek feedback from the client references provided.

Technical and Professional Ability Criteria	Weighting	Cross reference in Appendix 1 Questionnaire	Minimum Rule/Minimum Score
Relevant Experience of Applicant	80% 80 points available	Part 3	Applicant must score a minimum of 60% of the allocated score under this criterion (for each example).
Company/Technical Resources	10% 10 points available	Part 4	Applicants must score a minimum of 60% of the allocated score under this criterion.
Sustainability	10% 10 points available	Part 5	N/A
TOTAL	100% 100 points		

Failure to meet the minimum score threshold (where applicable) under ANY of the above qualitative selection criteria shall result in elimination from the competition.

Reliance on resources - If the Applicant is relying on the resources of any third party/Sub-Contractor/Consortium member to fulfil the Technical and Professional Ability Selection Criteria, full details are required as per section 2.3 of the PQQ and Part 1 of the Questionnaire. In particular, if experience of any Sub-Contractor or third party/Consortium member is being relied upon to fulfil the Selection Criteria, relevant examples of experience of the Sub-Contractor/Consortium member/ third party should be provided in Part 3 and in relation to resources, the details should be provided in Part 4 of the Questionnaire.

6. SCORING METHODOLOGY

Score	% of total mark available	Comment
5	100%	Overall, the response is excellent and relevant. The response is comprehensive and demonstrates a thorough understanding of the criterion and provides details of how the criterion will be satisfied to a very high standard.
4	80%	Overall, the response is very good and relevant. The response demonstrates a very good understanding of the criterion and provides details on how the criterion will be satisfied to a high standard.
3	60%	Overall, the response is good and relevant. The response demonstrates a good understanding of the criterion and provides details on how the criterion will be satisfied to a good standard.
2	40%	Overall, the response is fair. The response demonstrates a limited understanding of the criterion and provides details on how the criterion will be satisfied to an adequate standard.
1	20%	Overall, the response is poor and only partially relevant. The response addresses the criterion in part but contains insufficient /limited detail or explanation to demonstrate how the criterion will be satisfied.
0	0%	The response fails to satisfy the criterion in very significant respects.

7. GENERAL CONDITIONS

7.1. Interviews/Presentation Meetings

Applicants may be requested to attend interviews or on-line meetings in order to provide clarifications in relation to any information submitted pursuant to the requirements of this PQQ, at their own cost and AN POST shall not be liable for the costs or expenses of any Applicant attending for such interviews.

7.2. Further Information/Queries and Clarifications

Applicants may not address queries to, or communicate with, AN POST in relation to this competition, other than in the manner provided for in this section 7.2.

Where the Applicant has any queries or observations regarding the meaning of any requirement or any other aspect of this qualification process, the Applicant must submit such queries via the eTenders Portal.

Queries can only be submitted via the messaging functionality in eTenders. Responses to queries will be issued by AN POST via the messaging facility on eTenders. Where appropriate, queries may be amalgamated.

For the avoidance of doubt, Applicants may not contact AN POST regarding any aspect of this Competition by any other means.

AN POST may seek clarification, confirmation or validation from any applicant on any aspect of a response to a pre-qualification questionnaire.

7.3. Confidentiality and Confidential or Potentially Confidential Queries/Announcements

If an Applicant believes a query relates to a confidential or commercially sensitive matter it must clearly state, the reason why the Applicant considers its query "confidential" or "commercially sensitive" and must mark its query as "Confidential" and/or "Commercially Sensitive".

Where AN POST is satisfied, in its sole discretion, that the query/request and/or its response should properly be regarded as confidential or commercially sensitive, the nature of the query/request and its response shall be kept confidential (subject to the requirements of any law or applicable requirements).

Where AN POST is of the opinion that it would be inappropriate to answer the query/request on a confidential basis, it will notify the Applicant and require the Applicant to either withdraw the query or to raise any objection within three (3) Working Days of such notification and state grounds for it objection.

Where the Applicant does not withdraw the query/request or raise any objection within the specified period, or AN POST is of the opinion that, notwithstanding the objection of the Applicant the query/request is not confidential or commercially sensitive, AN POST may include the query/request and its response to all Applicants in the relevant circular/notice. As noted in Section 7.2, the identity of Applicants raising individual queries will not be disclosed in such circular/notices.

Subject to the above, it is a requirement of AN POST that all exchanges shall be kept confidential by the Applicants and not disclosed to any person, save as may be required by law. Applicants will also be asked to enter into Confidentiality Undertakings/Agreements should it become appropriate to release confidential information to them. AN POST requires that all information provided by Applicants or by AN POST pursuant to this PQQ be treated in strictest confidence by Applicants, and by submitting an application, Applicants shall be deemed to so acknowledge and agree.

AN POST has the right to disclose to any party information concerning the Contract, the identity of the Applicants, this Procurement Process and the qualification and tender documentation at any time that is allowed under applicable law.

7.4. Conflicts of Interest

For the purpose of this Tender **“Conflict of Interest”** means any actual, potential or perceived situation where an Applicant or its Affiliates, including their directors, employees, officers and agents from time to time, or any sub-contractors of the Applicant has, directly or indirectly, a financial, economic or other interest which actually, potentially or might be perceived to compromise the Applicant's bid in the context of the Tender. And **“Affiliate”** means any subsidiary or holding company (as defined in section 7 and section 8 respectively of the Companies Act 2014) of the Applicant and any subsidiary of any such holding company from time to time.

It is a pre-condition for each Applicant to pre-qualify that it complies with AN POST's position on Conflict of Interest set out in this PQQ. No person may be a member of more than one Applicant other than as a sub-contractor or where the entity is the supplier of proprietary goods/services. Applicants are expressly and strictly prohibited from discussing any aspect of their Questionnaire or pre-qualification submission with any other Applicant or members of any other Applicant or otherwise exchanging information or colluding in respect of the goods/services required. Any Applicant who fails to comply with this requirement may be disqualified.

