



## APPLICATIONS FOR PANEL MEMBERSHIP

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Establishment of a Panel for                                                                                                                                                                                                                                                                                                                                                                                                                                        | The provision of suitable Health and Safety Courses for KCETB students and staff.                                                                                                         |
| Duration of Panel                                                                                                                                                                                                                                                                                                                                                                                                                                                   | This is year 4 of a 4 year panel                                                                                                                                                          |
| eTenders RFT ID                                                                                                                                                                                                                                                                                                                                                                                                                                                     | RFT- 7276969                                                                                                                                                                              |
| Issue Date                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 7 <sup>th</sup> January 2026                                                                                                                                                              |
| Contact for Queries                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Questions and Answers facility on <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a>                                                                                            |
| Closing Date / Time for receipt of initial applications                                                                                                                                                                                                                                                                                                                                                                                                             | 04 <sup>th</sup> February 2026 @ 12 Noon                                                                                                                                                  |
| Closing Date for Ongoing Applications (relevant to those who miss the initial deadline)                                                                                                                                                                                                                                                                                                                                                                             | The panel will operate for a 4-year period and is open to applications throughout that period, it will be re-advertised on eTenders on an annual basis. This is year 4 of a 4 year panel. |
| <p>Please note that information relating to this Invitation to Tender, including clarifications and changes, will be published on the Irish Government Procurement Opportunities Portal <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a> . Registration is free of charge and there is no charge for documents. Please note that the Contracting Authority cannot accept responsibility for information relayed (or not relayed) via third parties.</p> |                                                                                                                                                                                           |

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## 1 Disclaimer

This document issued herewith ("the Document") is for information only and does not constitute, and shall not be interpreted as, an offer for sale, prospectus, or the basis of a contract.

Applicants are recommended to read the documents thoroughly. While all reasonable steps have been taken to ensure that the information set out in the Document is accurate and up to date, no representation or warranty, express or implied, is or will be made or given in relation to the accuracy or the completeness of any information contained in the Document or otherwise provided by or on behalf of the Contracting Authority (in writing or otherwise) to any interested party or its advisers. No responsibility or liability for any loss or damage arising as a result of reliance on these documents, or for the information contained in these documents or for any omission is or will be accepted by the Contracting Authority or by any of its officers, employees, agents or professional advisers. No officer, employee, agent, or professional adviser of the company has any authority to give or make any representation or warranty, express or implied, in relation to such information. The Contracting Authority's officers, employees, agents and professional advisers expressly disclaim any and all liability arising out of such documentation or information and any errors or omissions in or from the documents and information.

The Contracting Authority reserves the right to discontinue the procurement process at any time.

## 2 Summary

|                        |                                                                                            |
|------------------------|--------------------------------------------------------------------------------------------|
| Contracting Authority: | Kilkenny and Carlow Education and Training Board                                           |
| Nature of procurement: | Establishment of a Panel for the provision of Health and Safety Courses for KCETB students |
| Procurement Type:      | Service                                                                                    |

This is the re-advertisement for the panel for Health and Safety Courses for KCETB students and staff if relevant.

**Companies who are already on our panel do not need to re-apply for inclusion unless there is something that they wish to change from their previous application., eg: a company may have additional courses that they can offer.**

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### 3 About the Contracting Authority

**Education and Training Boards (ETBs)** are statutory authorities which have responsibility for education and training, youth work and a range of other functions. Formerly known as Vocational Education Committees (VECs) ETBs manage and operate second-level schools, further education colleges, multi-faith community national schools and a range of adult, further education and training centres delivering education and training programmes, including 19 (former FÁS) training centres. There are 16 Education and Training Boards spread throughout the country with over 650 sites under their remit. The Chief Executive (CE) of each ETB carries out the executive functions of the ETB, including those in relation to procurement.

**Education and Training Boards Ireland (ETBI)**, based in Naas, Co Kildare is the national representative association for ETBs. Its job is to represent ETBs and promote their interests. It also provides services to its members in areas such as Policy, HR/ IR, Corporate and Procurement & Reform. ETBI coordinates the **ETB Procurement Network**, which brings procurement personnel from the 16 ETBs together on a quarterly basis.

