



Instructions to Applicants

For Building Surveying, Fire Safety, Land Surveying and
Health & Safety Consultancy Services Framework
Competition

1. Background Information

1.1 Introduction

- 1.1.1 This Competition is being conducted in accordance with the restricted procedure pursuant to Council Directive 2014/24/EU and the Regulations.
- 1.1.2 This Instructions to Applicants document has been prepared to outline the processes required when submitting application for the Consultants and Technical Advisors Framework and replaces and supersedes all previous documentation, communications and correspondence between the Contracting Authority and Applicants. Applicants should not place any reliance on any such previous documentation, communications or correspondence.
- 1.1.3 These Instructions to Applicants are in addition to and augment the Information included in the separate Project Information Memorandum (PIM) document.
- 1.1.4 The Contracting Authority hereby invites qualified and experienced economic operators to submit Applications/Submissions for the provision of construction and development related Consultant services as set out in the eTenders/RFT notice, the PIM document and this Instructions to Applicants document.

2. Framework details

2.1. Framework Introduction

As set out in the separate PIM document, Respond are establishing multi-disciplinary Frameworks to support their ambitions of delivering high quality housing developments. As part of their remit to develop cost rental, social and affordable units throughout Ireland, Respond wish to procure the specialist services for future projects to develop design, secure statutory approvals and procure and oversee the development of units. Consequently, Respond are seeking the services of Specialist and Technical Service providers to support Respond in the delivery of developer partnership schemes whereby Respond have partnered with a developer and agreed to purchase the development from a Developer on completion or have agreed to forward fund developments. The projects that apply to this Framework are, (1) Traditional projects using GCCC Public Works forms of contract and (2) Developer Led projects using Development Agreements including both forward funded and turnkey delivery models.

A single Framework Lot will be created for these Specialist Consultancy and Technical Advisory Services with four sub-lots (one for each discipline).

Candidates shortlisted will be required to demonstrate their competence for both the Traditional Design role and also for Technical Advisory Services because the panel formed in each sub-lot will be used for Call offs by the Respond Development Team for both Traditional Design and Technical Advisory roles.

There will be multiple service providers appointed to each respective Panel within the Lot. As set out within the QC1-Part-1, each sub-Lot will have a minimum of 4 candidates and a maximum of 8 candidates shortlisted to the respective sub-Lot – details of the minimum and maximum number of service providers per sub-lot are set out in the table below. As identified above this competition will be split into sub-Lots as follows:

Lot 1; Specialist Consultancy Providers for Traditional Design Services and Technical Advisory services	
Lot Nr	Services Type
1.1	Building Surveying Consulting (6 to 8 service providers)
1.2	Fire Safety Consulting (6 to 8 service providers)
1.3	Land Surveying (4 to 6 service providers)
1.4	Health & Safety Consulting (4 to 6 service providers)

For the avoidance of doubt, traditional design services have the following meaning; projects whereby Respond will act in the role of Developer/Employer and require the services of a Multi-Disciplinary design team to act on their behalf in designing and delivering schemes from inception to completion or at various junctures during that cycle.

The term Technical Advisory Service has the following meaning; projects whereby Respond have entered into a development agreement or similar with a 3rd Party Developer who are designing and delivering completed/turnkey projects, whereby Respond will require the services of Technical Advisors to advise, monitor, investigate and liaise with the developer on behalf of Respond and ensure the development is been carried out in accordance with the Development Agreement or similar and relevant consents.

A Scope of Services document setting out typical services and deliverables for each of the above lots has been included as Appendix A to the separate PIM Document; these set out typical scopes which may be varied by Respond during call offs from the frameworks to suit the particular requirements at that juncture.

2.2. Instructions to Applicants

Applicants when submitting their Applications should set out which Sub-Lot their application relates to by clearly stating which Sub-Lot the applications is for; for example, the front cover of the application should state:

“Lot 1.1 – Building Surveying Consulting Framework”

or the like.

Where an Applicant is submitting for multiple sub-lots then a separate application should be submitted for each of the other sub-lots as applications for each sub-lot will be assessed based on the applications stated as applying for that sub-lot.

Failure to clearly state which sub-lot the application relates to may result in the application being labelled non-compliant and being eliminated from further consideration and assessment.

Responsibility for the clear labelling of the application rests with the Applicant and no liability for incorrect or incomplete labelling of application will be accepted by the Contracting Authority.

2.3 Applicant Groups

Where an Applicant is a partnership, consortium or any other grouping of entities then the application submitted by the Applicant Group must be a composite (combined) document clearly setting out the Sub-Lot for which the application is being submitted and separate delineated applications for each member of the group within the one overall composite application. Applicants are reminded that an Applicant Group, if successful, may be required to establish legal personality in order to enter into the Framework Agreement or, alternatively, the Contracting Authority reserves the right to require all Applicant Group Members to enter into the Framework Agreement on the basis of joint and several liability or to contract with one member of the Applicant Group as prime contractor to whom other Applicant Group Members will be subcontractors.

Failure by any Applicant Group Member to complete the SAQ and/or eESPD or to fulfil the Selection Criteria (if applicable) may result in the entire Applicant Group being rejected.

2.4 Reliance on Other Entities/Subcontractors

2.4.1 Where an Applicant wishes to rely on the capacities of another entity (e.g. an Applicant Group Member, a Subcontractor or other third party), the following provisions apply:

- (i) the Applicant must clearly indicate in the Applicant's Response Document the extent to which it is relying on the capacities of the other entity;
- (ii) the entity being relied on must complete the SAQ and/or eESPD and in particular provide completed Appendix D to the SAQ QC1;
- (iii) when requested to do so by the Contracting Authority, the Applicant must submit proof, to the satisfaction of the Contracting Authority, that each such entity will place the necessary resources at the disposal of the Applicant. In addition, a contractual commitment or guarantee in favour of the Contracting Authority may be required from such entities as a condition precedent to the award of the Framework Agreement.

2.4.2 Where an Applicant relies on the capacity of another entity with regard to criteria relating to economic and financial standing, the Contracting Authority may require such other entity to provide joint and several liability to the Contracting Authority for the performance and fulfilment of the terms of the Framework Agreement.

2.4.3 Where an Applicant intends to subcontract any share of the Services to a Subcontractor but is not relying on the capacity of such Subcontractor for the purpose of fulfilling any of the Selection Criteria, it must ensure that each such Subcontractor submits a separate completed SAQ and/or eESPD completing those sections of the SAQ/eESPD as are specified in Section 3 of the SAQ and/or Section II.D of the eESPD for this Competition.

2.5 Change in Information

Applicants must inform the Contracting Authority of any changes to the information provided in their Application/Submission, including but not limited to any changes in financial standing, as soon as they become aware of such changes.

2.6 Inaccurate or misleading information

Applicants must ensure that all information included within their Application/Submission is accurate. The inclusion of information that is found to be false or misleading may result in the Applicant's exclusion from this Competition. In the event that false or misleading information comes to light after an Applicant/Candidate has been awarded the Framework Agreement, this may result in termination of the Framework Agreement.