Any Conflicts of Interest that an Applicant (or any member of an Applicant) has with AN POST or any member of the AN POST Group of companies, or with any other Applicant must be fully disclosed to AN POST, as soon as they become apparent. No Applicant, nor any member of an Applicant, nor any of an Applicant's advisers, consultants, servants or agents may currently be or have been in the past, an adviser, contractor, consultant, servant or agent to AN POST in relation to the subject of this Procurement Process where such involvement could or would lead to a Conflict of Interest. In such circumstances all relevant information must be disclosed to AN POST in advance (on or prior to the deadline for PQQ submissions) and AN POST will advise, in its absolute discretion, on the appropriate course of action.

In the event of any Conflict of Interest, AN POST may invite Applicant(s) to propose the means or mechanisms by which the Conflict of Interest may be resolved or dealt with and clarify any mitigation systems in place to deal with any Conflict of Interest and to provide supporting documentation in relation to such mechanisms or mitigation systems. AN POST will, in its absolute discretion, decide on the appropriate course of action which may, in appropriate circumstances, include elimination of an Applicant(s) from this competition and/or terminating any contract entered into with an Applicant or AN POST may permit the situation to continue provided and conditional upon certain safeguards being put in place and being observed.

Applicant or AN POST may permit the situation to continue provided and conditional upon certain safeguards being put in place and being observed.

Any "registrable interest" as defined in the Ethics in Public Office Acts, involving the Applicant and/or AN POST, AN POST or any member of the AN POST Group, or any member of the Government or Oireachtas or their relatives, must be fully disclosed when responding to this PQQ, or should be communicated to AN POST immediately where such information becomes known to the Applicant only after submission of a response and duly completed PQQ, and prior to the award of any contract, and AN POST will, in its sole discretion, decide on the appropriate course of action, which may in appropriate circumstances, result in the Applicant being eliminated from this competition or in any contract with the Applicant being terminated. "Registrable interest" and "relative" are as defined in the Ethics in Public Office Acts.

7.5. Anti-Collusion/Inducements/Interference

Applicants are strictly prohibited from discussing any aspect of their application with any other Applicants or otherwise exchanging information or colluding in respect of any matter relating to this Procurement Process and this competition. Any Applicant (or any member of any Applicant) who fails to comply with this requirement may be disqualified.

7.6. GDPR

An Post has an obligation to ensure we only use suppliers that are fully GDPR compliant. It is a requirement of any contract awarded that all personal data associated with the provision of the services required under the Contract must be processed in the EU only unless the processing is deemed strictly necessary and importantly the supplier can guarantee that they will protect the data to a standard equivalent to that afforded to citizens under EU Law, namely by applying additional technical safeguards.

As per Article 4 of Regulation (EU) 2016/679 (the "General Data Protection Regulation" or the "GDPR"), "Processing" is defined as:

'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

Where applicable, Tenderers will be required as part of their tender submission to provide full details regarding the processing of any personal data associated with the provision of the services required by An Post including full details of where such data will be held and processed and provide assurances that should they be successful they will fully comply with An Post Standard Contractual Clauses in relation to GDPR where required and implement any additional measures to protect such data during the term of the Contract as requested by An Post.

Where applicable, if any tenderer intends to process any data associated with the services required under a Contract that is subject to an EU Commission Adequacy Decision they must provide full details in their tender submission of how they intend to meet An Post requirements and should they be successful, how they intend to continue with the service provision should the Adequacy decision be revoked or not renewed during the term of any Contract awarded by An Post.

7.7. No Prior Knowledge

Applicants must not make assumptions that AN POST or any of its advisers has prior knowledge of their organisation or their service provision. Applicants will only be evaluated on the information provided in their PQQ Response (as may be clarified in accordance with the provisions of this PQQ).

7.8. Publicity

No publicity in relation to the proposed Contract or the Procurement in general is permitted unless and until AN POST has given express prior written consent to the relevant communication. In particular, no statement should be made to the press or other similar organisations regarding the nature of any Response without the express written consent of AN POST. AN POST retains the right to publicise or otherwise disclose to any third party information in relation to the proposed Contract, the identity of Applicants or Applicant Members or the Procurement Process in general.

7.9. Environmental, Social and Labour Law

In the performance of the Services the Successful Tenderer(s) including their sub-contractors (if any), shall be required to comply with all applicable obligations in the field of environmental, social and labour law that apply at the place where the Services are provided, that have been established by EU law, national law, collective agreements or by international, environmental, social and labour law.

Tenderers may obtain information regarding their obligations concerning:

- Taxation from the Irish Revenue Commissioners (www.revenue.ie).
- Environmental protection from the Environmental Protection Agency (www.epa.ie).
- Employment protection and working conditions from the Department of Jobs, Enterprise and Innovation (www.djei.ie).

The Successful Tenderer(s) shall be solely responsible in law for the employment, remuneration, taxes, immigration and work permits of all personnel retained for the purposes of providing the Services sought under this Competition.

The Successful tenderer(s) shall comply with all relevant legislation relating to dignity at work. AN POST is committed to a policy of equality of opportunity for all personnel.

In line with the Disability Act 2005, accessibility requirements will be clearly stated in request for tenders / quotations where applicable. Under Section 27 of the Act, AN POST is required to ensure that both the goods supplied, and services provided to it are accessible to persons with disabilities.

7.10. Sustainability

AN POST is fully committed to respecting and protecting the environment and supporting sustainable development, while pursuing best value for money for its contracts.

To fulfil this commitment, AN POST will comply with, and require our suppliers to comply with, all relevant Social and Environmental legislation.

Having achieved ISO 14001 in 2020, An Post has begun to integrate sustainable procurement into the business and is committed to ensuring that we are making a significant contribution in reaching the UN Sustainable Development Goals of *Decent Work and Economic Growth*, *Responsible Consumption and Production* and *Climate Action*.

Where practical and economically feasible, AN POST will seek to increase its procurement of goods and services that are more sustainable and responsible to the environment through:

- Promoting inclusive and sustainable economic growth as well as employment and decent work for all;
- Encouraging all suppliers to introduce environmentally friendly products and processes;
- Specifying the use of “full life cycle” environmentally friendly products and processes to include areas such as disposal, recycling, removal and energy performance;
- Utilising sustainability and environmental criteria in contract award decisions;
- Giving due consideration to environmentally friendly alternatives as proposed by our suppliers;
- Encouraging and promoting any current and new initiatives suppliers have in place which aim to improve efficiency, lessen environmental impacts and assist in the development of green initiatives within AN POST;

AN POST is committed to decarbonising our operation and supporting Ireland’s transition to a low carbon future.