The Contracting Authority is an ETB responsible for the delivery of services in the following location: Kilkenny and Carlow Education and Training Board

In 2013, the Education and Training Boards Act was enacted, providing for the establishment of 16 Education and Training Boards (ETBs) to replace the existing 33 Vocational Education Committees (VECs). Kilkenny and Carlow Education and Training Board (KCETB) was established as a result of this legislation.

The following schools/centres are currently under the auspices of KCETB. There are currently 6,000 number of students in KCETB post primary schools and approximately 9,000 PLC's and FET students.

KCETB provides a comprehensive range of education services throughout Kilkenny and Carlow. As the largest education provider in counties Kilkenny and Carlow, the ETB provides education and training opportunities for life-long-learning through Second Level Schools, Post Leaving Certificate Courses (PLCs), Adult, Further Education and Training and Youth Support Service.

#### Administration Offices

- Administration Office, Seville Lodge, Callan Road, Kilkenny.
- Administrative Office, Athy Road, Carlow.

#### Post Primary Schools

- Abbey Community College, Ferrybank, Co. Kilkenny
- Borris Vocational School, Borris, Co. Carlow
- Coláiste Aindriu, Bagenalstown, Co. Carlow
- Coláiste Cois Siuire, Mooncoin, Co. Kilkenny
- Coláiste Eoin, Hacketstown, Co. Carlow
- Coláiste Mhuire, Johnstown, Co. Kilkenny
- Coláiste Pobail Osari, Br. Urmhumhan, Cill Chainnigh
- Duiske College, Graiguenamanagh, Co. Kilkenny
- Gaelcholaiste Cheatharlach, Easca, Ceatharlach
- Grennan College, Thomastown, Co. Kilkenny
- Kilkenny City Vocational School, New Street, Kilkenny

- Scoil Aireagail, Ballyhale, Co. Kilkenny
- Tyndall College, Kilkenny Road, Carlow

#### Further Education and Training Centres

- Adult Education Guidance Service, 1a Meadow Court, Burrin Street, Carlow
- Adult Education Guidance Service, Lower New Street, Kilkenny
- Adult Learning Centre, Tullow Road, Carlow
- Adult Literacy, 43 Upper Patrick Street, Kilkenny
- Back to Education Initiative, 1b Meadow Court, Burrin Street, Carlow
- Back to Education Initiative, Block A Unit 7, Danville Business Park, Ring Road, Kilkenny
- Carlow Institute of Further Education, Kilkenny Road, Carlow
- Community Education Service, 1a Meadow Court, Burrin Street, Carlow
- Community Education Service, Lower New Street, Kilkenny
- Ormonde College of Further Education, Ormonde Road, Kilkenny
- Vocational Training Opportunities Scheme, 1-3 Granby Row, Carlow
- Vocational Training Opportunities Scheme, Bishop Birch, Training Institute, Waterford Road, Kilkenny
- Youthreach, Tullow Road, Carlow
- Youthreach, Lower New Street, Kilkenny
- Youth Office, 1a Meadow Court, Burrin Street, Carlow
- Youth Office, Lower New Street, Kilkenny
- Music Generation, Coláiste Aindriú, Bagenalstown, Co. Carlow
- Music Generation Kilkenny, Lower New Street, Kilkenny
- Training Services, Unit 4 Danville Business Park, Ring Road, Kilkenny
- Training Services, Units K & L & M, Purcellsinch Business Park, Dublin Road, Kilkenny

This is not an exhaustive list. For more information on ETB's and ETBI go to [www.etbi.ie](http://www.etbi.ie)

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## 4 Scope of the Service Required under the Panel

The Contracting Authority proposes to engage in a competitive process for the establishment of a panel from which it will source service providers to provide a variety of Health and Safety short courses to our learners. These Health and Safety Courses are required for a range of QQI courses and other courses offered by KCETB schools/centres in order to prepare students for work placements or as part of their coursework. Courses take place during the academic year and the panel will be used to provide training throughout the year. Student numbers change on an annual basis and there is no guarantee to the number of students who will require Health and Safety Training or the number of courses. The panel allows flexibility if training needs expand in the area of health and safety during the term of this panel. The training provided to students supplements their classroom education and placements in the achievement of their academic awards.

