



PRE-QUALIFICATION QUESTIONNAIRE

TENDER REFERENCE: 9301

Qualification System for Professional Services

**CLOSING DATE FOR RETURN OF COMPLETED QUESTIONNAIRE:
12:00 noon on 12th February 2026**

Issue Date of PQQ: 22/12/2025

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APPENDIX 1: THE PRE-QUALIFICATION QUESTIONNAIRE TO BE COMPLETED:

Part 1: General Information/Applicant Structure/Sub-Contracting/Reliance on Resources

Part 2: Minimum Qualification Criteria (and Reliance on Resources if applicable)

Part 3: Economic and Financial Capacity Selection Criteria (and Reliance on Resources if applicable) – N/A

Part 4: Technical/Professional Ability Selection Criteria: EXPERIENCE (and Reliance on Resources if applicable)(and information on any proposed Sub-Contractors)

Part 5: Technical/Professional Ability Selection Criteria: COMPANY RESOURCES (and Reliance on Resources if applicable) – N/A

Part 6: Quality Management Systems

Part 7: Health and Safety

Part 8: Organizational Sustainability

Part 9: DECLARATION OF ELIGIBILITY (to be completed by each Sub-Contractor as well as Applicant, and each member of a Consortium)

APPENDIX 2 – REQUIREMENTS CONCERNING CONSORTIUM/GROUPS**APPENDIX 3 – REQUIREMENTS CONCERNING SUB-CONTRACTORS****APPENDIX 4 – APPLICANT’S STATEMENT OF CONFIRMATION ENCLOSING THE COMPLETED QUESTIONNAIRE (including consents relating to the GDPR and Data Protection)**

IMPORTANT NOTICE/INTRODUCTION

1. Iarnród Éireann-Irish Rail (“**IE**”), is the Contracting Authority in respect of the competition the subject of this procurement process and this Pre-Qualification Questionnaire. IE is a designated activity company, limited by shares, registered in Ireland under the Companies Act 2014 with registration number 119571 and having its registered office at Connolly Station, Amiens Street, Dublin 1, Ireland.
2. IE operates in the transport 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 (the “**Utilities Directive**”), and the implementing Irish national legislation and the European Union (Award of Contracts by Utility Undertakings) Regulations 2016 (S.I. No 286 of 2016, as amended)(the “**Utilities Regulations**”).
3. 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 in Appendix 1 is referred to as the “**Questionnaire**”.
4. The “**Applicant**” is a person/group of persons/economic operator(s) who have expressed an interest in this competition and who wish to be considered for the contract award and next stage of the process, and who are referred to in section 2 of this PQQ.
5. The Pre-Qualification stage of this procurement process may be cancelled at any time by notice in writing issued by IE to the Applicants without any liability attaching to IE 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. IE is not liable for Applicants’ costs or expenses arising in connection with this pre-qualification stage or any other stage of this procurement process, irrespective of the outcome of this competition, or if the competition is cancelled or postponed.
6. Neither IE 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 IE 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.
7. In this competition and procurement process IE is seeking to pre qualify consultants/advisers for multiple areas of consultancy/professional services. Any conflict of interest or potential conflict of interest arising in respect to any future tender competition must be fully disclosed in writing to IE as soon as the conflict or potential conflict arises or becomes known to the Applicant. In the event of any conflict or potential conflict of interest IE may, in its absolute discretion, decide on the appropriate course of action which may involve a request from IE that the Applicant propose means by which the conflict of interest might be removed and/or the exclusion of the Applicant from the relevant tender process

1. DESCRIPTION OF THE CONTRACT BEING PROCURED
1.1 NAME OF CONTRACT AND SUMMARY OF SERVICES/GOODS REQUIRED/SUMMARY OF REQUIREMENTS

Iarnród Éireann (IÉ) is seeking expressions of interest from suitably qualified applicants to participate in the pre-qualification process to establish a Qualification System (QS) for Professional Services. This qualification system is to facilitate the delivery of professional services that integrate expertise from multiple fields to provide comprehensive solutions for IÉ current and future projects, as well as its business plan objectives.

The proposed services shall involve but not be limited to:

- Provision of strategic/ expert advisory services in any of the listed areas
- Professional services secondments
- Provision of all deliverables as required in the relevant Phases of the Iarnród Éireann Project Management Procedures
- Provision of advice on planning and other statutory processes
- Development of realistic alternative options for the implementation of a project or business objectives. These alternatives may involve different routes or alignments, alternative designs, or substitute approaches that could also deliver the core project objectives

This QS will be divided into 3 lots:

- LOT 1 for projects valued up to € 1M
- LOT 2 for projects valued between € 1M to € 10M
- LOT 3 for projects valued from € 10M
-

Note: IÉ reserves the right to invite the prequalified applicants to tender for requirements both over and below the EU Threshold for services.

Under each lot, the proposed areas of expertise will be required and shall involve, but not be limited to, the following:

Area of Expertise	Brief Description
1. Project Scopes, Feasibility Study, Master Planning, Strategic Transport Planning and Business Case	Services may include: • Multi-disciplinary Feasibility Study and Master Planning • Strategic planning, demand analysis, demand forecasting and transport modelling • Business case analysis and development in line with governance frameworks • Transport Planning Advisory • Scoping Study • Operational planning and modelling • Concept Designs • Options Development and Economic and Financial Appraisal • Feasibility Cost Estimations • Project Outline Document • Strategic Assessment • Project risk assessment • EIA & AA Screening • Environmental Desktop Study • Flood Risk Assessment • Non-Statutory Public Consultation/ Public Engagement Event

	• Stakeholder Engagement and Communication Plan • Preliminary Definition of the Change • PSDP • Survey scoping (topo, utility, geotechnical, environmental, etc.) • Construction stage and project close out support • Planning applications, railway order applications • BCAR assigned certifier role and ancillary certifier roles
2. Architectural Design Services	Services may include: • Concept, schematic, and detailed architectural design for stations, depots, and public areas or any other buildings required by IÉ, compliant to current Irish Building regulations • Passenger flow modelling and space planning • Accessibility and universal design compliance • Integration with engineering, structural and systems designs • Heritage conservation and adaptive reuse of rail assets • Digital modelling (e.g. BIM) and visualisation services • Construction stage Supervision (Architectural) • Undertake the role of Assigned Certifier wider BCMS • Project Management • Advices on planning • Undertake the role of PSDP or liaise with PSDP as part of the design team • Project QS – Construction, Mechanical and Electrical • Project Construction Supervisors – Construction, Mechanical and Electrical • Fire + DAC Engineers – Planning submissions + sign off • Conservation architects
3. Civil Engineering / permanent way	Services may include: • Horizontal and vertical track alignment design • Points and crossings (P&C)/Switches and crossings (S&C) design • Design of embankments, cuttings, lineside, track drainage, drainage, coastal defences and geotechnical support systems • Assessment of existing rock and soil cuttings and remediation design • Track formation design, including ballast, embedded rail and slab track systems • Civil Engineering and Permanent Way design for passing loops, station sidings, and stabling yards • Track and civil assessment design integration with bridges, tunnels, level crossings, and road interfaces • Retaining wall design and assessment • Geotechnical engineering design and assessment • Flooding assessment and risk analysis
4. Marine Engineering	Services may include: Marine Design & Engineering • Quay walls, dolphins, jetties, linkspans, breakwaters, revetments, coastal protection, anti scour solutions • Ship-to-shore power solutions and port utilities integration • Geotechnical engineering Environmental & Consents Support