AN POST will establish and implement criteria for evaluating carbon footprint / energy performance over the planned or expected operating lifetime, when procuring energy products, equipment and services which are expected to have a significant impact on AN POST’s energy performance. When procuring energy using products, equipment and services that have, or can have, an impact on its energy performance AN POST shall inform suppliers that energy performance is one of the evaluation criteria for procurement.

Where applicable, AN POST will define and communicate specifications for ensuring the energy performance of procured products, equipment and services.

In this regard, An Post may ask suppliers as part of the Procurement Process to provide information on their carbon footprint / energy performance and on the sustainable practices and steps they plan to minimise and reduce the environmental and social impacts of their products and services and assist in the development of sustainability and green initiatives within AN POST.

An Post may, over the term of any contract awarded, seek to engage with its suppliers through assessment and audits including the use of third party auditors and assessors acting on behalf of An Post . This will assist An Post in evaluating the sustainability of its supply chain including the calculation of emissions associated with the works, goods and/or services which we procure.

7.11. Changes to Requirements

Any requirements contained in this notice are indicative only and An Post reserves the right to change, add to or remove requirements at any stage during the Tender Process at its sole discretion and shall have no liability arising from any such action.

An Post reserves the right to discontinue, suspend, terminate or not award all or any business as a result of this PQQ and shall have no liability arising from any such action.

7.12. Third Party Support

Not Used.

APPENDIX 1 - APPLICANT QUESTIONNAIRE RESPONSE

GUIDANCE NOTE

Appendix 1: The Applicant's Pre-Qualification Submission should include this QUESTIONNAIRE duly completed by the Applicant and submitted with its response. This QUESTIONNAIRE is divided into 8 Parts, all of which must be completed unless otherwise stated. There are 2 Declarations in Appendix 1 (in Part 2 and Part 5) which must be completed also.

This QUESTIONNAIRE is available in soft copy in Word format.

Appendix 2: Where the Applicant is a Consortium, Applicants should note the requirements of Appendix 2 of the PQQ document.

Appendix 4: Applicants must complete the Statement of Confirmation set out in Appendix 4 and submit this with their fully completed PQQ.

ENGLISH LANGUAGE: All parts of the PQQ must be completed in English or Irish and where copies of original documents are provided in languages other than English or Irish, a complete and accurate English translation must be provided, or the documents will not be considered during the evaluation process.

Please note that all financial information should be denominated in **euro (€)**, except where financial information is being provided in a certified supporting document such as a set of financial statements where it is sufficient for the information to remain in its original currency.

Where information is required by more than one Part in this QUESTIONNAIRE, it need only be provided once BUT its location within this QUESTIONNAIRE MUST be clearly referenced in all other Parts to which it relates. This does not apply to reliance on resources where the specific details of how the Applicant proposes to rely on the resources of others to meet any of the selection criteria (including the minimum qualification criteria, or further selection criteria relating to economic and financial capacity or technical or professional ability) set out in this PQQ.

If any of the Parts in this QUESTIONNAIRE are not relevant to an Applicant, please insert "N/A" or "Not Applicable". Do not leave blanks.

1. PART 1 APPLICANT DETAILS/INFORMATION (INCLUDING INFORMATION RE - GROUPING/CONSORTIUM BIDS/PRIME CONTRACTOR/SUB-CONTRACTORS)

The answers to the questions in Part 1 must be provided by the Applicant, or if the Applicant is a Consortium, refer to Appendix 2, JOINTLY on BEHALF OF ALL Members. HOWEVER, where the Applicant is a Consortium, EACH Member must complete and sign the confirmation of authorisation of the representative required in Part 1.2.

1.1 Applicant

1.1	Full Company Name (full legal name)	
1.2	Business Name/Trading as:	
1.3	Incorporated under the laws of [please state or identify country of incorporation]	
1.4	Registered Address/Registered Office	
1.5	Company registration number:	
1.6	Primary Contact name for this process, (as all correspondence should be via the eTenders system, please ensure your primary contact is aligned with a correct contact on the eTenders system.)	
1.7	VAT Number	
1.8	Directors names and titles	
1.9	Name of Company Secretary	
1.10	Parent Company (where relevant) Details of country of incorporation, shareholding in Applicant, registered office, registered number	
1.11	Names and addresses (full legal names, and registered offices, business addresses) of parties on whose resources the Applicant is relying (if applicable)	
1.12	Is your company an SME (Yes or No)	

1.2 Applicant Structure

Is the Applicant a single entity or is it a Consortium? ("Consortium" includes a grouping of any kind, as described in Section 2 of the PQQ, and includes a grouping consisting of a Prime Contractor and sub-contractor(s))

Tick as appropriate

Single Entity ☐ Consortium ☐ Prime Contractor/Sub-Contractor ☐

I/we confirm that the representative named Part A1 above is authorised to act as agent on behalf of the Applicant and the principal contact for the Applicant in dealings with AN POST.

(PLEASE NOTE: Power of Attorney not required at this stage).

Signed (to be completed by the Applicant or if the Applicant is a Consortium, SEPARATELY by EACH Member)

Signature and DATE	Name	Title	For and on behalf of (Member's name to be stated in full)
Signed: Dated:			
Signed: Dated:			
Signed: Dated:			

- IF THE APPLICANT IS A CONSORTIUM/GROUPING/JOINT VENTURE/PRIME CONTRACTOR WITH SUB-CONTRACTOR(S) OR OTHER GROUPING, APPENDIX 2 MUST BE COMPLETED.

1.3 Details of Sub-Contracting Arrangements

Details of any proposed sub-contracting arrangements, whether by a consortium or an individual Applicant, and whether the Applicant is a Prime Contractor or a consortium grouping (however constituted), must be fully disclosed. Sub-contracting is subject to the prior written consent of AN POST under the terms of the Contract, in its absolute discretion and AN POST may withhold such consent in its absolute discretion.