### 4.1 Numbers Admitted to the Panel

There will be no restrictions to the number of applicants who can qualify for the panel.

### 4.2 Duration of the Panel

The duration of the panel will be four years, subject to satisfactory annual review of performance by the Contracting Authority. **This is the final year of the current panel which will expire on 22<sup>nd</sup> November 2026.**

For the avoidance of doubt, the Contracting Authority confirms that the period of any contracts awarded under the panel may extend beyond the date of expiry of the panel.

### 4.3 Estimated Value of the Panel

The estimated total value of the any purchases pursuant to the panel is in the region of **€200,000 to €221,000** (ex. VAT) over the maximum lifetime of the panel. It is emphasised, however, that this figure is provided strictly for indicative purposes only as there is no guaranteed expenditure under the panel. Please note that while the Panel will operate for a maximum period of four (4) years, it will be advertised annually.

### 4.4 Awarding Contracts under the Panel

In the case of this multi-party panel, contracts will be awarded as follows:

- **Ability of company to design, develop and deliver the training;**
- **Ability to produce and make available comprehensive, up to date course material, presentations, handouts, folders etc. for courses;**
- **Ability to provide as much of the course material as possible online in advance of the Training Course;**
- **Ability of the service provider to register the attendance and non-attendance of participants and provide details to the school/centre**
- **Demonstrate assessment techniques to ensure the outputs, objectives and content of each course are met;**
- **Evaluation by the service provider of the Training and provide feedback to the school/centre**
- **Capacity to meet multiple Training requirements at different locations where required.**
- **Quality, experience and expertise of the trainers proposed.**
- **Garda Vetting Status**

KCETB schools and centres will consult the members of the panel and pick the most appropriate member on the basis of the criteria below (subject to change), will set out their exact specifications and will furnish same to panel member(s) when seeking quotations.

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Criteria:

|                                                                                                            |  |
|------------------------------------------------------------------------------------------------------------|--|
| <b>Course Title</b>                                                                                        |  |
| <b>Course Type</b>                                                                                         |  |
| <b>Course Objective</b>                                                                                    |  |
| <b>Target Participants</b>                                                                                 |  |
| <b>Indicative Course Duration</b>                                                                          |  |
| <b>Maximum Participants</b>                                                                                |  |
| <b>Minimum Participants</b>                                                                                |  |
| <b>Minimum Training Instructor Qualification</b>                                                           |  |
| <b>Reference to Legislation</b>                                                                            |  |
| <b>Accreditation</b>                                                                                       |  |
| <b>Maximum number of students that a single trainer can accommodate per award</b>                          |  |
| <b>Maximum number of training activities that can be accommodated simultaneously in a large room space</b> |  |
| <b>Type/size of space and/or equipment required to be supplied by KCETB to facilitate this course</b>      |  |
| <b>Any preparation, incl. clothing/equipment that students require prior to training.</b>                  |  |

On this basis, the most appropriate candidate will be approached and offered the assignment. Where they are not in a position to fulfil the requirement, the next appropriate candidate will be contacted and offered the assignment.

#### **4.5 Use of the Panel**

The Contracting Authority will use this panel as and when requirements within its scope arise. However, there is no obligation upon the Contracting Authority to make use of this panel and may seek quotations outside of this panel if desired. KCETB may also use this panel for staff training if the need develops.

#### **4.6 GDPR Requirements**

The successful Tenderer must have in place adequate and relevant procedures in respect of physical constraints and IT systems, to ensure that information held by the successful tenderer regarding services and information provided by the school/centre are inaccessible to non-authorised persons. The data protection systems must be up to date and fully compliant with Data Protection Acts of 2018 and any subsequent legislative amendments or updates.

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## 5 Detailed Scope of the Panel

### 5.1 Detailed Specification of Requirements

Tenderers may be required to deliver Training in multiple locations for schools and centres under the remit of KCETB – see list of locations in section 3.

The training may be ‘in house’ or where a training facility cannot be provided by the relevant school/centre, the successful tenderer must provide a location and deliver the training at this facility. The location will be agreed by the school/centre and the service provider in advance of the training.

