



DTP-2025 Procurement of Contractors

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1. Introduction

1.1 Application

This document sets out the procedure for the Procurement of Construction Contractors, and gives advice on suitability assessment, de-briefing and related issues. It forms part of the **Design Team Procedures [5th Edition 2025]** and should be read in conjunction with **DTP2025 – Detailed Design (Stage 2b)** and associated **Practice Notes**.

Where a conflict exists between this guidance and either National legislation or the EU directives the latter take precedence.

The **Design Team Procedures [5th Edition 2025]** and any associated **Technical & Practice Notes** (published at www.education.ie) apply to all schools construction projects funded in part or in total by the Department of Education & Youth unless otherwise stated.

1.2 Requirement to keep records

Design Teams should be aware of the importance of written reports to record the procurement process and to document decisions taken, in accordance with Article 84 of Directive 2014/24/EU (Regulation 84, SI 284 of 2016) and any subsequent updates which may take place.

1.3 Standard Suitability Assessment Documents

The Public Works Forms of Contract, and associated model forms are available on Capital Works Management Framework Website /. The Standard Suitability Questionnaires / Declarations for Works to be used are the most up to date versions that exist at <https://constructionprocurement.gov.ie>

To ensure that the correct form is used Design Teams should access all SAQ, appendices and supplements associated through the CWMF website at <https://constructionprocurement.gov.ie>. The only exception to this is the use of DoEY Specific templates as follows which can be accessed on the DoEY Website as outlined below. (These are specific forms for obtaining information that directly relates to the qualitative scoring approaches included as part of the DoEY SAQ process:

- **Appendix B2: Certificate of Satisfactory Execution - Works Only (Reserved Specialists)**
 - **Appendix B2 Certificate of Satisfactory Execution – Main Contractors**
 - **Appendix M - Marking Scheme Explanatory Notes (Reserved Specialists)**
 - **Appendix M - Marking Scheme Explanatory Notes (Main Contractors)**
 - **QW1 Appendix L CV Template (Reserved Specialists)**
 - **QW1 Appendix L CV Template (Main Contractors)**
- Please also refer to **Technical Note: SDG 01- TN04 - Drafting SAQ Documentation for Works (Open and Restricted)**
 - **It should be noted the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation are currently in the process of developing a digitised SAQ system which will be up and running in Q3 2025. All Contracting Authorities will be required to use this system which will streamline the SAQ process through digitisation**

2. Procurement Options

2.1 Circular 05/23 – Initiatives to assist SMEs in Public Procurement

Department of Public Expenditure and Reform circular 05/23 applies to the procurement of Contractors. It sets out positive measures that Contracting Authorities are required to take to promote SME involvement in a manner that is consistent with the existing public procurement rules. In particular it outlines that:

- Much of the documentary evidence of a tenderer's capacity to undertake a project should no longer be sought by the contracting authority early on in the tendering process. Instead, tenderers should be asked to declare that they have the necessary capacity and that they will be in a position to produce the necessary documentation when requested.
- The levels set for suitability criteria (especially in relation to a potential tenderer's turnover levels) must be both justifiable and proportionate to the needs of the contract.

In addition, greater use of the "Open Procedure" is encouraged.

Circular 05/2023 can be accessed at: [circular-05-2023-initiatives-to-assist-smes-in-public-procurement.pdf](https://www.education.ie/en/Information-for-Contracting-Authorities/Procurement-Options/Circular-05-2023-Initiatives-to-Assist-SMEs-in-Public-Procurement.pdf)

2.2 Choice of Procedure

Before commencing work on detailed design, the Design Team in consultation with the Employer must agree (if not already determined) the appropriate procurement procedure.

The **Open Procedure** is a single stage procedure, where the tender opportunity is advertised on eTenders, and any tenderer for a Works Contract can simultaneously submit suitability assessment material and a tender for the project.

The **Restricted Procedure** is a two-stage procedure, with a short-list prepared from the suitability assessment material and only the (pre-determined number of) qualifying firms with the best marks invited to tender.

In general principle, the **Restricted** Procedure should only be used for larger and more complex projects. For smaller straight forward projects where the cost of Tendering will not be an undue burden on contractors the **Open** procedure should be used.

The following table applies unless the project has a particular level of complexity:

Estimated Project Value and Complexity	Procedure
>€200,000 < € 2.5m (ex VAT) without particular complexity	Open
> € 2.5m (ex VAT) < €6.0m without particular complexity	Open or Restricted
Greater than >€ 6m (ex VAT)	Restricted

For projects with a Construction value of less than **€1,000,000 (including VAT)** refer to the TGD007 - Design Team Procedures for Small Works 7th Edition, June 2025 or any updated or subsequent Department guidance

2.3 eTenders Advertisement

For all projects with an estimated capital value **greater than €200k** (whether above or below EU threshold), **an eTenders Contract Notice is always required**. It is the responsibility of the Design Team Leader to prepare and place this notice using the eTenders online facility. If the project value is above the EU threshold for Works, the eTenders online facility will direct you to complete the OJEU (TED) notice and the eTenders website will automatically transmit any EU Contract notices to OJEU.

Note:

As per circular 05/2023 (replacing circular 10/14) a Contract Award Notice is required to be published for all Contract Awards made that have a value more that €25,000 ex Vat. (including when using frameworks). The eTenders platform has a facility to create the required Contract Award Notices. Please refer to the separate guidance available in relation to the publication of these notices

3. Open Procedure

3.1 Preparation of Tender Documents

Consultants should follow the procedures and guidance in **DTP-2025 Detailed Design - Stage 2b** and **DTP-2025 Preparation of Tender Documents** and any associated **Technical & Practice Notes**.

The Instructions to Tender to be used should be those available on the Capital Works Management Framework website. Refer to **DTP-2025 Preparation of Tender Documents** for guidance on filling in the Project Specific elements.

Consultants should also refer to **SDG01TN_01 Tender process price technical in works contracts** and any subsequent updated guidance to determine the projects where price/technical, price only or comparative cost of tender may apply.

Form of Contract	Procedure Type	Contract Value Range	Appropriate Tender Options		
			Price/Technical	Comparative Cost of Tender	Lowest Price Only
PW-CF1	Open	>/= €5m	<input checked="" type="checkbox"/>		
PW-CF1	Restricted	>/= €5m	<input checked="" type="checkbox"/>		
PW-CF2	Restricted	>/= €5m	<input checked="" type="checkbox"/>		
PW-CF5	Open	€1m - €5m		<input checked="" type="checkbox"/>	
PW-CF5	Restricted	€1m - €5m		<input checked="" type="checkbox"/>	
PW-CF6	Open	<€1m			<input checked="" type="checkbox"/>

3.2 Contract Notice

Once the Tender Documents are complete **and** the Contract Notice is ready **and** Department authorisation (in writing) has been received to proceed to Tender, the Design Team Leader should log on to www.eTenders.ie and publish the notice.

The responsibility to enter the correct details rests with the Design Team Leader. Draft Contract Notices will not be checked or “approved” by the Department. If the Contract Notice has a substantive error which affects the competition, the Design Team will be responsible for re-issuing the notice and re-running the competition. **Such work is included in the scope of work of the consultant, and no additional fees will apply.**

3.3 Suitability Assessment Questionnaire

The appropriate Suitability Assessment Questionnaire is QW2 Suitability Assessment for Works Contractors, Open Procedure **including all relevant appendices and Health and safety supplements (latest website version on <https://constructionprocurement.gov.ie>)**. This questionnaire/declaration applies to all projects using the Open Procedure.

Please note the following DoEY Specific templates located on the DoEY Website apply and should be used:

- Appendix B2 Certificate of Satisfactory Execution – Main Contractors
- Appendix M - Marking Scheme Explanatory Notes (Main Contractors)
- QW1 Appendix L CV Template (Main Contractors)

The document is a standard questionnaire and should not be amended in any way by the Contracting Authority or Design Team. The Design Team should also refer to Technical Note: SDG 01- TN04 - Drafting SAQ Documentation for Works (Open and Restricted) for guidance on the relevant information to be included. These requirements may change on an ongoing basis, and any queries should be directed to the DoEY Professional and Technical Staff for clarification.

This Suitability Declaration sets the minimum standards for the project. **It does not require Tenderers to submit evidence at the time of Tender.**

3.4 Tender Action

Refer to **DTP-2012 Tender Action - Stage 3** (and associated **Technical & Practice Notes**) for guidance on Tender Action.

Tenders received on or before the due date and time should all be opened together after the closing date for receipt of tenders, in the presence of the Design Team Leader and/or the Quantity Surveyor. All details must be recorded, checked and signed by all present. Online submissions should only be used as part of the eTenders platform and workflows.

3.5 Non-Compliant Tenders

Care should be taken in considering whether a Tender is compliant or not (you will have to list the reason for exclusion for any non-compliant tender). The ITT states:

If a Candidate fails to comply in any way with these Instructions, the Employer may (but is not obliged to) disqualify the Candidate concerned and reject any Tender concerned as non-compliant, and, without prejudice to this right, the Employer may (but is not obliged to) seek clarification or further information (that does not materially alter a Tender) from the Candidate in respect of the relevant tender or take any other step permitted by law, including the principles of equal treatment, non-discrimination, transparency and proportionality.

A signed copy of **QW2 Suitability Assessment for Works Contractors, Open Procedure** (with the appropriate details filled in, appendices included, and relevant supplements completed) must be submitted with the tender. If the Suitability Declaration was omitted or is not signed or no project details were included, the firm's tender may be excluded.

As long as the questionnaire has been signed and submitted and the Contract Details filled in the Contracting Authority and/or the Design Team should not seek to validate the declarations at this point.

While tenders should not be excluded on a technicality, **it is unfair to other tenderers if you do not exclude a tenderer who has not complied with the ITT on a substantive issue** (e.g. blank pricing document). It should be noted, however, that Regulation 56(4), European Union (Award of Public Authority Contracts) Regulations 2016, allows considerable latitude in this area:

- *Where information or documentation submitted by an economic operator is, or appears to a contracting authority, to be incomplete or erroneous, or where specific documents are missing, the authority may request the economic operator concerned to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit, where any such request is made in full compliance with the principles of equal treatment and transparency.*

Refer also to DTP-2025 – Tender Action and associated **Technical & Practice Notes**.

3.6 Tender Evaluation

Having excluded any non-compliant tenderers, the next step is to evaluate the Tenders. **This is done before validating the declarations.**

The Design Team are required to submit a draft of the final tender evaluation recommendation in advance of the decision to move to the next step of validating the preferred bidder's evidence of suitability as outlined in section 3.7 to seek approval to proceed to the next steps

See **DTP-2025 Tender Action - Stage 3** for the procedure for evaluating tenders.

3.7 Validating the preferred bidder's evidence of suitability

Once the Design Team is satisfied that the Preferred Bidder's Tender is an apparently valid tender, the Preferred Bidder should now be asked (in writing) to provide (within 7 days) the information required to verify the declaration in QW2 Suitability Assessment for Works Contractors, Open Procedure (See template letter/email to Contractor at **Appendix B**).

In practice this can be done (at the discretion of the Design Team) at the same time as discussions are held with the Contractor on matters relating to their tender.

Do not extend the time allowed to provide this information as the Contractor will already be aware that he is under consideration and should have the information assembled and ready to issue by return.