Name of Proposed Sub-Contractor (full legal name, registered office, registered number, country of incorporation, trading or business name)	Role of Proposed Sub-Contractor

If the sub -contractors are members of a consortium, please state if any of the sub-contractors listed above are also to be members of the consortium, in which case they will be jointly and severally liable to AN POST for the performance of the Contract, on any contract award. Sub-contractors acting as such, i.e. not also members of a consortium, will not be evaluated as members of the consortium. Irrevocable letters of authority from each sub-contractor confirming their proposed role in the Applicant, whether as sub-contractor only, or as a sub-contractor and also members of the consortium, (in which case the sub-contractor must also complete this Questionnaire), must also be enclosed.

Where reliance on resources of any sub-contractor is also sought by any Applicant to meet any of the qualitative selection criteria, a separate letter of authority must be included with the PQQ submission when returning the completed Questionnaire, identifying the specific nature of the reliance on resources in each case, to meet the specific qualitative selection criteria.

1.4 Reliance on Resources (to be completed separately by the Applicant or a Member)

Applicants refer to Section 2.3 of the PQQ in relation to the requirements on reliance on resources to meet any of the selection criteria.

Tick if appropriate written evidence of such support/reliance on resources of others for financial and economic capacity (whether in respect of the minimum qualification financial criteria on turnover or any other selection criteria relating to economic and financial capacity set out in the PQQ

☐

Reference to where enclosed:

Tick if appropriate written evidence of such support/reliance on resources of others to meet selection criteria relating to technical and/or professional ability is enclosed.

☐

Reference to where enclosed:

NOTE: It is essential that where reliance on resources is sought from any other person or entity in respect of any of the qualitative selection criteria, whether of economic and financial capacity or of technical and/or professional ability, or both, full supporting evidence and accompanying documentation is provided in each relevant section/criteria where reliance on resources is sought, and the requirements of that section on reliance on resources under each criteria, are met.

2. PART 2 INFORMATION/DECLARATION RE MINIMUM QUALIFICATION CRITERIA

Minimum Qualification Criteria

In the case of reliance upon the financial resources of another entity (see Section 5.1), Part 2 must ALSO be completed by that other entity(s).

2.1 Turnover (PASS/FAIL)

Please provide details of the annual turnover which must equal or forty thousand euro (€40,000) per annum for any two of the last three audited financial year ends.

Audited accounts (last 3 years)		2022	2021	2020
A	Accounting year			
B	Annual turnover €			

In the case of a consortium, the turnover threshold must be met by the combined annual turnover of all members of the consortium for any two of the last 3 audited financial year end.

Audited accounts (last 3 years)		2022	2021	2020
Candidate/Member	Annual turnover €			
Candidate/Member	Annual turnover € (add new lines if necessary)			
Total Annual turnover €				

☐

Tick to confirm that this meets the minimum qualification criteria in respect of turnover as outlined in this Part 2.

☐

Tick to confirm that supporting documentation (audited financial statements and / or certified statements of turnover from an independent accountant) has been provided with reference to this Part 2. Supporting documentation MUST be provided. If an Applicant is relying on resources of another entity/entities, the same information must be provided in relation to that entity/those entities.

☐

Tick to confirm if Applicant is relying on combined turnover of consortium members or those of other any other persons/entities, in order to meet the minimum financial qualification criteria relating to turnover. In the case of an Applicant that is a consortium or grouping, the turnover requirement set out above may be met by the combined annual turnover of all members of the consortium over the last three audited financial years.

DECLARATION SIGNED: BY (Name)

On behalf of: DATED:

2.2 Insurance

(PASS/FAIL)

For the purpose of responding to this PQQ, it shall suffice for the Applicant to declare, by way of the Self Declaration in, that it can meet the insurance requirements as set out in section 3.4 of the PQQ.

In order to pass this criterion at this stage, Candidates must either confirm that it has in place or will put in place the levels required in accordance with section 3.4 above. Candidates that have the required levels of insurance in place must only complete sections (A) and (C) in order to pass this criterion. Candidates that do not have the required levels of insurance in place must complete sections (A), (B) and (C) in order to pass this criterion. Section A to include the current level in place at time of submission.

Pass requirement: To be completed by the Applicant			
(A) confirm that we have the following insurances in place			
Insurance Type	Level in Place	Details of Any Excess	Expiry Date
Employers Liability			
Candidates who do not have the required level of insurance in place in accordance with section 3.4 above must also complete section B below:			
(B) I confirm that if successful, where the levels required under the contract are higher than those currently in our possession, I will be in a position to put the required forms and levels of insurances required in place.			YES/NO:
(C) All Candidate must complete this section:			
I confirm that I will provide the following promptly on request at any time: - evidence of insurances in place or - letter from Insurance Broker confirming that the required levels could be put in place if successful			YES/NO:
Declaration:			

It will be a condition for the award of any Contract arising out of this Competition, that the Successful Tenderer shall provide to AN POST evidence that these insurances are in place (e.g. broker's letter or policy extract), together with any additional information that AN POST may request for the purposes of assessing whether the Tenderer meets the stated minimum requirement prior to award of the Contract. Tenderers shall produce this evidence within seven calendar days (or such other period as may be specified by AN POST) of AN POST's request for same.

2.3 Tax Clearance (PASS/FAIL)

For the purpose of responding to this PQQ, by way of the Self Declaration, Applicants are required to provide the following information:

In order to pass this criterion at this stage, Candidates must complete section (A) or (B) OR A and B if registered outside Ireland.

Tax Clearance	
(A) I confirm and declare having a current and valid Tax Clearance Certificate in place and our tax affairs are in order.	
Do you grant the Contracting Authority permission to verify your tax cleared position online?	
Registration / Tax Reference Number (as shown in your Tax Clearance Certificate)	
Certificate / Access (T-Can) Number (as shown in your Tax Clearance Certificate)	
Expiry Date (where applicable)	
OR	
(B) I confirm that if successful in this tender competition, I will apply for a Tax Clearance Certificate which will be made available on request, prior to award of contract.	