**The current training requirements are listed below:**

| Description                                                     | Description                                 |
|-----------------------------------------------------------------|---------------------------------------------|
| Basic First Aid                                                 | Safe Pass                                   |
| CPR - Cardiopulmonary resuscitation                             | ROSPA Fire Warden Training                  |
| Defibrillator Training (AED)                                    | Fire Safety Awareness                       |
| PHECC Cardiac First Response - Community                        | Working at Heights                          |
| PHECC (FAR) First Aid Responder – 3 Day                         | Safe Handling and Application of Pesticides |
| PHECC (FARR) First Aid Responder Recertification – 2 Day        | Chemical Awareness Training                 |
| PHECC Emergency First Responder                                 | Manual Handling                             |
| PHECC Emergency First Responder – Fully accredited 5 day course | Confined Space Training                     |
| PHECC Emergency First Responder – Fully accredited 3 day course | User of Lawnmowers & Strimmers              |
| Pediatric First Aid                                             | Food Hygiene & HACCP – Level 1              |
| Breakaway Training                                              | Food Hygiene & HACCP – Level 2              |
| Patient Lifting and Manual Handling                             |                                             |
| Patient Handling                                                |                                             |
| Mental Health First Aid – 1 Day                                 |                                             |
| Mental Health First Aid – 2 Day                                 |                                             |
| Rescue Emergency Care – level 1                                 |                                             |
| Rescue Emergency Care – level 2                                 |                                             |
| Rescue Emergency Care – level 3                                 |                                             |
| MAPA Management of Actual or Potential Aggression               |                                             |
| Canine First Responder                                          |                                             |
|                                                                 |                                             |

Additional requirements may arise over the lifetime of the panel and additional courses may be added at any time.

Courses required will be at the discretion of the school/centre, and tenderers should note that the number of participants will vary. There is no guarantee of the actual numbers of participants to attend Training Courses.

Training Group Formation and participation will be outlined by each school/centre at time of booking. The minimum and maximum number of participants in a Training Group should be

set out in the Tender Response Document, but the minimum cannot be set lower than 5 (five) participants. The maximum number of participants is specific to the individual Course/School/Centre requirement. Students are timetabled from 9am to 4pm daily with appropriate breaks. Therefore, providers should be cognizant of this when filling out the course details in the Tender Response document.

#### **COORDINATION OF TRAINING**

The successful service provider will be required to develop a comprehensive understanding of the work of school/centre and agree training programme requirements with the school/centre. The service provider must be flexible to manage timescales in line with the Academic Year and the school/centre will be give a minimum of two (2) weeks' notice to deliver a training programme however, it is envisaged that requests for training will be in advance of two (2) weeks. Should a school/centre wish to cancel a training programme, they will notify the service provider as soon as possible and endeavour to provide a minimum of five (5) working days' notice. The service provider shall not charge for training cancelled within this time frame.

In the event that the service provider is required to cancel a programme, invoices shall not be issued to the school/centre. Proposed training dates must be agreed by both parties.

#### **DELIVERY OF TRAINING**

The successful Tenderer must be in a position to, inter alia;

- a) Ensure all trainers are punctual and allow sufficient set up time prior to commencement of the scheduled start time for each programme;
- b) Maintain a strong focus on the objectives and outputs for each training programme in line with the school/centre needs and industry best practice, including Health and Safety legislation, HSA guidelines, codes of practice and standards and other upcoming relevant guidelines;
- c) Employ innovative delivery of training programmes and assessment techniques;
- d) All participants will be required to sign the attendance sheet and these records will be returned to the relevant Department staff.
- e) All correspondence, documentation and queries regarding attendees must be channelled through the school/centre.
- f) Training materials should be provided by the service provider to all students.

#### **SPECIALIST TASK OR ENVIRONMENT**

Where a school/centre requires training that involves manual handling tasks/practical techniques and equipment unique to a specialised task or environment, the service provider must ensure that the trainer delivering the training programme has sufficient training, experience and knowledge appropriate to manual handling/people Handling instruction required for that specialist task or environment. Specialised tasks or environments shall

include, but not limited to; Spinal injuries, theatre, mortuary, bariatric, emergency department, catering department, maintenance department.