When the evidence of compliance with the Declaration has been received the information should be examined and verified to confirm that the tenderer meets the minimum standard required. (Refer to [Evidence of Suitability](#).)

If the preferred bidder does not meet the minimum standard required, that tenderer should be excluded and the next Lowest/MEAT tenderer should be deemed to be the preferred bidder.

The process should be repeated until a qualifying preferred bidder is established.

Except where a tender is withdrawn or deemed to be non-qualifying (as above) the Design Team must not pass over the Lowest/MEAT tender or any tender, (due to any other reasons apart from compliance with the Conditions for Participation) without prior consultation and agreement with the Planning and Building Unit.

If the preferred bidder meets the minimum standard required, the Design Team should proceed in accordance with **DTP2025 – Tender Action – Stage 3** and associated **Technical & Practice Notes**.

4. Restricted Procedure

4.1 Preparation of Tender Documents

Consultants should follow the procedures and guidance in **DTP-2025 Detailed Design - Stage 2b** and **DTP-2025 Preparation of Tender Documents** and associated **Technical & Practice Notes**.

The CWMF ITT-W1 Instructions to Tenderer for Works, Restricted **Procedure should** be used for the main contract. Where Reserved Specialists are proposed (generally projects with an estimated contract sum over **€12m**) use QW1 Suitability Assessment for Works Contractors, Restricted Procedure and amend accordingly.

The latest website version on <https://constructionprocurement.gov.ie>. This questionnaire/declaration applies to all projects using the Restricted Procedure. Please note the following DoEY Specific templates located on the DoEY Website apply and should be used:

- Appendix B2 Certificate of Satisfactory Execution – Main Contractors
 - Appendix M - Marking Scheme Explanatory Notes (Main Contractors)
 - QW1 Appendix L CV Template (Main Contractors)
-
- The SAQ document is a standard questionnaire and should not be amended in any way by the Contracting Authority or Design Team. The Design Team should also refer to Technical Note: SDG 01-TN04 - Drafting SAQ Documentation for Works (Open and Restricted) for guidance on the relevant information to be included within the SAQ. These requirements may change on an ongoing basis, and any queries should be directed to the DoEY Professional and Technical Staff for clarification

Consultants should also refer to **SDG01TN_01 Tender process price technical in works contracts** and any subsequent updated guidance to determine the projects where price/technical, price only or comparative cost of tender may apply.

Form of Contract	Procedure Type	Contract Value Range	Appropriate Tender Options		
			Price/Technical	Comparative Cost of Tender	Lowest Price Only
PW-CF1	Open	>= €5m	<input checked="" type="checkbox"/>		
PW-CF1	Restricted	>= €5m	<input checked="" type="checkbox"/>		
PW-CF2	Restricted	>= €5m	<input checked="" type="checkbox"/>		
PW-CF5	Open	€1m - €5m		<input checked="" type="checkbox"/>	
PW-CF5	Restricted	€1m - €5m		<input checked="" type="checkbox"/>	
PW-CF6	Open	<€1m			<input checked="" type="checkbox"/>

Refer to **DTP-2025 Preparation of Tender Documents** and associated **Technical & Practice Notes** for guidance on filling in the DoEY Specific elements.

4.2 Commencing the Suitability Assessment process

Written authorisation should be sought from the Department before you start the suitability assessment process. (Where written authorisation has been given by the Department to complete the suitability assessment process in parallel with Stage 2b, sufficient time should be allowed to complete the process by the time the Stage 2b documents are complete and ready for submission.)

4.3 Contract Notice

Where Reserved Specialists are proposed a **separate** Contract Notice is required for the main contract and for **each** of the Reserved Specialist sub-contracts. All Contract Notices for both the Main Contract Works and the Reserved Specialists Works should be published **at the same time**.

Once the Contract Notice is ready the Design Team Leader should double check to ensure that there are no mistakes prior to publishing on eTenders.

The responsibility to enter the correct details rests with the Design Team Leader. Draft Contract Notices will not be checked or “approved” by the Department. If the Contract Notice has a substantive error which affects the competition, the Design Team will be responsible for re-issuing the notice and re-running the competition. Such work is included in the scope of work of the consultant, and no additional fees will apply.

4.4 Suitability Assessment Questionnaires

Contracts without Reserved Specialists

The appropriate Suitability Assessment Questionnaires are those and the relevant appendices and supplements located on the Capital Works Management Framework Website.

- QW1 Suitability Assessment for Works Contractors, Restricted Procedure

Please note the following DoEY Specific templates located on the DoEY Website apply and should be used:

- **Appendix B2 Certificate of Satisfactory Execution – Main Contractors**
- **Appendix M - Marking Scheme Explanatory Notes (Main Contractors)**
- **QW1 Appendix L CV Template (Main Contractors)**

Contracts with Reserved Specialists

The appropriate Suitability Assessment Questionnaire for main contractors is (generally used on projects with an estimated contract sum over **€12m**)

- **QW1 Suitability Assessment for Works Contractors, Restricted Procedure**

Please note the following DoEY Specific templates located on the DoEY Website apply and should be used:

- **Appendix B2 Certificate of Satisfactory Execution – Main Contractors**
- **Appendix M - Marking Scheme Explanatory Notes (Main Contractors)**
- **QW1 Appendix L CV Template (Main Contractors)**

The appropriate Suitability Assessment Questionnaire for Reserved Specialists is

- **QW1 Suitability Assessment for Works Contractors, Restricted Procedure (Amended as required to suit Reserved specialist process)**

Please note the following DoEY Specific templates located on the DoEY Website apply and should be used:

- **Appendix B2: Certificate of Satisfactory Execution - Works Only (Reserved Specialists)**
- **Appendix M - Marking Scheme Explanatory Notes (Reserved Specialists)**
- **QW1 Appendix L CV Template (Reserved Specialists)**

A separate questionnaire is required to be used for each Reserved Specialist package.

- **The Suitability Assessment Questionnaires are standard questionnaires and should not be amended in any way by the Contracting Authority or Design Team. The Design Team should also refer to Technical Note SDG 01- TN04 - Drafting SAQ Documentation for Works (Open and Restricted) for guidance on the relevant information to be included. These requirements may change on an ongoing basis, and any queries should be directed to the DoEY Professional and Technical Staff for clarification.**

Part 1 (Project Particulars) is completed by the Design Team and Part 2 (Candidate Details) is completed by the Candidate.

Contracting Authority (CA) entries are required at various locations throughout the form. Please refer to the

- SDG 01- TN04 - Drafting SAQ Documentation for Works (Open and Restricted)
- Section 3.3a – Turnover (see [DoEY Guidance on Turnover Thresholds for School Projects](#))
- Section 3.3e – Professional Indemnity Insurance for Contractors and Reserved Specialists (see Capital Works Management Framework Guidance Note GN 1.6.3, Section 1.4, for general guidance on PII levels).

The Suitability Assessment Questionnaires set the minimum standards which Candidates must achieve and the information to be provided for the qualitative assessment of contractors and (where applicable) Reserved Specialists. Candidates/Applicants are not required to submit evidence to validate their declarations at the time of submission of Expressions of Interest.

Always check the Capital Works Management Framework website for the most up to date versions of the Suitability Assessment Questionnaires.

4.5 Opening submissions

All tender Submissions should be made through the eTenders platform. The system will manage submissions on or before the date ensuring that all submissions be opened together after the closing date for receipt of submissions, in the presence of the Design Team Leader and/or the Quantity Surveyor. All details must be recorded, checked and signed by all present. Two openers should be allocated on the eTenders platform for the submission opening process.

4.6 SAQ Evaluation Process/Steps:

The evaluation methodology for the SAQ process should take place as follows:

Quality & Compliance Submission Check:

- A quality check should be carried out of all the returns to ensure that all documentation requested in terms of evidence required, signed part 2 of the SAQ, general declarations and ESPDs/ Declarations (where required) are provided.

Creation of Shortlist 1 (Pass/Fail)

- Evaluate QW1 Response 3.4.1,3.4.2 and 3.4.3 (where applicable) on a Pass/Fail basis for Works H&S Competency
- Evaluate QW1 Pass / Fail criteria for Works Contractor

Creation of Shortlist 2 (Qualitative):

- When the above steps are completed the qualitative elements of the SAQ criteria progress to evaluation
- Select the highest ranked candidates up to the Maximum number specified in the SAQ (max number may not be specified which means there is no limit on the numbers shortlisting)
- Validate declarations made as part of submission and form shortlist 2

4.7 Non-Compliant Submissions

Care should be taken in considering whether a Submission is compliant or not (you will have to list the reason for exclusion for any non-compliant submission).

A signed copy of the relevant QW1 Suitability Assessment for Works Contractors, Restricted Procedure (with the appropriate details filled in and the relevant information for the qualitative criteria attached) must be submitted. If the suitability questionnaire was not signed, or the appropriate details not filled in, or the attachments were omitted, then the firm's application **may** be excluded.

It should be noted, however, that Regulation 56(4), European Union (Award of Public Authority Contracts) Regulations 2016, allows considerable latitude in this area:

Where information or documentation submitted by an economic operator is, or appears to a contracting authority, to be incomplete or erroneous, or where specific documents are missing, the authority may request the economic operator concerned to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit, where any such request is made in full compliance with the principles of equal treatment and transparency.

While Candidates should not be excluded on a technicality, **it is unfair to other Candidates if you do not exclude a Candidate who has not complied with the requirements on a substantive issue** (e.g. no information on which to base the qualitative assessment).

4.8 Qualitative Assessment

Do not seek to validate the declarations at this stage. That is done once you have made a provisional short-list (shortlist 2) and **before** you send out de-briefing letters.

Take all the compliant submissions and mark them on the qualitative criteria in accordance with **Appendix M – Marking Scheme Explanatory Notes**.

It is deemed that, in providing information under these criteria, consent is given for the accuracy of the information to be checked with the relevant Contracting Authorities.

If the Candidate submits more than one person for any of the positions specified or more than 3 Building Projects under 3.4c, the Contracting Authority may mark the person with the least experience/qualifications and the projects meriting the least number of marks.

4.9 Creating a provisional short-list

Having marked all the Candidates and listed them in order of merit you can prepare (Shortlist 2).

- The Contract Notice states:
All Candidates having an equal suitability assessment score to the lowest qualifying Candidate will also be deemed to be qualified.
- **If any firms have equal marks to the lowest qualifying firm, they should be included in the list even if it exceeds the envisaged number.**

A Report should be submitted to the Department setting out the assessment of each candidate using the Contractor's Assessment Template document (at Appendix A herein). The validation process should not commence until authorisation is received from the Department.

4.10 Validating the provisional short-list's evidence of suitability

Once authorisation has been received the Design Team should now ask the apparently successful Candidates to submit evidence (within 7 days) to verify the declaration in the **QW1 Suitability Assessment for Works Contractors, Restricted Procedure**. (See Prequalification: Contractors Assessment template at Appendix A and template letter/email to Contractor at **Appendix C**.)

The time allowed should only be extended where exceptional circumstances arise.

When the evidence of compliance with the Declaration has been received the information should be examined and verified to confirm that the Candidates meet the minimum standard required. (Refer to [Evidence of Suitability](#) below.)

If a Candidate does not meet the minimum standard required, that Candidate **should be** excluded. If the number of contractors on the provisional short-list is thereby reduced below the envisaged number (normally 5-6) you may but are not obliged to proceed to the next highest scoring Candidate (or group of Candidates) and request the same information as above until you have a list of verified candidates at least equal to the envisaged number. This is short-list 2.