2.4 Declaration of going concern (PASS/FAIL)

The Applicant must provide a statement from a Director of the Applicant, of each Applicant Member, and of each Entity Being Relied Upon, based on the current financial evidence available, certifying that the entity in question: (a) is a going concern (b) that its average turnover as specified in this document is based on available forecasts, remains valid into the future and (c) that it has the financial and operational capacity to: (i) trade successfully for the next 12 months, and (ii) deliver such of the Contract requirements as are proposed to be delivered by such entity from the date of Response to this PPQ, (a "Going Concern Statement"). In order to pass this criterion at this stage, Candidate must complete the declaration below:

In order to pass this criterion at this stage, the Applicant must complete the attached declaration in Appendix 6 on company letter headed paper.

☐

I declare by ticking this box, that the Applicant has attached Appendix 6 as the required declaration under this criterion.

3. PART 3 TECHNICAL CAPABILITY: RELEVANT EXPERIENCE OF APPLICANT

Applicants are to provide two relevant contract examples which closely relates to requirements, and must be similar in nature, scope, scale and complexity to the services sought by AN POST. The contract examples must have been provided within the last three years from the date of submission of this PQQ. Any project provided outside of this period shall not be considered.

Where a consortium or sub-contracting arrangement is proposed, experience should be demonstrated where the parties have previously worked together. It will result in elimination from the tender process.

Please see below breakdown of marks allotted per contract example:

Criterion	Sub-criterion	Weighing/Points	Minimum Point	Total Available Points
References	Example 1	40%(40)	24	40
	Example 2	40%(40)	24	40
TOTAL			48	80

3.1 Reference 1

Name of Client	
Date or duration that the services were provided (must be within the last five years)	
Contract Value to Applicant (€)	
Referee Contact Details (please note that the referee can be contacted at any time to confirm the information provided. Please ensure that the referee is aware that they might be contacted and that their details are up to date and correct).	Contact Name: Position within client organisation: Email: Telephone number:
Please provide a relevant contract example for the services set out at section 1.1 above. Demonstrate how the contract example is similar in nature to the services set out at section 1.1 above. Candidates will be marked in accordance with section 6 above. As Applicants will see from the scoring mechanism at section 6 the degree of similarity of the contract example submitted to the characteristics of the project as listed at section 1.1. forms the basis of assessment under this criterion. Candidates should provide a maximum of 500 words in response to this criterion. Any words in excess of the 500-word limit will not be considered. Any additional information provided, visual or otherwise, will also not be considered.	

3.2 Reference 2

Name of Client	
Date or duration that the services were provided (must be within the last five years)	
Contract Value to Applicant (€)	
Referee Contact Details (please note that the referee can be contacted at any time to confirm the information provided. Please ensure that the referee is aware that they might be contacted and that their details are up to date and correct).	Contact Name: Position within client organisation: Email: Telephone number:
Please provide a relevant contract example for the services set out at section 1.1 above. Demonstrate how the contract example is similar in nature to the services set out at section 1.1 above. Candidates will be marked in accordance with section 6 above. As Applicants will see from the scoring mechanism at section 6 the degree of similarity of the contract example submitted to the characteristics of the project as listed at section 1.1. forms the basis of assessment under this criterion. Candidates should provide a maximum of 500 words in response to this criterion. Any words in excess of the 500-word limit will not be considered. Any additional information provided, visual or otherwise, will also not be considered.	

AN POST may seek feedback from the Client references provided to determine applicant performance on the listed contracts provided. Applicants are advised that they should inform their references that AN POST may seek such feedback.

4. PART 4 TECHNICAL CAPABILITY: TECHNICAL RESOURCES

This section must be completed by the Applicant SEPARATELY on behalf of EACH Member of the Consortium.

Applicants must clearly demonstrate access to appropriate level of resources to fulfil AN POST'S requirements. The purpose of this section is to identify whether the applicant firm has the organisational structure and required technical capability/resources at its disposal to carry out the contract.

Applicants who fail this criterion will be excluded from the Competition. The evidence required is:

- Submission of an organisational chart setting out the relevant parts of the Applicant's company structure
- Demonstration that the Applicant has within their organisation the appropriate level of resources to fulfil AN POST'S requirements in the table below.

4.1 Organizational Structure

Applicants must enclose with their Pre-Qualification Questionnaire Submission an organizational chart setting out your Applicant structure, clearly indicating the role of each entity.

☐

I declare by ticking this box, that the Applicant has attached an organisational chart setting out the relevant parts of the Applicant's company structure

4.2 Resources

Applicants must provide details on the number of available and relevant resources to fulfill AN POST's requirements in the table below.

Note: It is emphasised that, at this stage, Applicants are not being asked to propose the specific personnel for the delivery of the service.

Role	No. of Staff	Access to Resources via Third Party	Location of Staff

5. PART 5 SUSTAINABILITY

This section must be completed by the Applicant SEPARATELY on behalf of EACH Member of the Consortium.

6.1 In relation to translations (anything 'green/environmental' related), can you provide advice/guidance on what constitutes misleading information (helping us to avoid greenwashing).

--

6.2 Please provide details of the accessibility of your Translation services relative to Diversity, Equality and Inclusion.

--

6.3 Does your company have the ability to use 'upload once and share' digital? If any paper printing or storage involved with this contract, what is your company's policy on destruction/recycling etc.

--

6.4 Should travel be required as part of any subsequent contract, what steps can you take to minimise travel, or the modes or transport used?

--

6. PART 6 DECLARATION OF ELIGIBILITY

This section must be completed by the Applicant SEPARATELY on behalf of EACH Member of the Consortium.

DECLARATION (AS PER REGULATION 89(1) OF THE EUROPEAN UNION (AWARD OF CONTRACTS BY UTILITY UNDERTAKINGS) REGULATIONS 2016

APPLICANTS, PLEASE NOTE No 1: Where the Applicant is a Consortium or Grouping, EACH Member of the Consortium/Grouping (as identified at Part 1.2) MUST COMPLETE A DECLARATION OF ELIGIBILITY SEPARATELY. Where the Applicant proposes to use a Sub-Contractor, whether they are part of a Consortium or whether they are not and acting in the latter case for sub-contracting purposes only, each SUB-CONTRACTOR MUST COMPLETE A DECLARATION OF ELIGIBILITY.