The service provider must provide confirmation and name of the trainer(s) to the school/centre Department in advance of the training programme(s) delivery.

#### **POST DELIVERY OF TRAINING**

Within five (5) working days of programme delivery, the service provider must return all documentation sought by the school/centre which shall include, but not limited to:

- a) Original attendance sheet signed by participants and trainers;
- b) Details of attendance and any non-attendees and details of full or incomplete participation or refusal/inability to participate;
- c) Completed training evaluation forms;
- d) Details of the equipment/aids used and the practical manual/People Handling techniques explained, demonstrated and practiced during each training programme (the training programme must be specific to needs of the attendees);
- e) Original Certificates which will be distributed by the KCETB school/centre. The training provider, or their trainer/agent is not to give certificates directly to any student/participant under any circumstance.
- f) A certification report, ie; a list of attendance and the results achieved
- g) Where electronic certificates are issued, a list/copies of certificates must be issued to the KCETB location together with clear instructions for access to individual student certificates.

#### **TRAINING PROGRAMME MATERIAL**

The successful service provider will produce and make available, a copy of all presentations, hand-outs and training material, certificates and templates distributed to participants. This material must be available to participants in hard-copy and accessible in soft-copy. This should be included in the price of the course or per participant.

#### **TRAINERS**

Service providers must note that as trainers will be crucial to the effective performance of the training. Service providers should note that while the proposed trainers are required for the purposes of this competition, the Contracting Authority recognises that additional trainers may be required to deliver the Services. Any additional trainer must possess appropriate equivalent and relevant experience and qualifications.

### **5.2 Legislation and Regulations**

Applicants must comply with requirements of Safety Health and Welfare at Work Act 2005 and General Application Regulations 2007.

### 5.3 Garda Vetting

Appointment of any company to the Panel may be subject to Garda Vetting of all staff who will come into contact with the participants during the training and the service provider is required to comply with all directions as to local security arrangements deemed reasonably necessary by the school/centre. **Companies must submit as part of their application, if applicable, details of all trainers currently garda vetted within the past 12 months – see tender response document. Companies should immediately upon acceptance onto the panel, apply for garda vetting clearance through the KCETB Garda Vetting Department.**

### 5.4 Pricing

Applicants are required to include costs for courses on a per student basis. These costs will be used as an indicative rate and will be finally agreed at time of booking. It is acknowledged that prices may vary based on courses, number of participants etc. Please complete the pricing matrix in the Tender Response Document.

### 5.5 Invoicing and Payment

All invoices must include a purchase order number from the Contracting Authority

### 5.6 Review of Performance

Successful performance will be an essential feature of work awarded under the Panel.

Poor performance will be identified and raised with panel members and may result in termination of a contract and/or removal from the panel.

## 6 Evaluation Criteria for Admittance to the Panel

### 6.1 Application Requirements

The Contracting Authority is using a process similar to the OPEN procedure for the establishment of this panel, therefore, while all interested parties may apply, only those demonstrating that they have the required level of qualifications, experience and technical capacity will have their application considered. In order to demonstrate eligibility, applicants are required to provide the following information:

### 6.2 General Information relating to the Applicant

A cover letter on official letterhead with the following information:

- Name of applicant
- Address
- Key contact name
- Key contact email
- Key contact phone / mobile
- Website if applicable
- Other social media platform activities
- Date of establishment

Insurance policies must indemnify the Contracting Authority for any loss incurred as a result

of actions by the service provider. Must provide evidence of this level of cover being in place or a letter from an Insurance company stating that these levels of cover may be put in place if a contract is awarded within one week of the appointment.

**Rule:** Applicants must confirm the types of insurance in place and agreement to levels required if successful through completion of the Self-Declaration Form contained in the Response Document

### 6.3 Tax Compliance

Evidence of tax compliance from the Irish Revenue Commissioners.

**Rule:** Tenders should confirm their tax compliance status through completion of the Self-Declaration Form contained in the Response Document.