To arrive at a short-list with less than the envisaged number of contractors (a) there must have been an insufficient number of suitable Candidates or (b) some of the Candidates must have failed to meet the minimum standard.

Where a candidate having qualified for the short-list withdraws prior to the completion of the Tender Process or is subsequently found to have provided inaccurate information sufficient to justify exclusion (at any stage after the short-list is formed), the competition will proceed with the remaining number of candidates, provided there is a sufficient number of remaining candidates to ensure adequate competition. Candidates who failed to be short-listed will not be subsequently added to the list.

4.11 Issuing De-briefing letters

A letter should now be issued to both the successful and the unsuccessful Candidates. A template de-briefing letter **DTP-2025 De-briefing letter - Candidates** is available at www.education.ie

- In all cases the marks (including the sub-criteria marks) of the Lowest-Ranked Short-listed Candidate should be stated.
- If a firm was excluded on a compliance issue, the reason (or reasons) should be stated (e.g. suitability questionnaire was not signed, the appropriate project details were not filled in, or the attachments were omitted).
- If a firm did not meet the minimum standard (minimum pass mark) on 1 or more criteria, again the reason(s) should be stated (e.g. insufficient turnover, PSCS deemed not competent, etc., no previous experience of work of a similar nature, etc., - see [Evidence of Suitability](#) below).
- If the firm met the minimum standard but was not successful, the relative advantages of the Lowest-Ranked Short-listed Candidate in comparison to the unsuccessful Candidate should be stated.

4.12 Appeals and queries

As long as sufficient information is given in the de-briefing letter (as above, including reasons why their application was not successful) the need for further de-briefings should not arise; however, requests for clarification of the information provided should be facilitated where practicable to assist Contractors in future applications. This should be done in writing only.

All queries and appeals must be to the appropriate person and address specified in the Contract Notice. Appeals should always be in writing.

- Queries and appeals should be dealt with promptly and in any event prior to proceeding to Tender [Department authorisation is always required prior to going to Tender].
- Appendix M – Marking Scheme Explanatory Notes, which is made available to all Candidates expressing an interest in the project, provides an objective scheme for marking the submissions received from Candidates and should minimise the need for appeals.

Once any appeals have been investigated and a determination made you now have a short-list of Contractors.

4.13 Named or Reserved Specialists (see section 5)

For projects using PW-CF5, there will be no requirement for direct tendering of specialists as specialist works sub-contracts will rarely exceed 15% of the overall pre-tender cost estimate for the works. Specialist works sub-contracts will continue to be domestic for projects using PW-CF5. Where, due to particular circumstances, procurement of specialist works using direct tendering is proposed by the Design Team and agreed by the DoEY the procedure below where PW-CF1 applies shall be followed.

Direct tendering (Reserved Specialist) for Mechanical Installations and Electrical Installations will not be a requirement on DoEY projects under **€12m excluding VAT**

Direct tendering (Reserved Specialist) for Mechanical Installations and Electrical Installations and Passenger Lifts will apply on all new projects over €12m in value excluding VAT using PW-CF1. Refer to OGP Guidance Note GN 2.3.3 (and future updates), available on the Capital Works Management Framework website.

5. Procurement of Reserved Specialists (Restricted Procedure) – Projects over €12m Ex Vat

5.1 Preparation of Tender Documents

Consultants should follow the procedures and guidance in DTP-2025 Detailed Design - Stage 2b and **DTP-2012 Preparation of Tender Documents** and associated Technical & Practice Notes.

The OGP/CWMF ITTW 8 Instructions to Tenderer for Reserved Specialists Works, Restricted Procedure should be used for the reserved specialists' tender process. Reserved Specialists are proposed (generally projects with an estimated contract sum over €12m).

5.2 Commencing the Suitability Assessment process

Written authorisation should be sought from the Department before you start the suitability assessment process. (Where written authorisation has been given by the Department to complete the suitability assessment process in parallel with Stage 2b, sufficient time should be allowed to complete the process by the time the Stage 2b documents are complete and ready for submission.)

5.3 Contract Notice

Where Reserved Specialists are proposed **a separate Contract Notice** is required for the main contract and for each of the Reserved Specialist sub-contracts. All Contract Notices should be published at the same time.

The responsibility to enter the correct details rests with the Design Team Leader. Draft Contract Notices will not be checked or "approved" by the Department. If the Contract Notice has a substantive error which affects the competition, the Design Team will be responsible for re-issuing the notice and re-running the competition. Such work is included in the scope of work of the consultant, and no additional fees will apply.

5.4 Suitability Assessment Questionnaires

Contracts with Reserved Specialists

The appropriate Suitability Assessment Questionnaire for main contractors is QW1 Suitability Assessment for Works Contractors, Restricted Procedure

The appropriate Suitability Assessment Questionnaire for Reserved Specialists is QW1 Suitability Assessment for Works Contractors, Restricted Procedure. A separate questionnaire is used for each Reserved Specialist element.

Part 1 (Project Particulars) is completed by the Design Team and Part 2 (Candidate Details) is completed by the Candidate.

Contracting Authority (CA) entries are required at various locations throughout the form. Please refer to the

- (a) **SDG 01- TN04 - Drafting SAQ Documentation for Works (Open and Restricted)**
- (b) Section 3.3a – Turnover (see [DoEY Guidance on Turnover Thresholds for School Projects](#))
- (c) Section 3.3e – Professional Indemnity Insurance for Contractors and Reserved Specialists (see Capital Works Management Framework Guidance Note GN 1.6.3, Section 1.4, for general guidance on PII levels).

Always check the website Capital Works Management Framework Website for the most up to date versions of the Suitability Assessment Questionnaires.

The Suitability Assessment Questionnaires set the minimum standards which Candidates must achieve and the information to be provided for the qualitative assessment of Reserved Specialists. Candidates/Applicants are not required to submit evidence to validate their declarations at the time of submission of Expressions of Interest.

5.5 Opening submissions

Submissions should all be made through the eTenders platform. The system will manage submissions on or before the date ensuring that all submissions be opened together after the closing date for receipt of submissions, in the presence of the Design Team Leader and/or the Quantity Surveyor. All details must be recorded, checked and signed by all present. Two openers should be allocated on the eTenders platform for the submission opening process.

5.6 SAQ Evaluation Process/Steps:

The evaluation methodology for the SAQ process should be as follows:

A quality check should be carried out of all the returns to ensure that all documentation requested in terms of evidence required, declarations and ESPDs/ Declarations (where required) are provided

Creation of Shortlist 1 (Pass/Fail)

- Evaluate QW1 Response 3.4.1 Pass/fail for Works H&S Competency
- Evaluate QW1 Pass/ Fail for Works Contractor

Creation of Shortlist 2 (Qualitative):

- When the above steps are completed the qualitative elements of the SAQ criteria progress to evaluation
- Select the highest ranked candidates up to the Maximum number specified in the SAQ (max number may not be specified which means there is no limit on the numbers shortlisting)
- Validate declarations made as part of submission and form shortlist 2

5.7 Non-Compliant Submissions

Care should be taken in considering whether a Submission is compliant or not (you will have to list the reason for exclusion for any non-compliant submission).

A signed copy of the relevant QW1 Suitability Assessment for Works Contractors, Restricted Procedure (with the appropriate details filled in and the relevant information for the qualitative criteria attached) must be submitted. If the suitability questionnaire was not signed, or the appropriate details not filled in, or the attachments were omitted, then the firm's application may be excluded.

It should be noted, however, that Regulation 56(4), European Union (Award of Public Authority Contracts) Regulations 2016, allows considerable latitude in this area:

Where information or documentation submitted by an economic operator is, or appears to a contracting authority, to be incomplete or erroneous, or where specific documents are missing, the authority may request the economic operator concerned to submit, supplement, clarify or complete

the relevant information or documentation within an appropriate time limit, where any such request is made in full compliance with the principles of equal treatment and transparency.

While Candidates should not be excluded on a technicality, it is unfair to other Candidates if you do not exclude a Candidate who has not complied with the requirements on a substantive issue (e.g. no information on which to base the qualitative assessment).

5.8 Qualitative Assessment

Do not seek to validate the declarations at this stage. That is done once you have made a provisional short-list (shortlist 2) and **before** you send out de-briefing letters.

Take all the compliant submissions and mark them on the qualitative criteria in accordance with Appendix M – Marking Scheme Explanatory Notes.

It is deemed that, in providing information under these criteria, consent is given for the accuracy of the information to be checked with the relevant Contracting Authorities.

If the Candidate submits more than one person for any of the positions specified or more than 3 Building Projects under 3.4c, the Contracting Authority may mark the person with the least experience/qualifications and the projects meriting the least number of marks.

5.9 Creating a provisional short-list

Having marked all the Candidates and listed them in order of merit you can prepare (Shortlist 2).

The Contract Notice states:

- All Candidates having an equal suitability assessment score to the lowest qualifying Candidate will also be deemed to be qualified.
- If any firms have equal marks to the lowest qualifying firm, they should be included in the list even if it exceeds the envisaged number.

A Report should be submitted to the Department setting out the assessment of each candidate using the Contractor's Assessment Template document (at Appendix A herein). The validation process should not commence until authorisation is received from the Department.

5.10 Validating the provisional short-list's evidence of suitability

Once authorisation has been received the Design Team should now ask the apparently successful Candidates to submit evidence (within 7 days) to verify the declaration in the QW1 Suitability Assessment for Works Contractors, Restricted Procedure. (See Prequalification: Contractors Assessment template at Appendix A and template letter/email to Contractor at Appendix C.)

The time allowed should only be extended where exceptional circumstances arise.

When the evidence of compliance with the Declaration has been received the information should be examined and verified to confirm that the Candidates meet the minimum standard required. (Refer to [Evidence of Suitability](#) below.)

If a Candidate does not meet the minimum standard required, that Candidate should be excluded. If the number of contractors on the provisional short-list is thereby reduced below the envisaged number (normally 5-6) you may but are not obliged to proceed to the next highest scoring Candidate (or group of Candidates) and request the same information as above until you have a list of verified candidates at least equal to the envisaged number. This is short-list 2.

To arrive at a short-list with less than the envisaged number of contractors (a) there must have been an insufficient number of suitable Candidates or (b) some of the Candidates must have failed to meet the minimum standard.

Where a candidate having qualified for the short-list withdraws prior to the completion of the Tender Process or is subsequently found to have provided inaccurate information sufficient to justify exclusion (at any stage after the short-list is formed), the competition will proceed with the remaining number of candidates, provided there is a sufficient number of remaining candidates to ensure adequate competition. Candidates who failed to be short-listed will not be subsequently added to the list.

5.11 Issuing De-briefing letters

A letter should now be issued to both the successful and the unsuccessful Candidates. A template de-briefing letter DTP-2025 De-briefing letter - Candidates is available at www.education.ie

- In all cases the marks (including the sub-criteria marks) of the Lowest-Ranked Short-listed Candidate should be stated.

- If a firm was excluded on a compliance issue, the reason (or reasons) should be stated (e.g. suitability questionnaire was not signed, the appropriate project details were not filled in, or the attachments were omitted).
- If a firm did not meet the minimum standard (minimum pass mark) on 1 or more criteria, again the reason(s) should be stated (e.g. insufficient turnover, PSCS deemed not competent, etc., no previous experience of work of a similar nature, etc., - see [Evidence of Suitability](#) below).
- If the firm met the minimum standard but was not successful, the relative advantages of the Lowest-Ranked Short-listed Candidate in comparison to the unsuccessful Candidate should be stated.