APPLICANTS PLEASE ALSO TAKE ACCOUNT OF NOTE No 2 set out at the end of this Declaration, when completing this Declaration.

APPLICANTS PLEASE REFER TO NOTE No 3 set out at the end of the Declaration, before executing this Declaration.

RE: CONTRACT NOTICE FOR Translation Services required by AN POST

NAME: (of Applicant) (each Consortium Member of any entity on whom the Applicant relies, must complete a separate Declaration in this form):	
ADDRESS:	
COUNTRY:	

On behalf of the Applicant, and having been duly authorised by the Applicant, I sincerely declare that:

- The Applicant itself or any person who is a member of the administrative, management or supervisory body of the Applicant or has powers of representation, decision or control in the Applicant has not been the subject of a conviction for one or more of the following reasons:
 - participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
 - corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA as well as corruption as defined in the law of Ireland or the law of the Member State of the European Union, other than Ireland, in which the Tenderer is established;
 - fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests;
 - terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA respectively, or for inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;
 - money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council; or

(f) child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council.

2. The Applicant:

(a) is not in breach of its obligations relating to the payment of taxes or social security contributions;

(b) in the performance of a public contract, has not failed to comply with applicable obligations in the fields of environmental, social and labour law that apply at the place where the works are carried out or the services provided, that have been established by EU law, national law, collective agreements or by international, environmental, social and labour law listed in Annex X of Directive 2014/24/EU;

(c) is not bankrupt or the subject of insolvency or winding-up proceedings, its assets are not being administered by a liquidator or by the court, it is not in an arrangement with creditors, its business activities are not suspended nor is it in any analogous situation arising from a similar procedure under the law of Ireland;

(d) is not guilty of grave professional misconduct;

(e) has not entered into agreements with other economic operators aimed at distorting competition;

(f) is not aware of any conflict of interest within the meaning of Article 24 of Directive 2014/24/EU;

(g) has not had any prior involvement in the preparation of the Procurement Process;

(h) has not shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions;

(i) has not been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, has not withheld such information and is able to submit the supporting documents required pursuant to Article 59 of Directive 2014/24/EU;

(j) has not undertaken to unduly influence the decision-making process AN POST, to obtain confidential information that may confer upon it undue advantages in the Procurement Process or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

I understand and acknowledge that the provision of inaccurate or misleading information in this Declaration may lead to the Applicant being excluded from participation in this Procurement Process and/or in future procurement processes.

Signature	
Name (BLOCK CAPITALS)	
Occupation	
Dated	

NOTE NO 2: MEASURES TAKEN BY APPLICANT: Where any one of more of the Exclusion Grounds set out above in the Declaration applies, the Applicant must include details of such Exclusion Ground with its PQQ submission and, where the Applicant is not precluded from doing so under Article 57(6) of Directive 2014/24/EU, the Applicant may provide evidence to the effect that measures taken by the Applicant are sufficient to demonstrate the Applicant's reliability despite the existence of a relevant Exclusion Ground as is referred to in Article 57(12) of Directive 2014/24/EU. The evidence provided by the Applicant will be taken into account by AN POST in considering whether or not to exclude the Applicant from further participation in the Procurement Process. Nothing in this Schedule or in this PQQ document shall preclude the submission by the Tenderer of a European Single Procurement Document (ESPD) referred to in Article 59(1) of Directive 2014/24/EU.

NOTE NO 3: EXECUTION: This Declaration must be signed by a duly authorised person in the Applicant's organisation. In the case of a company, a Director of the company or the Company Secretary must sign this declaration.

EVIDENCE FOR SELECTION

The signatory to this Declaration declares that the economic operator is able to provide the necessary supporting documents required which are not available electronically upon request and without delay.

I understand and acknowledge that the provision of inaccurate, or misleading, or false information in this Declaration may lead to the economic operator/my firm/company/business/partnership being rejected and excluded from participation in this procedure.

THIS DECLARATION has been made to the best of my knowledge and belief for and on behalf of [Name of economic operator/entity/]:

Signature: (Signature must be that of a Director/Principal)	
Date	
Print Full Name in Block Capitals	
Occupation	
Witness Signature	
Date	
Print Full Name in Block Capitals	
Occupation	

Please note, confirmation/re-execution/notarisation of the Declaration may be sought prior to any contract being awarded.

7. PART 7 DECLARATION OF ARTICLE 5K

This section must be completed by the Applicant SEPARATELY on behalf of EACH Member of the Consortium.

I confirm that I am the authorised representative of a supplier that is currently engaged in the tender process for Translation Services to supply goods and or services to An Post. (the Supplier). I confirm that where the Supplier is part of a consortium that the term the Supplier includes all companies and any other legal entities forming part of the consortium.

I confirm that I have read and understood the provisions of Article 5k Regulation 2022/576 (Article 5 k) which are set out below;

'Article 5k

1. It shall be prohibited to award or continue the execution of any public or concession contract falling within the scope of the public procurement Directives, as well as Article 10, paragraphs 1, 3, 6(a) to 6(e), 8, 9 and 10, Articles 11, 12, 13 and 14 of Directive 2014/23/EU, Article 7 and 8, Article 10 (b) to (f) and (h) to (j) of Directive 2014/24/EU, Article 18, Article 21 (b) to (e) and (g) to (i), Articles 29 and 30 of Directive 2014/25/EU and Article 13 (a) to (d), (f) to (h) and (j) of Directive 2009/81/EC, to or with:

- (a) a Russian national, or a natural or legal person, entity or body established in Russia;
 - (b) a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50 % by an entity referred to in point (a) of this paragraph; or
 - (c) a natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph,
- including, where they account for more than 10 % of the contract value, subcontractors, suppliers or entities whose capacities are being relied on within the meaning of the public procurement Directives.