### 6.4 Financial Stability

Applicants must demonstrate financial stability by providing a letter from their Auditor confirming they have the resources to pay their debts, identified on the current statement of assets and liabilities as being the debts as they fall due.

### 6.5 Insurance Requirements

Confirmation of insurances in place and commitment to put the following levels in place if successful for the contract:

| TYPE OF INSURANCE              | LEVEL REQUIRED FOR CONTRACT |
|--------------------------------|-----------------------------|
| Employers Liability**          | €13,000,000                 |
| Public Liability               | €6,500,000                  |
| Notation of Indemnity to KCETB |                             |

### 6.6 Personnel Assigned to this Framework

Applicants to confirm that they will have sufficiently trained staff to support this panel and that all staff will either be already garda vetted or willing to be garda vetted without delay when required.

### 6.7 Proof of Qualification to Deliver the Proposed Courses

Applicants must confirm that their company is suitably qualified to deliver the proposed courses, can provide recognised qualifications for the proposed courses and have attached evidence of same.

### 6.8 Quality Management System

Applicants must confirm the operation of an appropriate quality assurance programme.

### 6.9 Health & Safety System

Applicants must confirm compliance with all Health & Safety legislation and provide a copy of their health and safety statement on request.

### 6.10 Previous Experience

Applicants will initially be assessed to determine that they have previous relevant experience in dealing with groups of participants, similar to the proposed student body.

### **6.11 Options Available**

Applicants are requested to submit a summary of the courses that they can deliver and also populate the Pricing Matrix available as part of their response document.

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## APPENDIX 1 - INSTRUCTIONS TO APPLICANTS

### a) Submission of Tenders

It is the responsibility of the applicant to ensure that their application is complete and reaches the correct address. Applicants must complete the Tender Response Document and submit with accompanying documentation as outlined in this RFT.

Applications to join the current panel will be accepted up to **4<sup>th</sup> February 2026 @ 12 noon** and successful applications will be added to the panel after this date. However, late applications to join the Panel will still be considered after this date but may not be able to join the panel until a later date.

Applications will be accepted by the following means:

- (i) in a sealed envelope clearly marked “**Application for Panel Membership for the Health and Safety Courses for Students**” submitted either by post or hand delivery to:  
**Ms. Triona Delaney, Buildings, Estates and Procurement, Kilkenny and Carlow ETB, Seville Lodge, Callan Road, Kilkenny R95AVX2**
- (ii) via email to [tenders@kcetb.ie](mailto:tenders@kcetb.ie) with the following subject heading:  
**Application for Panel Membership for the Health and Safety Courses for Students.**

It is the responsibility of the tenderer to ensure that their tender is complete.

### b) Queries

All queries regarding this Panel Application should be submitted via [www.etenders.gov.ie](http://www.etenders.gov.ie). The closing date for receipt of initial queries is **28<sup>th</sup> January 2026 at 12 noon**

Responses to queries will be issued via eTenders to all parties who have expressed an interest in the panel on that site, in order to ensure that no party has an unfair advantage over any other.

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

### c) Sufficiency & Accuracy of Application

Applicants are cautioned to check the accuracy of their application prior to submission.

### d) Documents - Ambiguity, Discrepancy, Error, Omission

If you consider that you are missing any documents which would prevent you from submitting a comprehensive response, please email the contact detailed above as soon as possible.

### e) Cost of Preparation of Application

The Contracting Authority will not be liable for any costs, charges or expenses incurred by applicants in the preparation of responses/ proposals or any associated efforts.

### f) Currency and Payments

The currency and invoices in which all prices and rates shall be processed, and which payments under any contract will be paid, shall be Euros (€).

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A schedule of payments will be agreed with the successful applicant. The Contracting Authority operates in accordance with the European Communities (Late Payment in Commercial Transactions) Regulations 2012. The method of payment used by the Contracting Authority is normally Electronic Funds Transfer.

Note: The Contracting Authority will be rolling out e-invoicing during the term of the contract / framework and tenderers may be required to issue their invoices to the sector in an E-invoice format that is compliant with the PEPPOL directive.