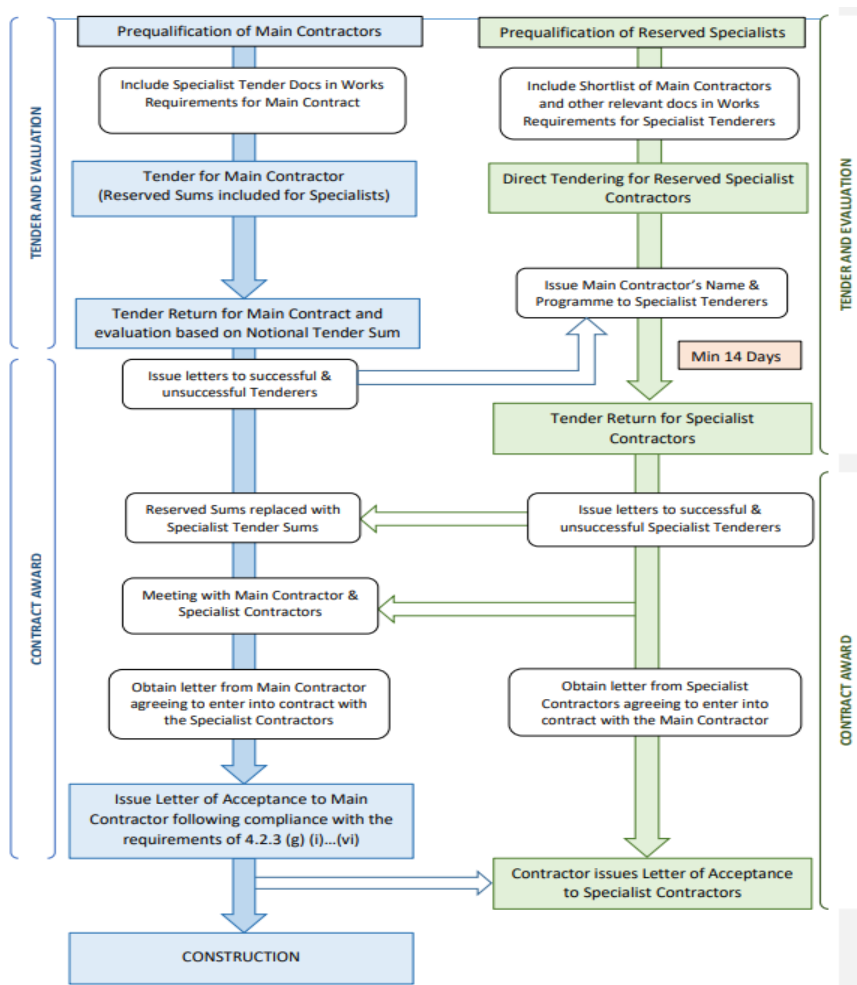
5.12 Appeals and queries

As long as sufficient information is given in the de-briefing letter (as above, including reasons why their application was not successful) the need for further de-briefings should not arise; however, requests for clarification of the information provided should be facilitated where practicable to assist Contractors in future applications. All queries and appeals must be to the appropriate person and address specified in the Contract Notice. Appeals should always be in writing.

- Queries and appeals should be dealt with promptly and in any event prior to proceeding to Tender [Department authorisation is always required prior to going to Tender].
- Appendix M – Marking Scheme Explanatory Notes, which is made available to all Candidates expressing an interest in the project, provides an objective scheme for marking the submissions received from Candidates and should minimise the need for appeals.

Once any appeals have been investigated and a determination made you now have a short-list of Contractors.

5.13 Workflow of process including Reserved Specialists:



6. Evidence of suitability

6.1 Validating the Candidates'/preferred bidder's evidence of suitability

Whether using the Open Procedure or the Restricted Procedure the methodology for assessing the Evidence of Suitability is the substantially the same. In the Open Procedure only the preferred bidder has to be assessed. In the Restricted Procedure all Candidates provisionally short-listed have to be assessed. In this section all references are to the Candidate (Restricted Procedure). If dealing with an Open Procedure for "Candidate" read "Preferred Bidder".

When the evidence of compliance with the Declaration has been received the information should be examined and verified to confirm that the Candidate meets the minimum standard required:

- The Candidate should not be excluded on a technicality (before excluding the Candidate clarification should be sought for such technical non-compliance items, see also 4.7 above).
- However substantive non-compliance items (e.g. complete failure to demonstrate H&S competence or no track record of projects of a similar size and complexity) are a basis for exclusion and are not matters of clarification).
- If clarification is sought on any item and the issue is not resolved by return the Candidate should not be given a further chance.

Once the evidence has been validated and the relevant firm has either been deemed to meet the minimum standard or has been excluded, refer back to the relevant section under the Open or Restricted Procedures guidance above.

6.2 Candidate's Personal Situation Declaration

Where a competition is subject to the application of the European Procurement Declarations and ESPD is required. Where the Competition is not subject to the European procurement regulations an Appendix A – Applicants Self Declaration re Regulation 57 should be requested. These documents should be requested as part of the initial documentation forming part of the tender return

Applicants are required to declare by completion of the applicant declaration in part 2 that the Applicant., any members of the Applicant and entities relied upon do not exceed the limits set out in Article 5K of the Council Regulation (EU) no 833/2014 of 31 July 2014 concerning the restrictive measures in view of Russia's actions destabilising the situation in Ukraine, as amended by Council Regulation (EU) no 2022/578 of 8 April 2022

6.3 Turnover

In the case of Turnover, if the evidence provided shows that the Contractor's turnover is below that required, they should be excluded.

If the evidence shows the Contractor meets the turnover requirements but that evidence is in a different format, it must be considered. The test of compliance is that the assessor is satisfied that the firm has the relevant average turnover over 3 years.

For example, where audited accounts are not available for the current year, the auditor's statement of estimated turnover for that year plus audited turnover for the previous years may be accepted, or if a firm has been in existence for 2 years only that the total audited turnover divided by 3 meets the standard required. *For those 'Start-Up' companies who have been operating for three (3) years or less and therefore cannot provide evidence of turnover for all three (3) financial years required by the competition they shall provide the 'Turnover' evidence for those years for which the company has that evidence. For the balance of years for which the company cannot provide the required evidence they shall provide a set of management accounts for those years, and the current year signed off by their external auditor/accountant*

6.4 Checking References for Personnel for the Project

It is a matter for the Design Team assessors acting on behalf of the Contracting Authority to assess the extent to which references should be checked, but it is expected that some checking of references for personnel is carried out.

Where professional qualifications and certified training courses are cited in CVs for personnel copies of certificates should be sought.

Note that in the Restricted Procedure you should not unfairly single out one Contractor. You should apply the same level of checking for all provisionally short-listed contractors.

When references are being checked you are verifying two things:

- **whether the person listed carried out the function listed on the project listed, and**
- **whether the project was work of a similar nature and size completed satisfactorily.**

Where falsehoods or exaggerated claims in a CV are discovered, it is reasonable that you should check the entire CV in greater detail.

Isolated inaccuracies may be justification for excluding that portion of the CV but are not in themselves a reason to exclude the person (and by implication the firm). (For example, if one project listed is not in fact of similar size and nature, but excluding that project, the person listed still has the experience necessary, then that person has met the standard required.) However where systematic falsehoods or exaggerated claims are identified, it is reasonable that you should exclude the person concerned and the entire Submission.

Before considering exclusion, you should be satisfied that the information given to you by referees is factually based and is capable of verification.

- In the case of whether the person listed carried out the function listed on the project listed, such factual information might be written confirmation from the referee that another person carried out that function on that project.
- In the case of whether the project was work of a similar nature and size, projects of a similar nature are defined in the Questionnaire/Declaration of Suitability as single building projects (not necessarily educational) with similar construction and service requirements. A fairly broad interpretation of work of a similar nature should be used, as it is the experience of the person in the function listed that matters.
- In determining whether a project was satisfactorily completed, it is important that the referee be objective and be prepared to record their assessments in writing. Their assessments should be based on the standards of construction and on compliance or otherwise with the Contract conditions. Persistent construction defects not resolved, breaches of contract clauses, contractor delay and failure to comply with ER's instructions are valid reasons for a negative assessment of the contractor. Valid Compensation Event and Delay Event claims are not (the Contractor is entitled to both under the Contract).

6.5 3.4a and 3.4b Educational and Professional Qualifications

An Organisation Chart showing the full Company intended Site Management Structure and indicating all of the duty holders responsible for the various management roles including Health and Safety is required as well as Curriculum Vitae for the Contracts Manager, Health and Safety Manager, Foreman, and Site Safety Officer proposed for the project. Others can be added where deemed necessary including Commercial Staff, Engineers, BIM Management Staff etc) [In the **Restricted Procedure** this information is provided by the Candidate with the application.]

The minimum requirement for an **Organisation Chart** is that it shows an adequate company structure for a firm carrying out the project including a sufficient level of staff to carry out the management of the project being applied for and demonstrates a clear understanding of the roles and requirements.

The required standard for each individual is evidence of competency to fulfil the assigned role. Such competency may be demonstrated by examples of previous experience (in that role) of work of a similar nature and size satisfactorily completed, and training/ qualifications appropriate to that function, all as detailed in the Suitability Assessment Questionnaire.

In the **Restricted Procedure** you will already have marked these criteria and sub-criteria. If the Candidate received less than a pass mark (40%) on any one sub-criterion **they should be deemed to have failed**, this criterion and should be excluded.

In the **Open Procedure** if the Candidate does not meet the minimum requirements on any one sub-criterion they should likewise be **deemed to have failed this criterion and should be excluded**.

6.6 3.4c Previous experience of the firm

As with the CVs of the Personnel, it is expected that where References are provided as specified in Appendix B2 the content of the B2 form, including the Reference, will be checked and verified with the Referee. Where no Reference (B2 part 2) is provided you must still verify the content of Part 1 of the B2 Form with the Contracting Authority for the project, or, if necessary, with the Funding Authority.

As with the CVs where falsehoods or exaggerated claims in relation to previous projects are discovered, it is reasonable that you should check in greater detail. Isolated inaccuracies may be matters for clarification, but systematic falsehoods or exaggerated claims are a basis for considering exclusion.

In the case of whether the project was work of a similar nature and size, projects of a similar nature are defined in the Questionnaire/Declaration of Suitability as single building projects (not necessarily educational) with similar construction and service requirements.

- A fairly broad interpretation of work of a similar nature should be used, but this does not extend to projects of a substantially different nature (e.g. laying a water pipe).

In the **Restricted Procedure** you will already have marked these criteria and sub-criteria.

If the Candidate received less than a pass mark (40%) on anyone Building Construction Project they should be deemed to have failed (as they do not have 3 examples of Building Projects of a similar nature and size) and should be excluded.

6.7 3.4d Measures for ensuring Quality

The minimum standard required here is evidence of effective Quality Control procedures for the administration of a project (Both external "Quality Assured" and internal procedures are acceptable), and measures used by the Candidate for ensuring a high standard of building construction quality in accordance with the Tender documents. A "Quality Assured" administrative procedure without measures for ensuring a high standard of building construction is not adequate.