	- Environmental Impact Assessment, Appropriate Assessment, climate studies - Marine Area Consents (MAC), Maritime Area Use Licences (MUL), Dumping at Sea Permits Port Operational Studies & Specialist Inputs - Port Masterplanning - Vessel manoeuvring simulations, channel design, navigational safety assessments - Mooring/berthing analysis - Maintenance dredging studies and support Port Asset Management & Safety Support Marine Surveys & Monitoring Support
5. Structural Engineering	Services may include: - Structural design and assessment of buildings, bridges, viaducts, arches, retaining walls, station canopies, footbridges and other structures - Tunnelling support structures and cut-and-cover design - Load assessments and fatigue analysis for heavy rail loads - Seismic, wind, and flood resilience engineering - Structural inspections and remediation designs for existing assets
6. Mechanical Engineering / Electrical Engineering	Services may include: - Design of HVAC, fire protection, lifts, escalators, and mechanical plant for stations and depots - Electrical design including LV/MV power distribution, lighting, and backup systems - Control systems, SCADA, energy metering, and asset monitoring integration - Renewable energy systems and efficiency design (e.g., solar, battery storage) - Design for maintainability and operational resilience of building systems
7. Project Construction Management &	Services may include: - Project lifecycle and program delivery management (Project Execution Management) - Development and control of construction schedules and milestones - Procurement and Works Contractor Management - Design and construction interface management - Construction staging and sequencing planning - Performance monitoring and project reporting - Risk and contingency, cost, change and value engineering management - Human Factors Assurance - Engineering Design Management - Health & Safety Management - Public Consultation Management - Stakeholder and Communication Management - Railway Orders & EIAR Management

	• Project Governance Management • Safety Assurance Management • PSDP Services • Post Contract Design Support, Construction Support & Supervision (Contract Administration) • Document and Quality Control Management • Independent Documentation Review • Preparation of the NTA's PAGS documents • Preparation of the documents required for the APiS and Standard 14 processes
8. Construction Services	Services may include: • Temporary works design and site establishment • Traffic, environmental and community management plans • On-site safety, quality, and environmental compliance • Commissioning, testing, and defect rectification • Interface coordination with live operations and adjacent projects • Ground Investigations • Conservation Engineering / Architecture & Heritage Impact assessments • Road Engineering / Road Safety Audits / Traffic Management Plans • Road/Vehicle Restraint Systems • Planning Consultants • PSDP Services • Collaboration Platforms (eg Requirement Management (DOORS), document control (ACConex) etc, construction management tool (Procore) • Supervise Contractors
9. Signalling, Electrical & Telecommunications Consulting	Services may include: • Options & feasibility studies, Design, Testing & Commissioning, Training & CPD and Standards development & review, for Signalling, Telecommunications, Electrification-Traction and Electrification – Overhead Catenary System, • Product Approvals, Failure Analysis, Incident Investigations, • Notified Body (NoBo), Designated Bodies (Debo), CSM Assessment Body (AsBo), Independent Safety Assessor (ISA) Services, • Supplier Auditing, Risk Management, Project Management Supports, EMO & EMC Supports, • Railway Safety Assurance Services, Railway Safety Assurance Training, Multi Discipline Standards Development, Multi Discipline Design Supports.
10. Safety Consulting	Services may include: • Development of safety strategies and management systems (SMS) • Hazard identification and risk assessment processes • Safety assurance documentation and independent reviews • Preparation of safety cases for infrastructure, rolling stock, or operations • Regulatory interface and support for safety accreditation • Human factors and operational safety integration

11. System Integration & Safety Assurance	Services may include: • Integration of complex rail systems (track, signalling, power, comms, rolling stock) • Requirements management and interface control • Verification and validation (V&V) management • RAMS (Reliability, Availability, Maintainability, Safety) analysis • System-level testing and assurance reporting • Systems Requirements Management • Systems modelling • Electromagnetic Compatibility
12. Rolling Stock	Services may include: • Digital and Data Services (Cloud Storage, Wi-Fi /Cellular, Cyber security) • Condition Monitoring and Data analytic services (FleetONE, Nexala) • Safety Compliance, Certifications and Training • Depot Equipment and Services (Maintenance planning, depot layout integration, lifecycle cost analysis, sanitation services, expansions, retooling, operations outsourcing) • Consumables and Spare Parts Analysis and Testing • Refurbishment and modernisation (interior and exterior refit, digital retrofit, PIS and ETCS upgrades) • Specialist Overhaul / Repair of Rolling Stock Components and Systems • Specialist Technical Consultation (FEA analysis, Component/system design, EMC testing, Fire safety analysis and assessment, Hazard identification, standard compliance, risk assessment) • Specialist Project Management Support • Specialist Chemical Analysis and Support • Specialist Analysis, Evaluation and Testing of Rolling stock parts and systems (e.g. traction system, door systems, braking systems, battery systems, HVAC, vehicle structures, train control systems etc) • Specialist Investigation and analysis of operational procedures and systems • Interface management between rolling stock and infrastructure (gauging, platform height, power systems) • End of life disposal and recycling services • Compliance with performance standards • Specialist Waste Disposal Services • Fleet Supply and long-term maintenance
13. Commercial & Contractual Management Services	Services may include: • Procurement strategy development • Preparation of tender documentation and evaluation support

	• Cost estimation services, commercial risk assessments, benchmarking, and whole-of-life cost modelling • Contract drafting, negotiation, and administration (e.g. NEC, FIDIC, PWC). • Claims preparation/assessment, variation management, and dispute resolution • Independent commercial reviews, and value engineering • Cost Peer Reviews • Preparation and administration of Bills of Quantities • Contractual Compliance Auditing
14. Rail Operations	Services may include: • Operations planning, strategic timetable development, and network capacity modelling including the simulation and specific modelling of additional infrastructure or service enhancements. • Control centre design and developing the IÉ operating model to ensure that all CX requirements have been captured • Operational readiness strategy to ensure timely entry into service workstreams that are aligned with project delivery schedule or service enhancements • Operational risk and reliability assessments • Assisting where necessary with the development of emergency and incident management planning • Optimise IÉ operating model including the development of: ○ Fleet Diagrams ○ Crew Diagrams ○ Operating model for existing and new station infrastructure ○ Platform utilisation by station and line of route ○ Assessing track capacity and availability
15. Environmental Sustainability Consulting &	Services may include: • Environmental impact assessments (EIA) and planning approvals • Climate risk assessments and carbon emissions modelling • Carbon lifecycle and appraisal, including Whole life carbon assessments and verification • Sustainability rating strategy • Biodiversity, noise, vibration, and pollution impact management • Environmental monitoring, auditing, and regulatory reporting • Resource recovery, energy efficiency, and sustainable design integration • Wild Life Surveys • Archaeology • Arborist / Landscape Architects • Energy audits • Land remediation and soil testing/soil characterisation • Waste characterisation reports • ISO management system support (ISO 14001, 50001, 26001, etc.

	Resource efficiency and circular economy advisory support
16. Financial & Regulatory Advisory, Auditing, Human Resources, Corporate & Project Governance, Dispute Resolution and Related Services	Services may include: - Financial advisory including economic analysis, funding strategies, and value-for-money assessments - Regulatory compliance, interface with economic or safety regulators - Internal/external audits for systems, governance, and financials - Human resources and workforce planning, recruitment, and change management - Strategy design, business transformation, and organisational reviews - Governance frameworks for corporate boards or infrastructure programs - Preparation of project business cases for NTA or other regulatory body - Tax Consultancy - Dispute resolution services including mediation, facilitation, and advisory support - Support in contract disputes, claims management, and negotiation strategies

This Pre- Qualification Questionnaire (PQQ) outlines the process by which Applicants will be assessed for inclusion to the Qualification System from which appointments may be made in respect of assignments which may arise from time to time.