2. By way of derogation from paragraph 1, the competent authorities may authorise the award and continued execution of contracts intended for:

- (a) the operation, maintenance, decommissioning and radioactive waste management, fuel supply and retreatment and safety of civil nuclear capabilities, and the continuation of design, construction and commissioning required for the completion of civil nuclear facilities, as well as the supply of precursor material for the production of medical radioisotopes and similar medical applications, critical technology for environmental radiation monitoring, as well as civil nuclear cooperation, in particular in the field of research and development;
- (b) intergovernmental cooperation in space programmes;
- (c) the provision of strictly necessary goods or services which can only be provided, or which can only be provided in sufficient quantities, by the persons referred to in paragraph 1;
- (d) the functioning of diplomatic and consular representations of the Union and of the Member States in Russia, including delegations, embassies and missions, or international organisations in Russia enjoying immunities in accordance with international law;
- (e) the purchase, import or transport of natural gas and oil, including refined petroleum products, as well as titanium, aluminium, copper, nickel, palladium and iron ore from or through Russia into the Union; or
- (f) the purchase, import or transport into the Union of coal and other solid fossil fuels, as listed in Annex XXII until 10 August 2022.

3. The Member State concerned shall inform the other Member States and the Commission of any authorisations granted under this Article within two weeks of the authorisation.

4. The prohibitions in paragraph 1 shall not apply to the execution until 10 October 2022 of contracts concluded before 9 April 2022.

I Confirm and Declare on behalf of the Supplier that in relation to any contract that may be concluded between An Post and the Supplier resulting from the tender process referenced above that (a) the performance of such contracts will comply in all respects with the provisions of Article 5 k and (b) in the event that there is any change in the status of any such contract such that the performance of the contract no longer complies with the provisions of article 5k the Supplier Undertakes to immediately inform An Post of the change in such status and undertakes to comply with all directions of an Post in relation to Article 5 k up and including termination of the contract.

Signed: (Authorised Representative/Authorised Signatory)	

Print Name in Block Capitals:	
Position:	
Company:	
Registered Office Address:	
Date:	

In the event that you are not in a position to confirm or to make the declaration required please raise this through the clarification process on eTenders.

APPENDIX 2 - CONSORTIUM SUBMISSION REQUIREMENTS

CONSORTIUM ARRANGEMENTS

- (a) Application made on behalf of a consortium: Part 1.1 of the Questionnaire is completed in all cases, but where an Applicant is a consortium, Part 1.1 of the Questionnaire must be completed by the Applicant on behalf of all members of the consortium.
- (b) Choice of legal structure: An Applicant's choice of legal structure (e.g. joint venture, partnership, incorporated/unincorporated) will not be relevant in assessing eligibility at this time.
- (c) Each member's role must be stated: Parts 1.2 - 1.4 of the Questionnaire must be completed in full and each member's role in the consortium and/or any sub-contracting arrangements identified. In addition, the details requested in the forms contained at the end of this appendix must also be supplied. Details of the actual or proposed percentage shareholding of the constituent members of the consortium must be disclosed.
- (d) Letter of authorisation and undertaking: An Applicant consisting of a consortium must include in its PQQ submissions, with the duly completed Questionnaire, an irrevocable and unconditional letter of authorisation and undertaking from each member of the consortium authorising the Applicant to make the application and to confirm that they are aware of their requirements and undertake to make available all necessary resources where required to fulfil their role in the proposed consortium.
- (e) Specific Legal Form not required for a consortium: A consortium howsoever constituted, will not be required to convert into a specific legal form in order to submit a tender. If the consortium is not proposing to form a single legal entity, full details of alternative arrangements must be provided.
- (f) If a legal form is proposed by Applicant: If a consortium intends to convert into a special legal form for the purpose of providing the required good/services, full details of the proposed legal structure and/or principal contractual relationships must be outlined in response to this PQQ. Where a grouping/consortium proposes to contract via a single legal entity whether through the incorporation of an SPV or otherwise, Applicants should note that details of the actual or proposed percentage shareholding of the consortium members in the SPV must be disclosed. Applicants should also note that an SPV's obligations may be required to be guaranteed by each group member/member of the grouping/consortium in the event of that Applicant being invited to tender and that tender being accepted.
- (g) Prime Contractors and Sub-Contractors: The Applicant may also, as stated above, consist of a consortium or group consisting of a prime contractor and a sub-contractor or group of sub-contractors. If the Applicant consists of a prime contractor and a sub-contractor or group of sub-contractors, this PQQ and the submissions required in the Appendices to this PQQ must be completed by the "prime contractor" with full details of the proposed sub-contractor(s) and the prime contractor must identify the sub-contractor(s) and their proposed role in the process. If a consortium proposes to act as a prime contractor, this must also be disclosed. An irrevocable letter of undertaking from any proposed sub-contractor(s) authorising the prime contractor to make this application to this PQQ on its behalf, executed under seal or as a deed, as an irrevocable and unconditional letter of authority from a sub-contractor authorising the prime contractor to disclose details of the proposed sub-contracting arrangements, must be submitted by the prime contractor with its submissions.
- (h) Lead Consortium member: A consortium must identify a lead consortium member who is authorised by all the other members of the consortium as the lead consortium member authorised to deal with this application, and the role of all other consortium members must be identified. AN POST shall be entitled to assume that the lead consortium member has the authority to bind all other members of the consortium and AN POST reserves the right to seek satisfactory evidence of the authority of the lead consortium member to bind all other members of the consortium. All contact with the consortium will be conducted by AN POST with the lead consortium member who will act as the contact person for the consortium for

this competition (the "Contact Person") and AN POST reserves the right to disregard contact with any other member of the consortium and/or to report such contact to the lead consortium member.

JOINT AND SEVERAL LIABILITY

If, on any contract award, the contract is awarded to a consortium or grouping, then, other than in respect of a prime contractor / sub-contractor relationship, each member of the consortium will be required to be jointly and severally liable to AN POST for the performance of the Contract and delivery of the required goods/services.

If the grouping consists of a prime contractor and a sub-contractor(s), and the sub-contractor(s) are not members of a consortium and the application is being made by the prime contractor, the prime contractor will be fully liable to AN POST for all the acts and omissions of its sub-contractors under the terms and conditions of the Contract.