6.8 3.4e Average annual manpower

The minimum requirement here is sufficient staff in the key positions listed at 3.4a and 3.4b (considered in conjunction with Turnover and current workload) to carry out this project.

- A Contractor may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them.
- It must in that case demonstrate that it will have at its disposal the resources necessary for the execution of the contract, for example, by producing an undertaking by those entities to place the necessary resources at the disposal of the Contractor, e.g. a Reliance Guarantee for the provisions of (subject to the award of the Contract) a foreman of suitable qualifications and experience.

6.9 3.4.(1) Health and Safety Competence as a Contractor

The objective here is not to include or exclude any contractor but to be satisfied that there is evidence demonstrating the Contractor's general Health and Safety Competence.

The responses 3.4 Evidence of Technical Capability Criteria are "prima facie" evidence of general competence as a Contractor.

In addition, compliance with the specific requirements in relation Health and Safety Competence as a Contractor, as set out in the Suitability Assessment Questionnaire, is required.

6.10 3.4.(2) HEALTH AND SAFETY COMPETENCE as PSCS

Likewise the objective here is not to include or exclude any contractor/PSCS but to be satisfied that there is evidence of the PSCS's Health and Safety Competence for a project of this size and complexity.

Compliance with the specific requirements in relation Health and Safety Competence as a PSCS, as set out in the Suitability Assessment Questionnaire, is required.

Appendix A – Prequalification: Contractors Assessment

PRE-QUALIFICATION: CONTRACTORS ASSESSMENT

(To be read in conjunction with Design Team Procedures - Procurement of Contractors)

Project:

Contractor Name:

SAQ Ref	Criterion	Verification	Y/N
3.1	Personal Situation	Personal Situation Declaration requested from Candidate and verified	
3.3a	Turnover	Evidence requested from Candidate and verified	
3.3c	Banker's Letter	Evidence requested from Candidate and verified	
3.3e	Professional Indemnity Insurance	Covered by declaration at the end of the SAQ and will be sought at contract award stage if the Candidate becomes the Preferred Bidder. Evidence required before final shortlisting	See Note
3.3f	Public Liability Insurance	Covered by declaration at the end of the SAQ and will be sought at contract award stage if the Candidate becomes the Preferred Bidder. Evidence required before final shortlisting	See Note
3.3g	Employers Liability Insurance	Covered by declaration at the end of the SAQ and will be sought at contract award stage if the Candidate becomes the Preferred Bidder. Evidence required before final shortlisting	See Note
3.3h	Performance Bond	Covered by declaration at the end of the SAQ and will be sought at contract award stage if the Candidate becomes the Preferred Bidder. Evidence required before final shortlisting	See Note

3.4a Educational and Professional Qualifications (Management) [Max 25 marks]

Criterion	Max Marks available	Assessment	Score
Organisational Chart	5	Details to be provided by Candidate with SAQ Insert comments on marks allocated (to be used in feedback to Candidates)	
Total	5	(Pass mark required 40% i.e. 2 marks)	
Contracts Manager (15 marks)		Details to be provided by Candidate with SAQ Insert comments on marks allocated (to be used in feedback to Candidates)	
Minimum Standard	6		
Greater experience	4		
Professional Qualification	2		
Certified Training	3		
Total	15	(Pass mark required 40% i.e.6 marks)	
Health & Safety Manager (5 marks)		Details to be provided by Candidate with SAQ Insert comments on marks allocated (to be used in feedback to Candidates)	
Minimum Standard	2		
Certified Training	3		
Total	5	(Pass mark required 40% i.e. 2 marks)	

3.4b Educational and Professional Qualification (Personnel) [Max 30 marks]

Criterion	Max Marks available	Assessment	Score
Foreman (22.5 marks) Minimum Standard Greater experience Professional Qualification Certified Training	9 5 3.5 5	Details to be provided by Candidate with SAQ Insert comments on marks allocated (to be used in feedback to Candidates)	
	22.5	(Pass mark required 40% i.e. 9 marks)	
Site Safety Officer (7.5 marks) Minimum Standard Greater Experience Certified Training	3 2.5 2	Details to be provided by Candidate with SAQ Insert comments on marks allocated (to be used in feedback to Candidates)	
Total	7.5	(Pass mark required 40% i.e. 3 marks)	

3.4c List of Works carried out over the last 5 years [Max 45 marks (3x15 marks)]

Criterion	Max Marks available	Assessment	Score
Project 1 (15 marks) Similar in nature and complexity Educational Project Programme Quality Contract Management	6 1 2 3 3	Details to be provided by Candidate with SAQ Marked in accordance with Appendix M – Marking Scheme Explanatory Notes.	
Total	15	(Pass mark required 40% i.e. 6 marks)	
Project 2 (15 marks) Similar in nature and complexity Educational Project Programme Quality Contract Management	6 1 2 3 3	Details to be provided by Candidate with SAQ Marked in accordance with Appendix M – Marking Scheme Explanatory Notes.	
Total	15	(Pass mark required 40% i.e. 6 marks)	
Project 3 (15 marks) Similar in nature and complexity Educational Project Programme Quality Contract Management	6 1 2 3 3	Details to be provided by Candidate with SAQ Marked in accordance with Appendix M – Marking Scheme Explanatory Notes.	
Total	15	(Pass mark required 40% i.e. 6 marks)	

SAQ Ref	Criterion	Verification	Y/N
3.4d	Measures for ensuring quality	Evidence requested from Candidate and verified	
3.4e	Average annual manpower	Evidence requested from Candidate and verified	
3.4(1)	Health and Safety Competence as Contractor	H&S Declaration requested from Candidate and verified	
3.4(2)	Health and Safety Competence as PSCS	Evidence requested from Candidate and verified	

DECLARATION

ESPD (above Eu threshold) / Appendix A Applicants Self Declaration Re Regulation 57 (below EU Threshold provided)	Yes/No	
QW 2 Part 2 – Returned & Signed by Applicant	Yes/No	

Appendix B – Template Validation of Suitability Letter (Open Procedure)

[Name and address of Contractor]

[date]

Re Invitation to Tender for: [State Title of Project and Name of School]

Tender submission date: [State date of tender submission]

OJEU Contract Notice Reference [State OJEU reference number]

Subject to Contract/Contract Denied

A Dhaoine Uaisle

I refer to your tender dated [] for the above contract in the amount of € [] ex VAT.

I write to inform you that we require **within the required time period of 7 days** from the date of this letter/email the following evidence in accordance with the completed and signed QW2 Suitability Assessment for Works Contractors, Open Procedure submitted by you as part of the Tender requirements for the above project.

3.1 Candidate's Personal Situation Declaration

[Where items have not been requested or provided as part of initial submission]

Evidence to be provided as follows:

DECLARATION FORM (in the standard format available on the Capital Works Management Framework Website), signed and witnessed within the past 12 months. (MF1.32)

Note: The Contracting Authority may, at any time during the Competition (for example at shortlisting stage), require the Tenderer to provide a sworn oath in the form of Model Form MF 1.32 Declaration Under Oath/Solemn Oath regarding the situations referred to above, and where the date of the Declaration Under Oath/Solemn Oath pre-dates the date of submission of the SAQ Response, Tenderers must also provide a confirmation in the form of Model Form MF1.33 that the oath is still valid.

3.3a Evidence of Turnover

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of turnover certified by your firm's Auditor/Accountant for your firm for the three previous financial years both for overall services and for construction services only, (and, if your firm is a subsidiary relying on a parent company's turnover, that Parent Company as well)

If for any valid reason this evidence cannot be provided, then alternative evidence considered appropriate by the Contracting Authority may be provided. Such evidence must demonstrate that the firm has been in existence for a minimum of 3 years and has an effective turnover over the last 3 years of not less than the required amount.

3.3b Balance Sheets or Extracts from a Balance Sheet

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Companies shall provide evidence of Balance Sheets or Extracts from a Balance Sheet is to be provided for the last 3 full years. Audited accounts for the most recent financial year can be included in the previous 3 years where available.

3.3c Bankers Letter

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The evidence required to pass this criterion is a letter in the form of Appendix C Bankers letter from the Tenderers current principal banker dated with the past 3 Months stating the duration of the relationship

3.3d Financial Statements or Extracts from Financial Statements

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Applicant must provide the following:

Copies of the full audited financial statements for the last three financial years including all of the notes to the financial statements. The latest set of such audited financial statements must have been filed with the Companies Registration Office (or equivalent for non-Irish based companies) ("CRO") within the relevant statutory filing period. Where the most recent annual financial statements have not been filed with the CRO within the statutory filing period and remain unsigned by an auditor, draft financial statements for that period must be provided, together with the signed audited financial statements for three previous financial years, together with a reasonable and comprehensive explanation as to why such accounts remain unsigned. The Contracting Authority may, at its absolute discretion, elect to accept such unsigned statements. The latest set of audited financial statements must have an unqualified audit opinion. Should the auditor's report contain other statements regarding their findings then the Contracting Authority will consider, at its absolute discretion, if these audited accounts meet the minimum requirement.

3.3e Professional Indemnity insurance

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

- The evidence required to pass this criterion is evidence of cover to the levels noted in the SAQ. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary

including evidence of the below:

- Cover is provided for legal defence costs in excess of the minimum level of cover.
- The conditions provide for claims for breach of professional duty or civil liability as well as negligence.
- Cover extends to include claims arising out of the sub-contracting of professional services by the applicant.
- Cover is provided in respect of Joint & Several liability where the Applicant is operating in a Joint Venture or a Consortium.
- The jurisdiction in which claims can be lodged and settled is IRELAND.
- Cover will be maintained for 6 years after completion of the construction works where the contract is to be executed under hand and where the contract is to be executed as a deed then a period of 12 years should be maintained.

3.3f Public Liability Insurance

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

- The evidence required to pass this criterion is evidence of cover to the levels noted in the SAQ. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary

3.3g Employers Liability Insurance

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

- The evidence required to pass this criterion is evidence of cover to the levels noted in the SAQ. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary

3.3h Performance Bond

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The evidence required to pass this criterion is a letter of undertaking from the Surety Provider as per appendix D1 QW1 or appendix D2 QW2 (D&B) ¹ Letter of undertaking re. Bond

3.4a and 3.4b Educational and Professional Qualifications

(Management and Personnel) [Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

An Organisation Chart showing the Company Structure (including the duty holders for Health and Safety).

AND

Curriculum Vitae for the **Contracts Manager, Health and Safety Manager, Foreman** [or equivalent site manager], and **Site Safety Officer** proposed for the project. The Curriculum Vitae must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

- Where a **Contracts manager** has no qualifications or formal training, he/she must have at least 7 years' experience in the Building Trade including at least 3 years in a management role. Where the Contracts Manager has appropriate formal training/qualifications relevant to the role of Contracts Manager (In the judgement of the Contracting Authority), the level of experience can be reduced to 5 years of which at least 2 years must be in a management role.
- The **Health and Safety Manager** (who may be the same person as the Contracts Manager and/or foreman) must have at least 5 years' experience in the Building Trade **AND** must have a Degree/diploma or other equivalent H&S training (minimum 4 hours externally accredited CPD). [For Type 1 projects, 3 years acting in the capacity of Health and Safety Manager on building construction projects will suffice instead of formal H&S training.]
- Where a **Foreman** has no qualifications or formal training, he/she must have at least 7 years' experience in the Building Trade including at least 3 years as a Foreman (Site Manager). Where the Foreman has appropriate formal training/qualifications relevant to the role (In the judgement of the Contracting Authority), the level of experience can be reduced to 5 years of which at least 3 years must be as a Foreman (Site Manager). For Type 2 and 3 projects, the **Foreman** must also have formal H&S training (minimum 4 hours externally accredited CPD).
- The **Site Safety Officer** (who may be the same person as the foreman or PSCS) must have at least 5 years' experience in the Building Trade **and** must have formal H&S training (minimum 4 hours externally accredited CPD). For Type 1 projects, 3 years acting in the capacity of Site Safety Officer on building construction projects will suffice instead of formal H&S training.