Stage 1 – Appointment to the Qualification System:

Applicants must apply for the QS using the dropdown menu on the “Reference Sheet” document as follows:

- Select the lot for which they are applying to
- Select the ‘Area of Expertise’
- Following the instructions provided in the “Reference Sheet”, applicants must provide details of at least 3 reference contracts.
- Failure to complete the questionnaire in full and provide the specified information and documentation may leave IÉ with insufficient information to assess submissions and applicants may be eliminated.

Applicants may apply for different areas of expertise across different lots, and each will be evaluated independently.

Applicants approved for a specific ‘Area of Expertise’ within LOT 3 will automatically be approved for that same ‘Area of Expertise’ in LOTS 1 and 2, and applicants approved for LOT 2, will automatically be approved for LOT 1 within the specific ‘Area of Expertise’.

During the validity of QS, applicants initially shortlisted for a specific ‘Area of Expertise’ in LOT 1 may re-apply in respect of LOT 2 or LOT 3.

Stage 2 - The award stage will be conducted using one of the following options:

Option 1: Once applicants have been appointed to the Qualification System and have become Candidates, IÉ may, where it deems appropriate and in its sole discretion seek further competition through a Request for Quotation or Invitation to Tender process with the approved Candidates.

Where a requirement requires professional services across multiple “Areas of Expertise”, IÉ reserves the right to select applicants approved in one or more of the applicable areas.

IÉ reserves the right to implement additional stages of shortlisting during the tender process, as deemed necessary to meet specific requirements of assignment.

Option 2: Once applicants have been appointed to the Qualification System and have become Candidates, IÉ may, where it deems appropriate and in its sole discretion, based upon the specific requirements of a particular assignment (e.g. requirement is urgent and demands timely, demonstrable capability or the assignment requires very specific/specialist expertise), conduct an evaluation of the information provided during this pre-qualification process and select an applicant where they are deemed to have the most appropriate and relevant expertise and experience.

1.2 DURATION OF CONTRACT AND FORM OF CONTRACT

The Qualification System the subject of this competition will remain active for a period of 5 years, with an option to extend by another 3 years on a year by year basis at IÉ’s discretion.

The form of Contract will be issued with the Invitation to Tender (ITT) at the ITT stage of this procurement process, to all Applicants who pre-qualify for the ITT stage of the process, under this PQQ, subject to IÉ’s decision (in its sole discretion) to proceed to the ITT stage of the competition.

IE reserves the right to utilize any contract form for competitions under this QS. Additionally, IÉ reserves the right to run tenders to establish single or multiparty framework agreements under this QS. Any call-off contracts awarded under a Framework Agreement established through this QS will be in accordance with the terms and conditions of the Framework Agreement.

2. THE APPLICANT**2.1 INDIVIDUAL ENTITIES/GROUPS/CONSORTIUM**

A person who has reviewed the Contract Notice published by IE for this competition and wishes to be considered for award of this contract, and has submitted a completed Questionnaire and returned all supporting documentation requested. In order to qualify for the next stage of the competition, all applicants must satisfy the “Selection Criteria” set out in section 5 of this PQQ.

A person who submits a completed Questionnaire is referred to as the “**Applicant**”. This may be a natural person or sole trader, or a single corporate entity such as a company, or the person may consist of an applicant who is acting as a “**Prime Contractor**” who is proposing another person or persons as a “**Sub-Contractor**”.

The Applicant may also consist of a consortium or group (referred to here as a “**Consortium**”) specifically coming together as a group (whether incorporated or unincorporated), to tender for this Contract, such as a joint venture or a partnership, and including where a group proposes to contract through an SPV (Special Purpose Vehicle), or where one or more members of a consortium act as the lead member/members and where other members of the group act as sub-contractors, while being members of the consortium.

If an Applicant consists of a Consortium, a single nominated entity who is authorised to represent all members of the Consortium must be identified in Part 1 of Questionnaire.

The Applicant must set out its proposed structure in Part 1 of the Questionnaire (in **Appendix 1**).

Where the Applicant consists of a Consortium, refer also to **Appendix 2** (requirements concerning Consortium Groups) and all members of the Consortium must complete a Questionnaire.

Note that a Consortium could also have sub-contractors in its group, who are being specifically designated as members of the Consortium and this needs to be identified by the Applicant where this is the case.

Where an Applicant consists of “Prime Contractor” and a Sub-Contractor, and they are not coming together in a group to form a consortium, this is not deemed to be a “Consortium” for the purposes of this PQQ and the Questionnaire must be completed by the Prime Contractor but note the requirements concerning Declarations (section 2.4 of this PQQ) and Reliance on Resources (section 2.3 of this PQQ).

Reference should be made to **Appendix 3** (requirements concerning Sub-Contractors), and note that the information concerning Sub-Contractors required by Appendix 3 will be required where Sub-Contractors form part of a Consortium and ALSO where Sub-Contractors do not form part of a Consortium.

In the case of any changes to any Consortium, please refer to section 2.5 of this PQQ.

2.2 SUB-CONTRACTORS

Firstly, Applicants must clearly identify in Part 1 of the Questionnaire, if they are proposing any persons/entities to act as a Sub-Contractor(s).

Secondly, Applicants must also identify in Part 1 of the Questionnaire, if the proposed Sub-Contractor is also to be part of a Consortium or not. If a Sub-Contractor is also a member of a Consortium, it must complete a Questionnaire like all other members of the Consortium. If a proposed Sub-Contractor is not part of a Consortium but proposed for sub-contracting purposes only, they need not complete a Questionnaire but the Applicant must do so giving all information requested (however see requirements concerning Declarations (section 2.4) and Reliance on Resources (section 2.3)).

However in all cases, whether a Sub-Contractor is part of a Consortium or not, full information concerning proposed Sub-Contractors must be provided by all Applicants in Part 1 of the Questionnaire. IE is entitled to seek further information about the Applicant or any Sub-Contractors at any stage of the competition.

Thirdly, please note in addition, all Sub-Contractors will be required to complete and return a Declaration of Eligibility relating to the exclusion grounds under procurement law, referred to in Part 9 of the Questionnaire, whether they are part of a Consortium or not (refer to section 2.4 of this PQQ).

Fourthly, Applicants must clearly identify in Part 1 of the Questionnaire, whether they proposed to rely on a Sub-Contractor’s resources for the purposes of fulfilling any of the Selection Criteria (refer to section 2.3 below on reliance on resources). If an Applicant is not relying on a Sub-Contractor for the purposes of fulfilling any of the Selection Criteria, but is still putting forward this person/entity as a Sub-Contractor for sub-contracting purposes only, this needs to be confirmed in Part 1 of the Questionnaire.

Fifthly, all Sub-Contractors must complete a Declaration of Eligibility in the form set out in Part 9 of the Questionnaire, regardless of whether they are part of a Consortium or not.

If there are grounds for mandatory exclusion of any Sub-Contractor, then the Sub-Contractor must be replaced. If the grounds for exclusion fall into the discretionary category, IE may require the Applicant at its discretion, to replace the Sub-Contractor.