CHANGES TO CONSORTIUM ARRANGEMENTS

Any change in the ownership, structure or control of the Applicant or where the Applicant is a consortium, in the ownership, structure or control of any members of the consortium, or in the roles of the members of a consortium after the Applicant has submitted its PQQ submissions and Questionnaire, must be notified in writing by the Applicant to AN POST as soon as the Applicant is aware of same or of such proposals, failure to do so may lead to disqualification of the Applicant. Any such changes must be approved by AN POST in its absolute discretion and AN POST may withhold approval for any such changes and may exclude the Applicant from any further participation in this competition.

Information Required on Legal Form of Consortium/Grouping

Is the Consortium? *Tick as appropriate*

Limited Company/incorporated entity
Yet to be incorporated
Not to be incorporated

SPV / Legal Entity formed by Consortium:

Group of Members (Not an SVP)
Joint Venture
Partnership
Prime Contractor with Sub-Contractor

If the company is incorporated, please provide the following:

Country of registration: _____
Year of Incorporation: _____
Company Registration Number: _____
Amount of Issued Share Capital: _____

Consortium Activities

Is it proposed that the Consortium will be a single purpose entity formed solely to undertake the Contract?

Tick as appropriate

Yes

☐

No

☐

If no, in what other undertakings will the Consortium be involved?

Members of Consortium

In the case of an Applicant which is a Consortium, please detail the name of each Member (as previously detailed in Part 1.2) and provide a description of the relationship between Members of the Consortium (including for example, Prime Contractor and sub-contractor(s)) [Original legally binding and irrevocable and unconditional letters of authority from each of the other consortium members must be enclosed in relation to the person/entity that is acting as the lead consortium member]

Full Name and Address of Member (and details of entity on whose resources the Member is relying if applicable)	Role within Consortium and Contract (lead consortium member must be identified, role of other consortium members, Sub-contractors must be identified

Signed	
Name (BLOCK CAPITALS)	
Title	
Duly Authorised for and on behalf of	
Dated	

APPENDIX 3 - REQUIREMENTS CONCERNING SUB-CONTRACTORS

- 1 Where applicants propose to use Sub-Contractors in the delivery of any element of the Contract, Part 1.3 Details of Sub-Contracting Arrangements of the Pre-Qualification Questionnaire, must be completed in full by the Applicant.
- 2 Where a Sub-Contractor is also a member of a Consortium, please refer to the requirements of Part 1.2 and Appendix 2 Consortium Submission Requirements of the Pre-Qualification Questionnaire.
- 3 Where the applicant is relying on the resources, whether of economic and financial capacity or of technical and/or professional ability, or both of a Sub-Contractor, please refer to the requirements of Part 1.4 Reliance on Resources of the Pre-Qualification Questionnaire.

APPENDIX 4 - APPLICANTS STATEMENT OF CONFIRMATION ENCLOSING COMPLETED PQQ

STATEMENT OF CONFIRMATION

TO: AN POST

RE: CONTRACT NOTICE FOR TRANSLATION SERVICES TO AN POST

On behalf of [] *(insert full legal name of Applicant) [name of entity on whom the Applicant relies to satisfy any of the selection criteria]*, I hereby agree and declare the following:

- 1 I declare that to the best of my knowledge the answers submitted to questions and statements contained in any Declarations duly completed and referred to in the Pre-Qualification Questionnaire are correct.
- 2 I understand that the information provided will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement, and I am signing on behalf of [] *(insert name of Applicant/ supporting entity)*.
- 3 I accept all the terms and conditions of this Pre-Qualification Questionnaire.
- 4 I agree to supply AN POST with such supporting information, verification, documentation and references to support this application, at any time during the Procurement Process in respect of this competition, not limited to the pre-qualification stage, and to confirm the status of all such information and documentation, including the execution by way of notarisation of Declarations, if required, at tender/contract award stage.
- 5 I undertake to inform AN POST promptly of any matter which would or could alter any of the information given in response to this PQQ.
- 6 I agree that, if awarded the contract, [] *(insert name of Applicant/ supporting entity)* shall comply with all applicable obligations in the field of environmental, social and labour law.
- 7 I confirm all sections and Parts of the PQQ have been completed by us and all relevant information and documentation is attached to our completed PQQ which is being submitted by us to AN POST.
- 8 I confirm that we are aware of AN POST's requirements in respect of conflicts of interest, and of the provisions of Article 42 of Directive 2014/25/EU (Utilities Directive) on conflicts of interest, and I declare that (unless otherwise set out in the Declaration completed by us and referred to in Part 5 of this PQQ), we are not aware of any conflict of interest of [] *(insert name of Applicant/supporting entity)* in relation to these requirements.
- 9 I confirm that all "Data Subjects" whose "Personal Data" is provided in this Application and PQQ Questionnaire and supporting documentation, have consented to the processing of such Personal Data by the Applicant, all members of the Consortium where the Applicant is a Consortium, by a Sub-Contractor where the Applicant is a Prime Contractor with a Sub-Contractor, by AN POST as Contracting Authority, and by AN POST's Evaluation Team, for the purposes of participating in this competition, or that we otherwise have a legal basis for providing such Personal Data to AN POST as the Contracting Authority for the purposes of participating in this competition and that we will provide evidence of such consents and/or legal basis to AN POST as the Contracting Authority upon request.
- 10 I confirm that the Declarations referred to at Parts 2 and 5 of this PQQ have been duly completed and executed and are part the PQQ duly completed by us.

Signature:	
Full Name (Block Capitals)	
Title	
Date	
Duly Authorised for and on behalf of:	
Witness	
Name (Block Capitals)	

APPENDIX 5 - DECLARATION OF GOING CONCERN

THIS LETTER MUST BE ON COMPANY LETTER HEADED PAPER

Address

Date

To whom it may concern

On behalf of "INSERT COMPANY NAME" I wish to confirm that based on the current financial evidence available I certify that "INSERT COMPANY NAME" is:

- (a) Is a going concern
- (b) That its average turnover as specified in the PQQ document is based on available forecasts, remains valid into the future
- (c) That it has the financial and operational capacity to:
 - i. Trade successfully for the next 12 months
 - ii. Deliver such of the Contract requirements as are proposed to be delivered by such entity from the date of Response to this PPQ.

Yours faithfully,

NAME
COMPANY NAME
Director,
DATE

END OF DOCUMENT