[Others may be added depending on project specific Requirements] ²

¹ Delete as for DT information purposes only

² Delete as appropriate

3.4c List services of similar nature provided over the past 5 years

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Details, as set out in **DoEY Appendix B2 (Incl Part 2): Certificate of Satisfactory Execution, of 3 Building Construction Projects**, carried out in a satisfactory manner, with a Contract Sum not less than half the average annual Turnover Level requirement for this project, similar in nature and complexity, and completed (i.e. at Substantial completion) within the last 5 years.

- **[Projects of a similar nature are defined as single building projects (not necessarily educational) with similar construction and service requirements.**
 - *For example, a shop fit-out or an advance factory is not a similar project, whereas an extension and refurbishment to a Health Centre or Library is. If the project being tendered for is a re-roofing project, the experience needed may be either roofing contracts or complete building projects (It is not necessary that the roofing element is at least half the turnover requirement). Likewise, if the project is a replacement of a heating installation, a mechanical contract (whether as main or sub-contractor) is adequate experience whereas an Electrical installation contract is not]³*

3.4d Measures for ensuring quality

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of adequate measures for ensuring Quality both in the administration of a project and in the delivery of a high Standard of Construction* in accordance with the Tender documents.

Both external “Quality Assured” and internal procedures are acceptable for the administration of a project, but specific measures for ensuring a high Standard of Building Construction are also required.

3.4e Average annual manpower

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of the number of staff employed by the firm or otherwise available to the firm for the roles of **Contracts Manager, Health and Safety Manager, Foreman and Site Safety Officer**.

A Contractor may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them.

The Contractor must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the execution of the contract, for example, by producing an undertaking by those entities to place the necessary resources at the disposal of the Contractor e.g. an agreement (subject to the award of the Contract) with a foreman of suitable qualifications and experience.

3.4.1 (HS) EVIDENCE OF TECHNICAL CAPABILITY CRITERIA

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

- 3.4.1a (HS) Educational and Profession Qualifications (Management)
- 3.4.1b (HS) Educational and Profession Qualifications (Personnel)
- 3.4.1c (HS) List of Works carried out over the last 5 Years
- 3.4.1d (HS) Measures for ensuring Quality

³ Delete as for DT information purposes only

- 3.4.1e (HS) A statement of the average annual numbers of persons employed by the contractor and those in a managerial position over the last 3 years.

3.4(2) HEALTH AND SAFETY COMPETENCE as PSCS

3.4(2)a 3.4.2a (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Management)

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard required to pass this criterion is evidence of management staff with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the Works that are the subject of this Competition as specified below. The evidence required to pass this criterion should be submitted in the form of a document setting out the Applicant's organisational structure and the curricula vitae of the Applicant's management staff and any additional requirements that may be set out below. The curriculum vitae of each management staff member should indicate their relevant educational and professional qualifications and Health and Safety training and qualifications (for example, degree, diploma, certificate, CPD), their experience on projects of a similar scale and complexity, and the role they had on those projects. CA Entry: Additional Minimum Standards (if no additional requirements or "N/A"). 1. List here supplementary requirements (if any) in relation to this criterion. 2. For Type 2 & 3 Projects provide evidence of adequate and appropriate ongoing health and safety training and commitment of resources.

If the PSCS is an **external company** providing the service for the tenderer an **Organisation Chart** showing that external Company's Structure and indicating the duty holders responsible for Health and Safety.

If the PSCS is provided internally by the firm, the evidence provided at 3.4a Educational and Professional Qualifications (Management) is sufficient.

3.4.(2)b (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Personnel)

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard required to pass this criterion is evidence of personnel with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the Works that are the subject of this Competition, as specified below. The evidence required to pass this criterion should be submitted in the form of a document setting out the Applicant's organisational structure and the curricula vitae of the Applicant's personnel and any additional requirements that may be set out below. The curriculum vitae of each of the Applicant's personnel should indicate their relevant educational and professional qualifications and Health and Safety training and qualifications (for example, degree, diploma, certificate, CPD), their experience on projects of a similar scale and complexity, and the role they had on those projects. CA Entry: Additional Minimum Standards or "N/A". 1. List here supplementary requirements (if any) in relation to this criterion. 2. For Type 2 & 3 Projects provide evidence of adequate and appropriate ongoing health and safety training and commitment to resources.

A Curriculum Vitae for the **Project Supervisor Construction Stage** proposed for the project. The Curriculum Vitae must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

*The **Project Supervisor Construction Stage [PSCS]** (who may be the same person as the foreman or Site Safety Officer) must have at least 5 years' experience in the Building Trade and must have formal externally accredited training in Health and Safety (relevant to the role of PSCS) within the last 5 years.*

Where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded on any of these projects, evidence that adequate measures have been put in place to address any deficiencies in their Health and Safety procedures, including the inter-relationship between the PSCS and the contractor, how the role of PSCS is implemented, and a procedure for taking corrective measures for all stages must be included.

3.4(2)C (HS) LIST of TECHNICAL SERVICES PROVIDED FOR WORKS OVER THE PAST 3 YEARS

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Details of **3 Building Construction Projects** (similar in nature and complexity to this project) on which **the firm proposed to act as PSCS** fulfilled the role of PSCS in a satisfactory manner.

Evidence to be provided as follows:

A Contracting Authority may only require Applicants to submit a list of works projects provided over a maximum period of the past 3 -5 years. The period specified in the title above is the period within which the Applicant may submit evidence of the service contracts it has delivered; it is not mandatory that projects be evidenced for the whole period. If a firm cannot provide evidence for the entire period (e.g. a firm has not been trading for the whole period) this will not be used as a reason to reject its application. The evidence required for assessment purposes is details of PSCS appointments that the Applicant has completed over the period stated above on projects that are similar in nature and complexity to the Works required for this project. The evidence must be provided in the format specified below. (Note that the request is not necessarily for projects that are identical to the project that is the subject of this Questionnaire).

A list of projects should be provided in the standard form DoEY B1 List of projects for which there is a Satisfactory Certificate of Delivery of Services in accordance with the requirements set out below (if any). The Certificates of Satisfactory Delivery of Services required in relation to these projects should be submitted using the standard form provided at Appendix B3 Certificate of Satisfactory Delivery of Services. Supplementary requirements (if any) will be stated by the Contracting Authority below

- *All 3 projects must have been **fully completed (i.e. Overall Project Substantial Completion Only - No partial, sectional or phased handovers)** within the last 5 years. The Contract value of each project must be not less than half the average annual Turnover Level requirement this project. Projects of a similar nature are defined as in 3.4c.*
- *Where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded on any of these projects, evidence that adequate measures have been put in place to address any deficiencies in their Health and Safety procedures, including the inter-relationship between the PSCS and the contractor, how the role of PSCS is implemented, and a procedure for taking corrective measures for all stages must be included.*
- *If Main Contractor will be fulfilling the role of PSCS and the above details have already been provided at 3.4.c, no further information is necessary.*

3.4(2)d (HS) MEASURES FOR ENSURING QUALITY

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard is adequate knowledge, training and resources to carry out the duties of PSCS in compliance with the Safety, Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (Construction) Regulations 2013. The Applicant's responses to Criteria 3.4.2a (HS) to 3.4.2e (HS) may be taken into account in response to this criterion. The evidence required to pass this criterion is details of relevant technicians or technical bodies upon whom the Applicant can call on in order to carry out the work or whom the Applicant can use in regard to quality control with regards to Health and Safety. The Applicant must also provide evidence of a safety management system. For Type 3 projects Applicants should supply names of any group, body and organisation that the Applicant is a member of and which promotes and has involvement in Health and Safety matters. It should also provide details of any external resource or expertise relevant to this project that are available to the Applicant's business.

3.4(2)e (HS) A STATEMENT OF THE AVERAGE ANNUAL NUMBERS OF PERSONS EMPLOYED TO PROVIDE PSCS SERVICES AND THOSE IN A MANAGERIAL POSITION OVER THE PAST 3 YEARS

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard is submission of the relevant details set out below. Applicants must provide evidence covering the previous three years of average annual manpower and managerial staff in relation to the PSCS role.

Please be advised that if you cannot or do not provide all of the required evidence, within 7 days of the date of this letter/email, your tender will be deemed to be invalid and will be excluded from further consideration.

Please note also that prior to appointment the successful tenderer will be required to provide:

- a Current Tax clearance certificate,
- evidence (Certificate) of Professional Indemnity insurance
- evidence (Certificate) of adequate Public Liability Insurance in the amount of €6.5m,
- evidence (Certificate) Employer's Liability Insurance in the amount of €13.0m, and
- a Bond (if required by the Contract Notice/Suitability Declaration or Tender Documents)

This information is not required at this time

This is **not** a letter of acceptance or a Letter of Intent and does **not** imply that your firm is under consideration for the above project. It is a request that information in accordance with the tender requirements be provided. **The Employer has not accepted your tender.**

Please make contact as soon as possible with the undersigned to confirm that the above information will be provided and to make arrangements for the delivery of that information digitally.

Is mise, le meas

Signed: _____ **[On behalf of the Employer]**

Appendix C – Template Validation of Suitability Letter (Restricted)

[Name and address of Contractor]
[date]

Re Invitation to Tender for: [State Title of Project and Name of School]
Tender submission date: [State date of tender submission]
OJEU Contract Notice Reference [State OJEU reference number]

Subject to Contract/Contract Denied

A Dhaoine Uaisle

I refer to your Expression of Interest for the above tender opportunity. I write to inform you that we require **within the required time period of 7 days** from the date of this letter/email the following evidence in accordance with the completed and signed **QW1 Suitability Assessment for Works Contractors, Restricted Procedure [or QW1 Suitability Assessment for Works Contractors, Restricted Procedure as amended if Reserved Specialist]** submitted by you as part of your Expression of Interest

3.1 Candidate's Personal Situation Declaration

[Where items have not been provided as part of initial submission]

Evidence to be provided as follows:

DECLARATION FORM (in the standard format available on the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation website), signed and witnessed within the past 12 months. (MF1.32)

Note: The Contracting Authority may, at any time during the Competition (for example at shortlisting stage), require the Tenderer to provide a sworn oath in the form of Model Form MF 1.32 Declaration Under Oath/Solemn Oath regarding the situations referred to above, and where the date of the Declaration Under Oath/Solemn Oath pre-dates the date of submission of the SAQ Response, Tenderers must also provide a confirmation in the form of Model Form MF1.33 that the oath is still valid.