Applicants should note that the Contract does not allow for the entire obligations of the contractor to be sub-contracted but part only, and also note that any sub-contracting under the Contract is at the sole discretion of IE who may withhold its consent.

In the case of any changes to Sub-Contractors, please refer to section 2.5 of this PQQ.

2.3 RELIANCE ON RESOURCES

If any Applicant wishes to rely on the resources of any person or other entity or entities (including for example, any Sub-Contractors), in order to fulfil any of the meet Selection Criteria set out in section 5 of this PQQ, including any minimum qualification criteria, it may do so whatever the nature of the legal link between itself the those persons/entities PROVIDED the Applicant can prove to the satisfaction of IE (in its absolute discretion) that it will have these necessary resources at its disposal when required, in accordance with Article 79 of the Utilities Directive and Regulations 86, 87, 88 and 89 of the Utilities Regulations.

If an Applicant seeks to rely on the resource of any other person or entity to fulfil any of the Selection Criteria:

- (a) the Applicant must set out in Parts 1, 2, 3, 4, 5, 6 and 7 of the Questionnaire its detailed responses as to what are the precise arrangements by which it proposes to rely on the capacity and resources of other persons or entities, if this arises, and this must be completed in the case of each of the Selection Criteria including Minimum qualification criteria referred to in section 5 of this PQQ, where it proposes to do so, and the relevant Parts of the Questionnaire must be completed in detail in relation to reliance on resources where this is relied upon by the Applicant;
- (b) a Declaration of Eligibility relating to the exclusionary grounds under procurement law, in the form set out in Part 9 of the Questionnaire, must be completed by all third parties (including any Sub-Contractors) whom the Applicant intends to rely on for the purposes of fulfilling any of the Selection Criteria (including the minimum qualification criteria);
- (c) the Applicant must prove to the satisfaction of IE that the necessary resources will be made available to it, for the purposes of fulfilling the Contract if it is awarded (as required by Article 79 of the Utilities Directive and Regulations 86(3) and 87(3) of the Utilities Regulations), and in this regard IE may require, in this regard, a legally binding Letter of Undertaking/Letter of Support from such other third party confirming that it will provide the necessary support to the Applicant for the purposes required by the Applicant. This Letter of Undertaking /Letter of Support must be executed as a deed or otherwise by a duly authorised person who is duly authorised to bind the third party and must specifically refer to this competition and the name of the Contract, name of Applicant, and nature of resources being provided by the third party that the Applicant proposes to rely on;
- (d) the Applicant must provide such other evidence and supporting documentation on request from IE, that is sufficient to demonstrate that it can satisfy the Selection Criteria or any one of them, and in relation to any reliance on resources of any third party.

If the above conditions are not met, the Applicant shall be excluded from further participation in the competition.

Please also see item (8) of section 4.1 of this PQQ.

2.4 DECLARATIONS

The Applicant must complete a Declaration of Eligibility (Part 9 of the Questionnaire).

All members of a Consortium must complete a Declaration of Eligibility (as well as completing the Questionnaire) and they must be returned by the Applicant.

All Sub-Contractors being proposed (whether part of a Consortium or not) must complete a Declaration of Eligibility and the Applicant return these.

All persons whom an Applicant relies on for resources, in order to fulfil any of the Selection Criteria (including any minimum qualification criteria), a Declaration of Eligibility must be completed by that third party (including any Sub-Contractor whose resources are being relied upon).

2.5 CHANGES

IE has the right to verify any information or documentation received at any stage of the competition.

Where there is any change or proposed change in the details concerning Consortium or any Sub-Contractor or Applicant (whether as Prime Contractor or otherwise), all such changes must be notified in writing to IE. IE will assess any proposed change against the applicable "Selection Criteria", to ensure all requirements continue to be met. In any instance, where the proposed change fails to continue to meet all requirements this will result in the rejection of the proposed change.

3. THE PROCUREMENT PROCESS

IE published a call to competition for Qualification System for Professional Services on the 19 day of December 2025 in the Official Journal of the EU (the OJEU) under Reference Number: 7235459

3.1 TWO-STAGE PROCESS

The procurement process for the award of this Contract consists of 2 distinct stages: a pre-qualification stage and a tender stage (or award stage). The pre-qualification process, conditions and selection criteria detailed in this document. All Applicants will be treated equally and have an opportunity to pre-qualify.

3.2 SHORTLISTING PROCESS

IE anticipates that it will, following the PQQ stage of this procurement process, have established a shortlist of pre-qualified Applicants who will form the three lots under this Qualification System.

3.3 TENDER PROCESS

The tender stage, or award stage of this procurement process will commence when IE issues an ITT to each shortlisted Applicant that has been shortlisted under this PQQ and its procedures.

If IE decides (in its absolute discretion) to proceed to tender stage, it will provide each shortlisted Applicant with the following detailed documentation or access to documentation, as part of the documentation making up the ITT that will include the following:

- (a) detailed information regarding the procedures to be followed during the tender stage/award process including the award criteria and methodology;
- (b) a draft of the form of Contract;
- (c) Scope of services/technical specifications for the Contract.

Applicants should note that those who have been shortlisted to proceed to tender stage, will be required to comply with the insurance requirements of the Contract and be required to be in possession of and produce a Tax Clearance Certificate from the Revenue Commissioners of Ireland at time of contract award.

3.4 PROPOSED TIMESCALE AND ANTICIPATED PROGRAMME

IE expects to undertake this procurement process in accordance with the indicative timescale and programme set out below:

ACTIVITY/MILESTONE	ANTICIPATED DATE
FIRST RETURN OF COMPLETED PQQS	12/02/2026
CLOSING DATE OF QUALIFICATION SYSTEM	March 01 st 2031

3.5 REGULATORY FRAMEWORK/UTILITIES/EU THRESHOLDS

IE is a utility providing transport services and is governed by public procurement law applicable to entities operating in the Utilities Sector.

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 see if any of the mandatory or discretionary exclusionary criteria apply to it (refer to the Declaration at Part 9 of Questionnaire);
- (c) each Questionnaire will be checked to ensure that the Applicant complies with the pre-conditions for pre-qualification set out in section 4 of this PQQ. Applicants who do not comply may be eliminated at this point;
- (d) 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;
- (e) 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;
- (f) IE 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
- (g) Shortlisted Applicants will be invited to tender and issued with the ITT documentation, if IE 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 the European Single Procurement Document (the “ESPD”) by any Applicant (which ESPD 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 and nothing in this PQQ shall prevent an Applicant from submitting an ESPD;

- (2) Declaration in Part 2 of the Questionnaire 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 of the Questionnaire 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 and by all Sub-Contractors (without prejudice to any declarations made in any ESPD document submitted by an Applicant and any other entity);
- (4) Statement of Confirmation (Appendix 4) to be completed by the Applicant and furnished to IE with the completed PQQ, confirming acceptance of terms and conditions of this PQQ and confirming all declarations and information has been submitted;
- (5) Compliance with Appendix 2 (Consortium Submission requirements) to be completed by the Applicant where applicable;
- (6) Compliance with Appendix 3 (Sub-Contractors) – to be completed where applicable
- (7) Conflicts of Interest: The Applicant including all its members where it is a grouping or consortium, must be able to comply with IE's policy on conflicts of interest (as set out in this PQQ), as a pre-condition for qualification;
- (8) Verification: IE 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.

****NOTE:** If an Applicant, at any stage during the competition, refuses to provide evidence which is considered by IE 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.