#### **g) Confidentiality**

The distribution of the Procurement Documents is for the sole purpose of obtaining applications. The distribution does not grant permission or licence to use the documents for any other purpose. Applicants are required to treat the details of all documents supplied in connection with the application process as private and confidential.

#### **h) Conflict of Interest**

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

#### **i) Freedom of Information Acts**

Applicants are asked to consider if any of the information supplied by them in response to this request for applications should not be disclosed because of its sensitivity. If this is the case, applicants should specify the information that is sensitive and the reasons for its sensitivity. The Contracting Authority cannot guarantee that any information provided by applicants, either in response to this Panel Application or in the course of any contract awarded as a result thereof, will not be released pursuant to the Contracting Authority's obligations under law, including the Freedom of Information Act 2014, EU and Irish Government Procurement Procedures or in response to questions, debates or other parliamentary procedures in or of the Oireachtas (the Irish Parliament). The Contracting Authority accepts no liability whatsoever in respect of any information provided which is subsequently released or in respect of any consequential damage suffered as a result of such disclosure.

#### **j) Tax Clearance**

It will be a condition of admittance to the Panel that successful applicant(s) can promptly produce evidence of current Tax Clearance status as issued by the Irish Revenue Commissioners, if not already submitted to the Contracting Authority. This tax clearance status must be maintained throughout the lifetime of the contract.

Please refer to the Irish Revenue web site <http://www.revenue.ie/>. Non-resident applicants should apply to the Office of the Revenue Commissioners, Non-Resident Tax Clearance Unit,

#### **k) Withholding Tax**

Where applicable, payments shall be subject to Irish 'Professional Services Withholding Tax' at the prevailing rate (currently at 20%) as laid down by the Revenue Commissioners in Ireland. Non-residents may be able to reclaim such deducted Tax from the Office of the Revenue Commissioners in Ireland, International Claims Section located currently at Government Buildings, Nenagh, Co. Tipperary, Ireland (Tel: 353-1-6733533).

#### **l) Irish Legislation and Law**

Applicants should be aware that national legislation applies in other matters such as Employment, Working Hours, Official Secrets, Data Protection and Health and Safety. Applicants must have regard to statutory terms relating to minimum pay and to legally binding industrial or sectoral agreements in Contracting Authority tenders and in delivering contracts awarded to them.

The contract[s] awarded on foot of this tender process will be governed by Irish law.

#### **m) Dignity at Work**

The successful applicant(s) shall comply with all relevant legislation relating to dignity at work. As a public body and employer, the Contracting Authority is committed to a policy of equality of opportunity for all personnel. Personnel are offered the same access to training and services, regardless of age, size, ability, or disability. The successful applicant must make sure that all training, services, and relevant materials are available to all staff, regardless of age, size, ability, or disability

accepting the correction of their tender as outlined may have their tender rejected.

#### **n) Interference and Inducement to Purchase**

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

#### **o) Notification of Results**

All applicants will be informed of the outcome of their application following tender evaluation and any necessary clarifications. Potential outcomes can be:

- a) Admittance to the Panel
- b) Rejection to the Panel

Applicants who fail to qualify for membership of the panel may re-apply at any time

#### **p) Accessibility**

In line with the Disability Act 2005, accessibility requirements should be clearly stated in request for tenders / quotations where applicable. Under Section 27 of the Act the Contracting

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Authority is required to ensure that both the goods supplied and services provided to it are accessible to persons with disabilities.

the course of the contract or prior to the handing over of the finished work/product.

**q) Consortia and Prime Subcontractors**

The Contracting Authority seeks to encourage participation on a fair and equal basis by Small and Medium Enterprises (“SMEs”) in this Competition. SMEs that believe the scope of this Competition is beyond their technical or business capacity are encouraged, subject to this paragraph, to explore the possibilities of forming relationships with other SMEs or with larger enterprises. Through such relationships they can participate and contribute to the successful implementation of any Services Contracts that may result from this Competition and therefore increase their social and economic benefits.

**r) Anti-Competitive Conduct**

Applicants attention is drawn to the Competition Act 2002 (as amended, the “2002 Act”). The 2002 Act makes it a criminal offence for Tenderers to collude on prices or terms in a public procurement competition.

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