3.3a Evidence of Turnover

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of turnover certified by your firm's Auditor/Accountant for your firm for the three previous financial years both for overall services and for construction services only, (and, if your firm is a subsidiary relying on a parent company's turnover, that Parent Company as well)

If for any valid reason this evidence cannot be provided, then alternative evidence considered appropriate by the Contracting Authority may be provided. Such evidence must demonstrate that the firm has been in existence for a minimum of 3 years and has an effective turnover over the last 3 years of not less than the required amount.

3.3b Balance Sheets or Extracts from a Balance Sheet

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Companies shall provide evidence of Balance Sheets or Extracts from a Balance Sheet is to be provided for the last 3 full years. Audited accounts for the most recent financial year can be included in the previous 3 years where available.

3.3c Bankers Letter

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The evidence required to pass this criterion is a letter in the form of Appendix C Bankers letter from the Tenderers current principal banker dated with the past 3 Months stating the duration of the relationship

3.3d Financial Statements or Extracts from Financial Statements

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Applicant must provide the following:

(a) Copies of the full audited financial statements for the last three financial years including all of the notes to the financial statements. The latest set of such audited financial statements must have been filed with the Companies Registration Office (or equivalent for non-Irish based companies) ("CRO") within the relevant statutory filing period. Where the most recent annual financial statements have not been filed with the CRO within the statutory filing period and remain unsigned by an auditor, draft financial statements for that period must be provided, together with the signed audited financial statements for three previous financial years, together with a reasonable and comprehensive explanation as to why such accounts remain unsigned. The Contracting Authority may, at its absolute discretion, elect to accept such unsigned statements. The latest set of audited financial statements must have an unqualified audit opinion. Should the auditor's report contain other statements regarding their findings then the Contracting Authority will consider, at its absolute discretion, if these audited accounts meet the minimum requirement.

(b) draft financial statements or management accounts relating to periods subsequent to the most recent audited financial statements or confirmation that same are not yet available.

(c) A statement of contingent liability or loss (where not otherwise reported or occurring since the last financial statements) which would require disclosure in accordance with the provisions of International Financial Reporting Standards ("IFRS") or equivalent, or confirmation that no such contingent liability or loss exists; (d) details of any event occurring between the date on which the latest set of financial statements was authorised for issue and the date of submission of the SAQ, which, had the financial statements not been authorised for issue until the SAQ submission date, would have required to be adjusted for, or disclosed in accordance with the provisions of IFRS or equivalent, or confirmation that no such event occurred;

(e) A description of any material pending or threatened action or other regulatory investigations into the affairs of the Applicant, or confirmation that no such investigations are pending or threatened.

(f) if a statement of any material outstanding judgements against or court orders affecting the Applicant or material pending or threatened litigation or other legal proceedings for which specific provision has not been made within the latest set of audited financial statements or confirmation that no such judgments, court orders, litigation or proceedings are outstanding, pending or threatened; and

(g) Credit rating / analyst reports issued in the past three financial years and up to the submission date of this SAQ or confirmation that same are not available. Copies of any material announcements to any stock exchange on which the shares of the Applicant are traded in the past three financial years and up to the submission date of this SAQ or confirmation that same are not available.

If any Applicant proposes to rely on the resources of a parent company, copies of the full audited financial statements for the last three financial years and the details outlined above must also be provided for the parent company.

The minimum requirement under this criterion is that the Applicant has the financial capacity, to the Contracting Authority's satisfaction, to meet all financial requirements and contingencies that might arise from the contract if awarded to the Applicant. The evaluation will include an analysis of the financial statements provided having regard to the following factors:

1. Auditor's report and Director's report
2. Trading Performance
 - i) Turnover;
 - ii) Profitability and profit margins (including Gross profit, Operating profit and Net Profit).

3. Liquidity

- i) Cash Balances
- ii) Cash Generation
- iii) Current Ratio
- iv) Quick Ratio v) Debtors days, Creditor days and Stock turn days

4. Gearing

- i) Profit Before Interest and TAX ("PBIT") interest cover
- ii) Net Gearing
- iii) Long term debt as a % of capital employed
- iv) Net debt as a % of Total Net Worth v) Net debt \ PBIT

5. Balance Sheet

- i) Fixed Assets
- ii) Net Current Assets
- iii) Net Assets

The Applicant must notify the Contracting Authority immediately in writing if at any time it becomes aware that there has been a material change in its financial standing as has been set out in its documentation submitted in accordance with this section 3.3d. The Contracting Authority may, at any time, raise queries in relation to the Applicant's financial standing as has been set out in this qualification criteria or seek the Applicant to submit financial documentation. The Applicant will be required to comply with all reasonable requests made by the Contracting Authority in relation to same. If that Applicant is subsequently found to not meet the stated financial capacity robustness requirements as set out above, then that Applicant of a consortium or joint venture will be eliminated from this competition.

3.3e Professional Indemnity insurance

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

- The evidence required to pass this criterion is evidence of cover to the levels noted in the SAQ. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary

including evidence of the below:

- Cover is provided for legal defence costs in excess of the minimum level of cover.
- The conditions provide for claims for breach of professional duty or civil liability as well as negligence.
- Cover extends to include claims arising out of the sub-contracting of professional services by the applicant.
- Cover is provided in respect of Joint & Several liability where the Applicant is operating in a Joint Venture or a Consortium.
- The jurisdiction in which claims can be lodged and settled is IRELAND.
- Cover will be maintained for 6 years after completion of the construction works where the contract is to be executed under hand and where the contract is to be executed as a deed then a period of 12 years should be maintained.

3.3f Public Liability Insurance

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows

- The evidence required to pass this criterion is evidence of cover to the levels noted in the SAQ. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary

3.3g Employers Liability Insurance

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The evidence required to pass this criterion is evidence of cover to the levels noted in the SAQ including the below in the form of Appendix 1 Letter of Undertaking

3.3h Performance Bond

[Where items had been noted as 'declaration required' in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The evidence required to pass this criterion is a letter of undertaking from the Surety Provider as per appendix D1 QW1 or appendix D2 QW2 (D&B) ⁴ Letter of undertaking re. Bond

3.4a and 3.4b Educational and Professional Qualifications (Management and Personnel)

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

An Organisation Chart showing the Company Structure (including the duty holders for Health and Safety).

AND

Curriculum Vitae for the **Contracts Manager, Health and Safety Manager, Foreman** [or equivalent site manager], and **Site Safety Officer** proposed for the project. The Curriculum Vitae must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

- Where a **Contracts manager** has no qualifications or formal training, he/she must have at least 7 years' experience in the Building Trade including at least 3 years in a management role. Where the Contracts Manager has appropriate formal training/qualifications relevant to the role of Contracts Manager (In the judgement of the Contracting Authority), the level of experience can be reduced to 5 years of which at least 2 years must be in a management role.
- The **Health and Safety Manager** (who may be the same person as the Contracts Manager and/or foreman) must have at least 5 years' experience in the Building Trade **AND** must have a Degree/diploma or other equivalent H&S training (minimum 4 hours externally accredited CPD). [For Type 1 projects, 3 years acting in the capacity of Health and Safety Manager on building construction projects will suffice instead of formal H&S training.]
- Where a **Foreman** has no qualifications or formal training, he/she must have at least 7 years' experience in the Building Trade including at least 3 years as a Foreman (Site Manager). Where the Foreman has appropriate formal training/qualifications relevant to the role (In the judgement of the Contracting Authority), the level of experience can be reduced to 5 years of which at least 3 years must be as a Foreman (Site Manager). For Type 2 and 3 projects, the **Foreman** must also have formal H&S training (minimum 4 hours externally accredited CPD).
- The **Site Safety Officer** (who may be the same person as the foreman or PSCS) must have at least 5 years' experience in the Building Trade **and** must have formal H&S training (minimum 4 hours externally accredited CPD). For Type 1 projects, 3 years acting in the capacity of Site Safety Officer on building construction projects will suffice instead of formal H&S training.

[Others may be added depending on project specific Requirements]

⁴ Delete as for DT information purposes only

3.4c List services of similar nature provided over the past 5 years

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Details, as set out in DoEY Appendix B2 (Incl Part 2): Certificate of Satisfactory Execution (*i.e. Overall Project Substantial Completion Only - No partial, sectional or phased handovers*) of 3 Building Construction Projects, carried out in a satisfactory manner, with a Contract Sum not less than half the average annual Turnover Level requirement for this project, similar in nature and complexity, and completed (*i.e. at Overall Substantial completion*) within the last 5 years.

- **Projects of a similar nature** are defined as single building projects (**not necessarily educational**) with similar construction and service requirements.
 - For example, a shop fit-out or an advance factory is not a similar project, whereas an extension and refurbishment to a Health Centre or Library is. If the project being tendered for is a re-roofing project, the experience needed may be either roofing contracts or complete building projects (It is not necessary that the roofing element is at least half the turnover requirement). Likewise, if the project is a replacement of a heating installation, a mechanical contract (whether as main or sub-contractor) is adequate experience whereas an Electrical installation contract is not.⁵

3.4d Measures for ensuring quality [Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence of adequate measures for ensuring Quality both in the administration of a project and in the delivery of a high Standard of Construction* in accordance with the Tender documents.

Both external “Quality Assured” and internal procedures are acceptable for the administration of a project, but specific measures for ensuring a high Standard of Building Construction are also required.

3.4e Average annual manpower

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of the number of staff employed by the firm or otherwise available to the firm for the roles of **Contracts Manager, Health and Safety Manager, Foreman and Site Safety Officer**.

A Contractor may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them.

The Contractor must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the execution of the contract, for example, by producing an undertaking by those entities to place the necessary resources at the disposal of the Contractor e.g. an agreement (subject to the award of the Contract) with a foreman of suitable qualifications and experience

3.3a Evidence of Turnover

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of turnover certified by your firm’s Auditor/Accountant for your firm for the three previous financial years both for overall services and for construction services only, (and, if your firm is a subsidiary relying on a parent company’s turnover, that Parent Company as well).

If for any valid reason this evidence cannot be provided, then alternative evidence considered appropriate by the Contracting Authority may be provided. Such evidence must demonstrate that the firm has been in existence for a minimum of 3 years and has an effective turnover over the last 3 years of not less than the required amount.

⁵ Delete as for DT information purposes only

3.3c Bankers Letter

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

A letter from your current principal banker dated within the past 3 months in the format set out in Appendix J available at www.constructionprocurement.gov.ie.

3.4d Measures for ensuring quality

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of adequate measures for ensuring Quality both in the administration of a project and in the delivery of a high Standard of Construction* in accordance with the Tender documents

Both external “Quality Assured” and internal procedures are acceptable for the administration of a project, but specific measures for ensuring a high Standard of Building Construction are also required.

3.4e Average annual manpower

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Evidence of the number of staff employed by the firm or otherwise available to the firm for the roles of **Contracts Manager, Health and Safety Manager, Foreman, and Site Safety Officer.**

A Contractor may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them.

The Contractor must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the execution of the contract, for example, by producing an undertaking by those entities to place the necessary resources at the disposal of the Contractor, e.g. an agreement (subject to the award of the Contract) with a foreman of suitable qualifications and experience.