IE 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 where remedial measures are produced which are not satisfactory in the opinion of IE (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.

- (9) 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

PQQ submissions and the duly completed Questionnaire should be submitted via the e-tenders portal only.

(QUESTIONNAIRE)	SUBJECT MATTER OF PART
Part 1	Applicant Details and General Information
Part 2	Information/Declaration re Minimum Qualification Criteria
Part 3	Economic and Financial Capacity: Relevant Information – N/A
Part 4	Technical/Professional Ability: Relevant Experience
Part 5	Technical/Professional Ability: Company Resources – N/A
Part 6	Quality Management Systems
Part 7	Health and Safety
Part 8	Organizational Sustainability
Part 9	Declaration of Eligibility
Appendix 2	Consortium Requirements (where applicable)
Appendix 3	Sub-Contractors (where applicable)
Appendix 4	Applicant's Statement of Confirmation enclosing completed PQQ

All electronic copies must be in PDF portable document format. The Questionnaire as submitted, must identify where text should be supported by additional information in the form of, for example, management and contract structure charts. Applicants are required to provide all details which they consider necessary to provide a sufficient response to each Part and Appendix of the PQQ including client contact details where requested.

4.3 DEADLINE FOR PQQ SUBMISSIONS

The fully completed Questionnaire and all submissions relating to it must be submitted via the e-tenders portal only on or before **the date that is the set as the deadline** for PQQ submissions that is stated on the front cover of this PQQ.

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) Minimum Financial Qualification Criteria: (PASS/FAIL)

TURNOVER (exclusive of VAT): Applicants must provide evidence of turnover that is satisfactory to IE, by way of signed auditor's statement and a copy of the audited accounts for the last three financial years. A signed Declaration in the Minimum Qualification Criteria in the form set out in Part 2 of the Questionnaire must be submitted. Turnover values are as follows per lot:

- LOT 1 Turnover: € 500,000 per annum for the last three audited financial year ends.
- LOT 2 Turnover: € 2,000,000 per annum for the last three audited financial year ends.
- LOT 3 Turnover: € 20,000,000 per annum for the last three audited financial year ends.

NB: While the above limits must be met to secure appointment onto the Qualification System, IE reserves the right to undertake a further financial assessment depending on the value and nature of each project.

Reliance on resources to meet Turnover Requirement: Where the Applicant seeks to rely on the resources of any third party to meet the above stated Minimum financial qualification criteria of Turnover, in addition to the requirements under section 2.3 of this PQQ, and furnish the necessary Declarations of Eligibility, it must provide evidence of the turnover for such other persons/entities for each of the financial years listed above and prove to IE 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 its lead consortium member, or other consortium member, or whether a Sub-Contractor who is a member of a Consortium, to satisfy the above stated Minimum qualification financial criteria, this must be stated in the Declaration set out in Part 2 of the Questionnaire and the conditions of section 2.3 (reliance on resources) must be met and the relevant Declarations furnished..

Reliance on a Sub-Contractor: Where an Applicant seeks to rely on the resources of a Sub-Contractor, where it is not part of a Consortium, to satisfy the above stated Minimum qualification financial criteria, this must be stated in the Declaration set out in Part 2 of the Questionnaire and the conditions of section 2.3 (reliance on resources) must be met and the relevant Declarations furnished.

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, and a Declaration of Eligibility from the parent company provided in accordance with section 2.3 of this PQQ.

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

5.2 ECONOMIC AND FINANCIAL CAPACITY – N/A

5.3 TECHNICAL/PROFESSIONAL ABILITY

The following table sets out the further shortlisting criteria in respect of the technical and/or professional ability of Applicants. The scoring methodology allocated to these criteria is set out in section 6 of this PQQ. IE reserves the right to seek feedback from the client references provided.

Technical and Professional Criteria	Weighting PASS/FAIL	Description
Relevant Experience of Applicant	Pass/Fail	<u>Part 4, Appendix 1 of this PQQ</u> Lot 1: Applicants must provide evidence of experience in the provision of services similar to those required under each area of expertise as described in Section 1 of the PQQ document. Three reference projects, each with a project value of up to €1M and completed within the last 10 years must be

		provided per area of expertise as described in section one of this PQQ. The written submission shall be of no more than 3 A4 pages (with a minimum font size of 10). Failure to comply will the page limit will result in elimination from the competition. Clarification: Projects that exceeds €1M may also be submitted and will be deemed acceptable for this Lot. Lot 2: Applicants must provide evidence of experience in the provision of services similar to those required under each area of expertise as described in Section 1 of the PQQ document. Three reference projects, each with a project value of between €1M and €10M and completed within the last 10 years must be provided per area of expertise as described in section one of this PQQ. Clarification: Projects that exceeds €10M may also be submitted and will be deemed acceptable for this Lot. The written submission shall be of no more than 3 A4 pages (with a minimum font size of 10). Failure to comply will the page limit will result in elimination from the competition. Lot 3: Applicants must provide evidence of experience in the provision of services similar to those required under each area of expertise as described in Section 1 of the PQQ document. Three reference projects, each with a project value greater than €10M and completed within the last 10 years must be provided per area of expertise as described in section one of this PQQ. The written submission shall be of no more than 3 A4 pages (with a minimum font size of 10). Failure to comply will the page limit will result in elimination from the competition. Note: For the avoidance of doubt, in order to achieve a “Pass” mark in respect of the above sub-criterion: • Applicants must provide 3 case studies in respect of each listed area of expertise that satisfactorily demonstrate relevant experience in that area of expertise • Project reference provided must have been finalized. On going projects reference will not be acceptable and will be deemed unacceptable • The same case study may be used more than once where it demonstrates experience in a number of areas.
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		No single example is required to demonstrate experience in all of the listed areas of expertise.
Quality Management Systems	Pass/Fail	<u>Part 6, Appendix 1 of this PQQ</u> Applicants must demonstrate they have a documented Quality Management System in place. The Applicant's response must provide details of their approach to Quality Management and details of their current Quality Management System, including any current certificate which is compliant with EN ISO 9001:2015 or its equivalent international recognised standard. If no externally accredited QMS is in place, applicants must provide details on their internal documented quality control practices including but not limited to: - Current Quality Policy signed and dated including next review date. - Current Quality Manual signed and dated- describing the scope of the Quality Management System, documented procedures and a description of the interaction between processes. - All necessary documents and records needed to ensure effective control over processes.
Health & Safety ("H&S")	Pass/Fail	<u>Part 7, Appendix 1 of this PQQ</u> Applicants are required to demonstrate their approach to managing the health and safety of their workforce and to demonstrate that they have robust health and safety processes and procedures in place. At a minimum, applicants must provide a copy of the company H&S Statement and an up-to-date safety policy, signed and dated by the director. Applicants applying for categories relating to design services for construction and civil engineering projects are required to provide at least three reference projects to demonstrate that they have experience in acting in the role of Project Supervisor Design Phase "PSDP" for project and safety assessments of their design.
Organizational Sustainability	Pass/Fail	<u>Part 8, Appendix 1 of this PQQ</u> Applicants are required to provide details of their sustainability strategy, which should demonstrate their approach to environmental management, carbon reduction and the implementation of policies focused on social inclusion and the development of their workforce. The response must provide details on the steps currently being taken or proposed to be implemented to embed this strategy in the everyday delivery of service. Applicants must provide an executive summary of their organisational approach to the monitoring,

		measurement and reporting on sustainability initiatives within the organization.
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Reliance on resources – If the Applicant is relying on the resource of any third party/Sub-Contractor/Consortium member to fulfil the Technical and Profession Selection Criteria, full details are required as per section 2.3 of the PQQ and Part 4 Questionnaire. In particular, if experience of any Sub-Contractor or third party/Consortium member is being relied upon to fulfil this Selection Criteria, relevant examples of experience of the Sub-Contractor/Consortium member/ third party should be provided in Part 4 and in relation to resources, the details should be provided in Part 5 of the Questionnaire.

6. **GENERAL CONDITIONS**

6.1 **INTERVIEWS/PRESENTATION MEETINGS**

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

6.2 **FURTHER INFORMATION/QUERIES AND CLARIFICATIONS**

QUERIES: Where the Applicant has any queries or observations regarding the meaning of any requirement or any other aspect of this qualification process, the Applicant should submit such queries via the e-tenders portal within 7 Working Days before the deadline for submission of completed PQQs that is set out in section 4.3 above. IE may, in its sole discretion, reply to queries received after that date.

REQUESTS FOR CLARIFICATION POST DEADLINE: IE may also seek clarifications from Applicants in relation to their PQQ submissions received.

6.3 **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 IE 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 IE 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 its objection.

Where the Applicant does not withdraw the query/request or raise any objection within the specified period, or IE is of the opinion that, notwithstanding the objection of the Applicant the query/request is not confidential or commercially sensitive, IE 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 IE 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. IE requires that all information provided by Applicants or by IE 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.

IE 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.

6.4 FREEDOM OF INFORMATION

IE is subject to the Freedom of Information Act 2014 (the “FOI Act”) for its activities, other than in relation to its freight business and Rosslare Europort. CIE is an exempt agency under the FOI Act.

Applicants should therefore indicate what parts of their application/submission of completed PQQs are commercially sensitive and what parts they consider should be kept confidential, which is a separate matter from dealing with any freedom of information requests (FOI requests) that IE may receive under the FOI Act. IE will make reasonable efforts to consult with Applicants in all cases where an FOI request has been received, that may affect information the Applicant(s) consider confidential or commercially sensitive, before making a decision on such FOI requests. IE may decide, while taking into account requests of Applicants that specific information should not be disclosed, that such information should not be categorised as confidential or commercially sensitive and in that instance may decide to disclose such information. It is not sufficient or acceptable that an Applicant would include a statement that all of its information is confidential or commercially sensitive. IE may disclose all information provided by Applicants to its lawyers, auditors or other professional advisers under appropriate terms of confidentiality as it deems necessary. In addition, to the above, nothing in this PQQ will prevent IE from disclosing any information, data or materials that is required to be disclosed under applicable law, including the FOI Act.

6.5 DATA PROTECTION AND GDPR (General Data Protection Regulation)

IE, as Contracting Authority for this competition, will be a “**Data Controller**” within the meaning of the “**Data Protection Legislation**” (as defined herein), in respect of any “**Personal Data**” as defined under the Data Protection Legislation, required to be provided by Applicants in the PQQ Questionnaire (and any supporting documentation).

The Applicant, who is itself a “**Data Controller**” in respect of any “**Personal Data**” relating to any person provided by it in its completed Questionnaire (and in any supporting documentation), is required to confirm, in the Applicant’s Statement of Confirmation (Appendix 4 of this PQQ), that all “**Data Subjects**” (as defined in the Data Protection Legislation) whose Personal Data has been provided by the Applicant to IE as part of its application at this stage of the competition, have consented to the processing of such Personal Data by the Applicant, by Consortium members where the Applicant is Consortium, by the Applicant where the Applicant is a Prime Contractor with a Sub-Contractor and not a Consortium, and by IE as Contracting Authority and IE’s Evaluation Team, for the purposes of participation by the Applicant in this competition OR that the Applicant has otherwise a legal basis (as identified under the Data Protection Legislation) for providing such Personal data to IE as Contracting Authority for the purposes of participating in this competition.

“**Data Protection Legislation**” means all applicable national and EU data protection laws, regulations and guidelines including but not limited to the Data Protection Acts 1988 to 2018 of Ireland, Regulation (EU) 2016/679 (the “General Data Protection Regulation” or the “GDPR”), and any guidelines and codes of practice issued by the Data Protection Commissioner of Ireland or any other supervisory authority for data protection in Ireland from time to time.

6.6 CONFLICTS OF INTEREST

- (1) It is a pre-condition for each Applicant to pre-qualify that it complies with IE’s policy on conflict of interest set out in this PQQ.

- (2) 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.
- (3) 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.
- (4) Any conflicts of interest or potential conflicts of interest that an Applicant (or any member of an Applicant) has with IE or CIE or any member of the CIE Group of companies, or with any other Applicant must be fully disclosed to IE, as soon as they become apparent.
- (5) 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 IE in relation to the subject of this procurement process where such involvement could or would lead to a conflict of interest or potential conflict of interest. In such circumstances all relevant information must be disclosed to IE in advance (on or prior to the deadline for PQQ submissions) and IE will advise, in its absolute discretion, on the appropriate course of action.
- (6) In the event of any conflict or potential conflict of interest, IE may invite Applicant(s) to propose the means or mechanisms by which the conflict or potential conflict may be resolved or dealt with and clarify any mitigation systems in place to deal with any conflicts of interest or potential conflicts of interest and to provide supporting documentation in relation to such mechanisms or mitigation systems.
- (7) IE 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 IE may permit the situation to continue provided and conditional upon certain safeguards being put in place and being observed.
- (8) Any "registrable interest" as defined in the Ethics in Public Office Acts, involving the Applicant and/or IE, CIE or any member of the CIE 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 IE 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 IE 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.

6.7 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.

APPENDIX 1 - PRE-QUALIFICATION QUESTIONNAIRE

GUIDANCE NOTE

Appendix 1: The Applicant must complete this QUESTIONNAIRE. This QUESTIONNAIRE is divided into 8 Parts, all of which must be completed unless otherwise stated. This QUESTIONNAIRE is available in soft copy in Word format and Applicants are permitted to add additional sections to tables etc. as required. There are 2 Declarations in Appendix 1 (in Part 2 and Part 9) which must be completed also.

Appendix 2: Where the Applicant is a Consortium, Applicants should note the requirements of Appendix 2 of the PQQ document. EACH MEMBER of a Consortium must complete the QUESTIONNAIRE.

Appendix 3: Where the Applicant is proposing a Sub-Contractor, Appendix 3 on Sub-Contractors must be complied with.

Appendix 4: Applicants must complete the Statement of Confirmation set out in Appendix 3 and submit this with their fully completed PQQ.

ENGLISH LANGUAGE: All parts of the PQQ in Appendix 1, Appendix 2, and Appendix 3 must be completed in the English language.

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.

Unless a specific date has been included in the PQQ or QUESTIONNAIRE in relation to the relevant question, where there is any reference in the PQQ or QUESTIONNAIRE to experience within a previous number of years, this means experience gained within the relevant multiple of consecutive twelve (12) month periods occurring prior to the date of issue of the contract notice for the Contract.

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. If the Applicant is a Consortium, refer to Appendix 2, each member of the Consortium must complete a Questionnaire (including any Sub-Contractor who is also a member of a Consortium). The Applicant, when submitting on behalf of a Consortium must be authorised to do so on behalf of all members of the Consortium. If the Applicant is a Prime Contractor and has a Sub-Contractor, but this is not being proposed as a Consortium, but only for sub-contracting purposes, the Sub-Contractor must supply a Declaration in the form set out in Part 9.