3.4.1 (HS) EVIDENCE OF TECHNICAL CAPABILITY CRITERIA

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

- 3.4.1a (HS) Educational and Professional Qualifications (Management)
- 3.4.1b (HS) Educational and Professional Qualifications (Personnel)
- 3.4.1c (HS) List of Works Over Past 5 Years
- 3.4.1d (HS) Measures for Ensuring Quality
- 3.4.1e (HS) A statement of the average annual numbers of persons employed by the Contractor and those in a managerial position over the last 3 years

3.4(2) HEALTH AND SAFETY COMPETENCE as PSCS

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

[For Reserved Specialists omit this section 3.4(2) as it applies only to Main Contractors]

3.4(2)a (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Management)

Evidence to be provided as follows:

The Minimum Standard required to pass this criterion is evidence of management staff with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the Works that are the subject of this Competition as specified below. The evidence required to pass this criterion should be submitted in the form of a document setting out the Applicant's organisational structure and the curricula vitae of the Applicant's management staff and any additional requirements that may be set out below. The curriculum vitae of each management staff member should indicate their relevant educational and professional qualifications and Health and Safety training and qualifications (for example, degree, diploma, certificate, CPD), their experience on projects of a similar scale and complexity, and the role they had on those projects. CA Entry: Additional Minimum Standards (if no additional requirements or "N/A". 1. List here supplementary requirements (if any) in relation to this criterion. 2. For Type 2 & 3 Projects provide evidence of adequate and appropriate ongoing health and safety training and commitment of resources.

If the PSCS is an **external company** providing the service for the tenderer an **Organisation Chart** showing that external Company's Structure and indicating the duty holders responsible for Health and Safety.

If the PSCS is provided internally by the firm, the evidence provided at 3.4a Educational and Professional Qualifications (Management) is sufficient.

3.4.(2)b (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Personnel)

[Where items had been noted as “declaration required” in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard required to pass this criterion is evidence of personnel with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the Works that are the subject of this Competition, as specified below. The evidence required to pass this criterion should be submitted in the form of a document setting out the Applicant's organisational structure and the curricula vitae of the Applicant's personnel and any additional requirements that may be set out below. The curriculum vitae of each of the Applicant's personnel should indicate their relevant educational and professional qualifications and Health and Safety training and qualifications (for example, degree, diploma, certificate, CPD), their experience on projects of a similar scale and complexity, and the role they had on those projects. CA Entry: Additional Minimum Standards or "N/A". 1. List here supplementary requirements (if any) in relation to this criterion. 2. For Type 2 & 3 Projects provide evidence of adequate and appropriate ongoing health and safety training and commitment to resources.

Curriculum Vitae for the **Project Supervisor Construction Stage** proposed for the project. The Curriculum Vitae must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

*The **Project Supervisor Construction Stage [PSCS]** (who may be the same person as the foreman or Site Safety Officer) must have at least 5 years' experience in the Building Trade and must have formal externally accredited training in Health and Safety (relevant to the role of PSCS) within the last 5 years.*

Where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded on any of these projects, evidence that adequate measures have been put in place to address any deficiencies in their Health and Safety procedures, including the inter-relationship between the PSCS and the contractor, how the role of PSCS is implemented, and a procedure for taking corrective measures for all stages must be included.

3.4(2)c (HS) LIST of TECHNICAL SERVICES PROVIDED FOR WORKS OVER THE PAST 3 YEARS

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Details of **3 Building Construction Projects** (similar in nature and complexity to this project) on which **the firm proposed to act as PSCS** fulfilled the role of PSCS in a satisfactory manner.

Evidence as follows:

A Contracting Authority may only require Applicants to submit a list of works projects provided over a maximum period of the past 3 years. However, where necessary in order to ensure an adequate level of competition, the Contracting Authority may take into account works delivered over the previous 5 year period. The period specified in the title above is the period within which the Applicant may submit evidence of the service contracts it has delivered; it is not mandatory that projects be evidenced for the whole period. If a firm cannot provide evidence for the entire period (e.g. a firm has not been trading for the whole period) this will not be used as a reason to reject its application. The evidence required for assessment purposes is details of PSCS appointments that the Applicant has completed over the period stated above on projects that are similar in nature and complexity to the Works required for this project. The evidence must be provided in the format specified below. (Note that the request is not necessarily for projects that are identical to the project that is the subject of this Questionnaire).

A list of projects should be provided in the standard form DoEY B1 List of projects for which there is a Satisfactory Certificate of Delivery of Services in accordance with the particular requirements set out below (if any). The Certificates of Satisfactory Delivery of Services required in relation to these projects should be submitted using the standard form provided at Appendix B3 Certificate of Satisfactory Delivery of Services. Supplementary requirements (if any) will be stated by the Contracting Authority below

All 3 projects must have been completed (i.e. Full Overall Substantial completion. No sections, phases or partial completion) within the last 5 years. The Contract value of each project must be not less than half the average annual Turnover Level requirement this project. Projects of a similar nature are defined as in 3.4c.

Where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded on any of these projects, evidence that adequate measures have been put in place to address any deficiencies in their Health and Safety procedures, including the inter-relationship between the PSCS and the contractor, how the role of PSCS is implemented, and a procedure for taking corrective measures for all stages must be included.

If Main Contractor will be fulfilling the role of PSCS and the above details have already been provided at 3.4.c, no further information is necessary.

3.4(2)d (HS) MEASURES FOR ENSURING QUALITY

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard is adequate knowledge, training and resources to carry out the duties of PSCS in compliance with the Safety, Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (Construction) Regulations 2013. The Applicant's responses to Criteria 3.4.2a (HS) to 3.4.2e (HS) may be taken into account in response to this criterion. The evidence required to pass this criterion is details of relevant technicians or technical bodies upon whom the Applicant can call on in order to carry out the work or whom the Applicant can use in regard to quality control with regards to Health and Safety. The Applicant must also provide evidence of a safety management system. For Type 3 projects Applicants should supply names of any group, body and organisation that the Applicant is a member of and which promotes and has involvement in Health and Safety matters. It should also provide details of any external resource or expertise relevant to this project that are available to the Applicant's business.

3.4(2)e (HS) A STATEMENT OF THE AVERAGE ANNUAL NUMBERS OF PERSONS EMPLOYED TO PROVIDE PSCS SERVICES AND THOSE IN A MANAGERIAL POSITION OVER THE PAST 3 YEARS**Evidence to be provided as follows:**

The Minimum Standard is submission of the relevant details set out below. Applicants must provide evidence covering the previous three years of average annual manpower and managerial staff in relation to the PSCS role

Health & Safety Competence of a select as appropriate: Reserved Specialist with Design Input/Works Specialist with Design Input [For Reserved Specialists with Design Input Only]

3.4(3) (HS) EVIDENCE OF TECHNICAL CAPABILITY CRITERIA

3.4.3a (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Management) [For Reserved Specialists with Design Input Only]

Evidence to be provided as follows:

The Minimum Standard required to pass this criterion is evidence of sufficient management staff with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the specialist works which are subject of this procurement. The evidence required to pass this criterion must be submitted in the form of a document setting out the Applicant's organisational structure and the curricula vitae of the Applicant's management staff and any additional requirements set out below. The curriculum vitae of each management staff member should indicate their relevant educational and professional qualifications and Health and Safety training and qualifications (for example, degree, diploma, certificate, CPD), their experience on projects of a similar scale and complexity and the role they had on those projects

3.4.3b (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Personnel) [For Reserved Specialists with Design Input Only]

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard required to pass this criterion is evidence of sufficient personnel with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the specialist works which are required for this Competition. The evidence required to pass this criterion must be submitted in the form of a document setting out the Applicant's organisational structure and the curricula vitae of the Applicant's personnel and any additional requirements set out below (if any). The curriculum vitae of each of the Applicant's personnel should indicate their relevant educational and professional qualifications and Health and Safety training and qualifications (for example, degree, diploma, certificate, CPD), their experience on projects of a similar scale and complexity and the role they had on those projects

3.4.3c (HS) LIST of SPECIALIST WORKS WITH DESIGN OVER THE PAST 5 YEARS [For Reserved Specialists with Design Input Only]

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard required to pass this criterion is evidence, in the form specified below, of health and safety design management in relation to the design element of specialist works over which the specialist had responsibility that were previously undertaken by the Applicant. A Contracting Authority may only require an Applicant to submit a list of works provided over a maximum period of 5 years. However, a Contracting Authority may take into account works delivered over a longer period if appropriate. The period specified in the title above is the period within which the Applicant may submit evidence of the specialist works contracts it has delivered, it is not mandatory that projects be evidenced for the whole period. If a firm cannot provide evidence for the entire period (e.g. a firm has not been trading for the whole period) this will not be used as a reason to reject its application. The evidence required for assessment purposes is details of specialist works with design input that the Applicant has completed over the period stated above on projects that are similar in nature and complexity to the Works required for this project. The evidence must be provided in the format specified below. (Note that the request is not necessarily for projects that are identical to the project that is the subject of this Questionnaire). A list of projects must be provided in the standard form at Appendix B1 List of Previous Projects for which there are certificates of Satisfactory Execution in accordance with the particular requirements set out below (if any). The Certificates of Satisfactory Execution required in relation to these projects must be submitted using the standard form provided in DoEY Appendix B2 Certificate of Satisfactory Execution

3.4.3d (HS) MEASURES FOR ENSURING QUALITY [For Reserved Specialists with Design Input Only]

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

The Minimum Standard is adequate knowledge, training and resources (taken in conjunction with Criteria 3.4.3a (HS) to 3.4.3e (HS) to ensure that the design element of specialist works over which the specialist has responsibility is undertaken in compliance with Safety Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (Construction) Regulations 2013. The evidence required to pass this criterion is details of relevant technicians or technical bodies upon whom the applicant can call on in order to carry out the work or whom the Applicant can use in regard to quality control with regards to Health and Safety. Applicants must also provide evidence of a safety management system. In the event that the Applicant's declaration states that enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded, further evidence is required that adequate measures have been put in place by the applicant to address any deficiencies in their Health and Safety procedures. For Type 3 projects applicants should supply names of any group, body and organisation that the Applicant is a member of and which promotes and has involvement in Health and Safety matters. It should also provide details of any external resource or expertise relevant to this project that are available to the Applicant's business.

3.4.3e (HS) A STATEMENT OF THE AVERAGE ANNUAL NUMBER OF PERSONS EMPLOYED BY THE SPECIALIST AND THOSE IN A MANAGERIAL POSITION OVER THE PAST 3 YEARS [For Reserved Specialists with Design Input Only]

[Where items had been noted as "declaration required" in SAQ and evidence has not already been submitted]

Evidence to be provided as follows:

Applicants must provide evidence covering the previous three years of average annual manpower and managerial staff involved in Health and Safety design management

Please be advised that if you cannot or do not provide all of the required evidence, within 7 days of the date of this letter/email, your tender will be deemed to be invalid and will be excluded from further consideration.

Please note also that prior to appointment the successful tenderer will be required to provide:

- a Current Tax clearance certificate,
- evidence (Certificate) of Professional Indemnity insurance
- evidence (Certificate) of adequate Public Liability Insurance in the amount of €6.5m,
- evidence (Certificate) Employer's Liability Insurance in the amount of €13.0m, and
- a Bond (if required by the Contract Notice/Suitability Declaration or Tender Documents)

This information is not required at this time

This does **not** imply that your firm is under consideration for short-listing for the above project. It is a request that information in accordance with the requirements stated in the Suitability Assessment Questionnaire be provided.

Please make contact as soon as possible with the undersigned to confirm that the above information will be provided and to make arrangements for the delivery of that information digitally.

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Signed: [On behalf of the Employer]