1.1 APPLICANT

1.1	Full Company Name (full legal name)		
1.2	Business Name/Trading as:		
1.3	Incorporated under the laws of [<i>identify country of incorporation</i>]		
1.4	Registered Address/Registered Office		
1.5	Company registration number:		
1.6	Contact details for queries in relation to this questionnaire	Name	
		Email	
		Telephone	
		Company Website	
1.7	VAT Number		
1.8	Directors names and titles		
1.9	Name of Company Secretary		

		Tender Reference: 9561
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	If the Applicant is a Consortium, confirm if the Applicant is authorised to submit this application on behalf of the Consortium	Tick: Yes No (supply evidence of authorisation)
1.13	If Applicant is a Consortium supply names of all members of the Consortium (including any Sub- Contractors who are members of the Consortium) and identify proposed lead members if any/roles of each member of the Consortium and details as per 1.2 of this Part 1 Questionnaire	
1.14	If Applicant is a Prime Contractor with a Sub- Contractor but not a Consortium structure (i.e. sub-contracting purposes only for the Sub- Contractor), identify name of Sub-Contractor (s) and full details as per the details required for the Applicant in sections 1.1 – 1.12 inclusive of this Part 1	
1.15	Identify name, email and contact details (phone number), address, title of person who is authorised to be point of contact for IE as Contracting Authority for all Consortia/groups which are not consortia (Prime Contractor and Sub-Contractor)	

1.2 APPLICANT STRUCTURE

Is the Applicant a single entity or is it a Consortium (see definition in the PQQ at section 2.1) or Prime Contractor/Sub-Contractor:

Tick as appropriate

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

[list names/roles/structure]

I/we confirm that the representative named Part 1.1 above is authorised to act as agent on behalf of the Applicant and the principal contact for the Applicant in dealings with IE.

(Please note: Power of Attorney not required at this stage)

Signed (to be completed by the Applicant and 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)
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Signed: Name: Dated:			
Signed: Name: Dated:			
Signed: Name: Dated:			

1.3 DETAILS OF SUB-CONTRACTING ARRANGEMENTS

Details of all proposed sub-contracting arrangements, whether by a Consortium or an individual Applicant who is a Prime Contractor and proposes to use a Sub-Contractor for sub-contracting purposes only (but not as a Consortium), must be fully disclosed. (Note that all sub-contracting is subject to the prior written consent of IE under the terms of the Contract, in its absolute discretion and IE may withhold such consent in its absolute discretion and the details required by Appendix 3 submitted with this application.

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, they may be required to be jointly and severally liable to IE for the performance of the Contract, on any contract award.

Irrevocable letters of authority from each Sub-Contractor confirming their proposed role in the Applicant, whether as Sub-Contractor only, or 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 Selection Criteria, a separate legally binding letter of authority must be included with the PQQ submission when returning in compliance with section 2.3 of the PQQ, 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

☐

Reference to where enclosed:

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, in compliance with section 2.3 of the PQQ

Tick if appropriate written evidence of such support/reliance on resources of others to meet any other Selection Criteria relating to technical and/or professional ability is enclosed, in compliance with section 2.3 of PQQ

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 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, as per section 2.3 of the PQQ and the requirements of the Utilities Directive and Utilities Regulations.

PART 2 (QUESTIONNAIRE) INFORMATION/DECLARATION RE MINIMUM QUALIFICATION CRITERIA

Minimum Qualification Criteria – Financial

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 as well as Declaration of Eligibility to be furnished by the third party being relied upon.**

Turnover

Please provide details of your annual turnover for the last three audited financial year ends, demonstrating that it meets or exceeds the value specified in Section 5.1 for each year.

Audited accounts (last 3 years)		Current (y)	Y-1 year	Y-2 years	Y-3 years
A	Date of 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 in each of the last 3 audited financial years. Please provide a reconciliation of the turnover figure quoted below to the turnover figure as per the financial statements:

For each member of the consortium	y-1 year	y-2 year	y-3 year
Total			
Total per financial statements			

☐

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 in each of the last three audited financial years. Please provide a reconciliation of the turnover figure quoted below to the turnover figure as per the financial statements.

DECLARATION SIGNED:

BY (FULL Name)

Duly Authorised for and on behalf of:

DATED:

PART 3 (QUESTIONNAIRE) ECONOMIC AND FINANCIAL CAPACITY: RELEVANT INFORMATION N/A

PART 4 (QUESTIONNAIRE) TECHNICAL/PROFESSIONAL QUALITATIVE CRITERIA: RELEVANT EXPERIENCE

Please provide details in relation to between **3 relevant contracts** completed by the Applicant or any of its Consortium members (including a Sub-Contractor) where a Consortium is the Applicant and identify if any resources of Consortium members are being relied upon (including any Sub-Contractor who is a Consortium member) to fulfil this Selection Criteria and provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE. Relevant contracts are those most closely relating to the requirements for the Contract as detailed in the Contract Notice and in this PPQ document Please provide the following details

Where the Applicant is a Prime Contractor with a Sub-Contractor but not a Consortium, and resources of a Sub-Contractor are being relied upon to fulfil this Selection Criteria, please provide evidence of the experience of the Sub-Contractor under at least 1 [2, 3] relevant contracts, and evidence of management of a supply chain by the Applicant as a Prime Contractor, and provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE.

Please complete the references using the attached "References Sheet". Three reference tables are provided, and applicant may add additional tables if required.

When completing each reference, please select the appropriate lot and area of expertise from the drop-down menu.

Please copy format of table above for each additional contract reference to be provided.

RELIANCE ON RESOURCES FOR Technical/Professional Ability – relevant experience: Please refer to note at the top of this Part 4

**PART 5 (QUESTIONNAIRE) TECHNICAL/PROFESSIONAL ABILITY: COMPANY RESOURCES –
N/A**

PART 6: (QUESTIONNAIRE) QUALITY MANAGEMENT SYSTEMS AND ENVIRONMENTAL POLICY

Part 6 should be completed by the Applicant and by EACH Member of the Consortium. Identify if any resources of Consortium members (including any Sub-Contractor) are being relied upon (including any Sub-Contractor who is a Consortium member) by the Applicant in order to fulfil this Selection Criteria and provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE. Where the Applicant is a Prime Contractor with a Sub-Contractor but not a Consortium, and resources of a Sub-Contractor are being relied upon to fulfil this Selection Criteria, please provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE.

6.1 Quality Management Systems - Operation of a Quality Management System

Does the Applicant have a documented Quality Management System in place?

Tick as appropriate

YES

☐

NO

☐

If YES then please provide a copy.

6.2 Quality Management Systems - Certification of a Quality Management System to a Recognised Standard

Is the Applicant's Quality Management System currently certified as compliant with EN ISO 9001:2015 or an equivalent internationally recognised standard?

Tick as appropriate

YES

☐

NO

☐

If YES, please state which standard it is certified to and provide a current certificate:

If NO, please provide evidence demonstrating that the Applicant has equivalent quality assurance measures in place. This may include, but is not limited to, equivalent certification from other national certification bodies (e.g. a current certificate from the national certification body).

6.3 Quality Management Systems - Audit Arrangements

Is the Applicant's Quality Management System subject to internal or external audit?

Tick as appropriate

YES

☐

NO

☐

If YES, please provide brief details of the internal or external auditing arrangements including the date of the last audit and, where applicable, the name of the external auditing body:

PART 7: (QUESTIONNAIRE) HEALTH AND SAFETY

To be completed by the Applicant and by each member of a Consortium. Identify if any resources of Consortium members (including any Sub-Contractor) are being relied upon (including any Sub-Contractor who is a Consortium member) by the Applicant in order to fulfil this Selection Criteria and provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE. Where the Applicant is a Prime Contractor with a Sub-Contractor but not a Consortium, and resources of a Sub-Contractor are being relied upon to fulfil this Selection Criteria, please provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE.

Please provide a copy of your Company Health and Safety Statement.

- What was the date of issue?

- When was the Safety Statement reviewed last?

Please provide a copy of your Company Safety Policy

- What was the date of issue?

- When was the Safety Statement reviewed last?

PART 8: (QUESTIONNAIRE) ORGANISATIONAL SUSTAINABILITY

Part 8 should be completed by the Applicant and by EACH Member of the Consortium. Identify if any resources of Consortium members (including any Sub-Contractor) are being relied upon (including any Sub-Contractor who is a Consortium member) by the Applicant in order to fulfil this Selection Criteria and provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE. Where the Applicant is a Prime Contractor with a Sub-Contractor but not a Consortium, and resources of a Sub-Contractor are being relied upon to fulfil this Selection Criteria, please provide full details and legally binding Letter of Support/Undertaking from the entity providing the resources and any supporting documentation required by IE.

Iarnród Éireann are committed to embedding sustainability into its everyday operations.

In its Sustainability Strategy 2021-2030, Iarnród Éireann has set out its environmental, social and economic sustainability objectives. The Strategy identifies key goals and commitments to be delivered by 2030.

It is recognised that a key driver in ensuring that, as an organisation, Iarnród Éireann can deliver on these goals and commitments will be the implementation of procurement processes, which focus on the sustainability of the goods and services that we purchase, and which ensure that we continuously seek to engage with suppliers whose values are aligned with our objectives.

Applicants are required to complete Part 8, as a true reflection of their organisations approach to managing sustainability.

8.1 Environmental Sustainability

- Provide details on internationally recognised and externally audited environmental management systems, where applicable, should be provided relevant to the specific requirements of the contract, i.e. ISO 14001 or equivalent.
- Provide brief details of the internal or external auditing arrangements including the date of the last audit and, where applicable, the name of the external auditing body.
- If no certified system in place, please provide details on internal documented environmental control practices, including but not limited to environmental policy, operating procedures, pollution prevention measures/environmental management plans, and environmental auditing.
- Demonstrate how the applicants are managing / reducing their companies carbon emissions in relation to this contract

Response (in no more than 200 words, all supplementary documents should be clearly marked here)

8.2 Social and Economic Sustainability:

Applicants are required to provide an executive summary of their approach to monitoring, measurement and reporting on sustainability initiatives and obligations within the organization.

Applicants must provide details of their organisation's sustainability strategy, codes of practices and the steps taken to embed this in everyday delivery of service taking into account areas such as ethical sourcing, human rights and fair operating and labour practices.

Applicants should provide details on any social inclusion and/or community involvement initiatives undertaken by the supplier.

[To be amended or deleted by buyer: Add in additional specific requirements as necessary.]

Response: (in no more than 400 words, each of the headings above should be addressed in your response)

PART 9: (QUESTIONNAIRE) DECLARATION OF ELIGIBILITY

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 THE SUPPLY OF [] GOODS/SERVICES required by IARNRÓD ÉIREANN-IRISH RAIL

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:

1. 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:
 - (a) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
 - (b) 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;
 - (c) fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests;
 - (d) 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;
 - (e) 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 of Iarnród Éireann-Irish Rail, 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

DATE:

NAME:

TEL:

POSITION:

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 Iarnród Éireann-Irish Rail 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:

DATE:

FULL NAME (in block capitals):

(Signature must be that of a Director/Principal)

TITLE:

Witness:

Name: *(Block Capitals)*:

Occupation:

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

APPENDIX 2 – CONSORTIUM SUBMISSION REQUIREMENTS

CONSORTIUM ARRANGEMENTS

- (a) Consortium: each member of the Consortium must complete a Questionnaire setting out its full details, legal structure, role in the Consortium for this Contract, and complete the details required by Part 1 Questionnaire.
- (b) Sub-Contractors: Where a Sub-Contractor is also a member of a Consortium, it must complete the Questionnaire. Where a Sub-Contractor is acting in the role of sub-contracting only, and is not part of a Consortium, it need not complete the Questionnaire but full details must be provided by the Applicant of the Sub-Contracting and proposed sub-contracting.
- (c) Authorised designated person: the Applicant must supply full details of the person/entity designed to act as the nominated person/entity in respect of all members of the Consortium for contact from IE in relation to this competition, and of the nominated person authorised to act for a Prime Contractor and Sub-Contractor in respect of all contact from IE in relation to this competition.
- (d) Declarations: All members of a Consortium must complete a Declaration of Eligibility in the form set out in Part 9 Questionnaire
- (e) 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.
- (f) 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.
- (g) Legally Binding 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 applicant 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.
- (h) 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.
- (i) 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.
- (j) Prime Contractors and 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 Applicant as "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.

- (k) **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. IE shall be entitled to assume that the lead consortium member has the authority to bind all other members of the consortium and IE 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 IE with the lead consortium member who will act as the contact person for the consortium for this competition (the "Contact Person") and IE 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 IE 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 IE 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 IE 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 IE in its absolute discretion and IE 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

☐

Other

☐

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 ([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 All Sub-Contractors proposed must be identified by the Applicant and full details provided in the Questionnaire.
- 2 All Sub-Contractors must execute a Declaration of Eligibility.
- 3 If a Sub-Contractor is also a member of a Consortium, it must also complete the Questionnaire
- 4 Nature of trading of Sub-Contractor, legal status, type of goods/services produced/ type of organisation and legal structure, ownership of Sub-Contractor, country of incorporation, registered address, business address, website, registration number, details of any patents/trademarks/domain names.
- 5 Details of the role proposed for this Sub-Contractor for this Contract in terms of works/goods/services/resources to be supplied and proposed percentage of sub-contracting proposed by the Prime Contractor (it is not possible to sub-contract 100% of the Contract) and percentage of obligations proposed to be assigned to a Sub-Contractor
- 6 Details of relevant resources/experience of Sub-Contractor, in context of Contract, where required

APPENDIX 4 - APPLICANTS STATEMENT OF CONFIRMATION ENCLOSING COMPLETED PQQ

STATEMENT OF CONFIRMATION

TO: IARNRÓD ÉIREANN-IRISH RAIL ("IE")

RE: CONTRACT NOTICE FOR THE SUPPLY OF [] GOODS/SERVICES TO IE

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 IE 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 IE 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 IE.
- 8 I confirm that we are aware of IE'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 9 of this PQQ), we are not aware of any conflict of interest of the [] *(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 IE as Contracting Authority, and by IE'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 IE 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 IE as the Contracting Authority upon request.

- 10 I confirm that the Declarations referred to at Parts 2 and 8 of this PQQ have been duly completed and executed and are part the PQQ duly completed by us.

SIGNED FOR THE APPLICANT:

SIGNATURE:

FULL NAME (BLOCK CAPITALS):

TITLE:

DATE:

Duly Authorised for and on behalf of:

Witness:

Name (BLOCK CAPITALS):
