



Comhairle Contae Chorcaí
Cork County Council



OPW Oifig na
nOibreacha Poiblí
Office of Public Works

River Ilen (Skibbereen) Drainage Scheme – Levis Quay Wall

SAQ



MCW0626-RPS-CD-XX-CD-Z-0005

D2 P02

21 May 2026



Tetra Tech Cork, Innishmore, Ballincollig, Co. Cork, P31 KR68

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Document status

Document status					
Version	Purpose of document	Authored by	Reviewed by	Approved by	Date
D2 P02	Issue for Tender	AO'S/ AB	RC/SM	BB	August 2026

Approval for issue		
BB		27 August 2026

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Prepared by	Prepared for
Tetra Tech	Cork County Council (CCC)

Suitability Assessment Questionnaire

for

River Ilan (Skibbereen) Drainage Scheme - Levis Quay Wall Skibbereen

Part 2

Applicant Details and Declaration

May be used to respond to QW1, QW2 or QW3a

Applicant
Name:

Enter Name

1.0 General

Capitalised terms in this Part 2 have the same meaning as in Part 1 of the Questionnaire.

The Applicant¹ (and each member of the Applicant where an Applicant is a Consortium or Joint Venture) and any entities upon whose capacity they rely for the purposes of meeting the requirements of any of the Qualification Criteria must complete the relevant parts of this Part 2 and submit as part of the SAQ Response.

PW-CF1 – PW-CF4 only: Any entities being relied upon (including but not limited to a parent company, a subcontractor or other entity) must complete the relevant sections of this Part 2.

2.0 Applicant Details

2.1 Applicant

Applicant Note: Only the Applicant or the Lead Member completes this Section 2.1.

Applicant Name ² :	
Address of Registered Head Office:	
Address(es) of Other Relevant Office(s):	
Date Business Commenced Trading:	
Most recent Business Accounting Period	From: To:
Business Name ³	
Business Address	
Company Registration Number (CRO No. or equivalent)	
Business Registration Number	
Tax Reference Number	
Self-assessment tax returns Accounting Period for Revenue (or equivalent in other tax jurisdictions)	
Business Telephone:	
Business Email Address:	

¹ Where this Part 2 is used with QW2, the term “Applicant” shall be read as “Tenderer”.

² State the full name of the Applicant’s company as it is registered with the Companies Registration Office (CRO) or equivalent in country of establishment. Refer to the CRO for requirements for registration of companies.

³ State the Applicant’s full business name as registered with the CRO (or equivalent in country of establishment). Refer to the CRO for requirements for registration of business names.

Fill in the details below if the Applicant, or the Lead Member, is a subsidiary, otherwise enter “Not Applicable”:

Name and address of parent company and interest parent has in Applicant company (for example, wholly owned by single parent company):	
Parent Company Registration No.:	
Parent Company Tax Reference No.:	

Fill in the box below if there are other companies in a group that will be involved in the contract.

Name and address of other companies in the group involved in this contract including their CRO No. and Tax Reference No. or equivalent:	

2.2 The Applicant’s Authorised Representative

Only the Applicant or the Lead Member of an Applicant completes this Section 2.2. There is no need to enter address, telephone and email if identical to business details in 2.1.

Name of Authorised Representative:	
Representative’s Address:	
Representative’s Telephone:	
Representative’s Email Address:	

2.3 Nature of Applicant

The Applicant, or the Lead Member, completes this Section 2.3.

Nature of Applicant (for example, sole trader, registered company, Consortium, Joint Venture, Partnership):	
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Complete the relevant box below where the Applicant or the Lead Member is registered company:

Company Type (e.g. limited company):	
Year established:	
Number of years actively trading under present name:	
Name of Chairman/CEO/MD:	

Interest of Chairman/CEO/MD in other companies:	
Changes to group structures or mergers over the past 5 years:	

This box is to be filled only by the Lead of a Partnership, a Consortium of any other type of Joint Venture:

Consortium or Joint Venture		
Names of all members in Consortium or Joint Venture:	1.	
	2.	
	3.	
	4.	
Was Consortium or a Joint Venture formed for this project?		
If you answered “No” above, state number of years actively trading under present name:		
Method of financing Consortium or Joint Venture:		
Details of members of Applicant roles in performing the Contract:		
Applicant member	Element responsible for	Qualification Criteria Applicant Member responded to:

Note: Where the Applicant is a Consortium or a Joint Venture, each member of the Applicant (who is not the Lead Member) must also complete Table 1 – Members of Applicant.

2.4 Additional Applicant Details

The Applicant or Lead Member completes this Section 2.4.

Where requested in Section 2.9 of the Particulars (in Part 1), Applicants must provide the additional details of the Applicant’s business.
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2.5 Reliance on the Capacity of Other Entities (PW-CF1 to PW-CF4 only)

Only the Applicant or the Lead Member completes this Section 2.5.

Is the Applicant, or any Applicant Member, relying on the capacity of an entity other entities or undertakings with which it is directly or indirectly linked, whatever the legal nature of those links may be (including, for example, but not limited to, a parent company and/or a subcontractor) (including Applicant Specialists, where Applicant Specialists are not the Applicant itself) for the purposes of meeting any of the financial and economic standing or technical capability criteria Qualification Criteria (including any such criteria in any Health and Safety Supplements and, where applicable, Specialist Questionnaires)?	NO
Note: Where YES is selected in the table above, insert details of the entities relied upon by the Applicant in Table 2.	

2.6 Applicant's Specialists (PW-CF2 and PW-CF4 only)

Where it is stated in the Section 2.6.1 of the Particulars (in Part 1) that Applicants are required to propose Specialists, complete the table below.

Each Specialist named below must complete the relevant Specialist Questionnaire.

Table 3: Applicant Specialists	
Specialist Area ⁴	Name of entity ⁵ proposed as Specialist

⁵ Where the Applicant proposes to undertake the specialist area directly, insert Applicant name

2.7 Applicant's Declaration

The Applicant or the Lead Member completes this section 2.7. Failure to complete this Section 2.7 may result in the Applicant being disqualified from the Competition.

On behalf of I,
declare that the Applicant meets the requirements or minimum standards (as appropriate) for the Qualification Criteria as at the date of submission of the SAQ Response;
confirm that for those Qualification Criteria, where the required response is marked "Declaration Required", supporting documentation to substantiate the declaration made above will, where requested, be provided promptly and within the timeframe specified;
confirm that for those Qualification Criteria, where the required response is marked "Evidence Required", the required evidence is included in the SAQ Response;
confirm that where required by the Questionnaire the following additional information is included: ;
confirm that, insofar as required in Section 2.2 of the Project Particulars in the Questionnaire: i. A completed ESPD for the Applicant, each member of a Consortium, Joint Venture or Partnership, and any entity being relied upon for the purposes of this Questionnaire is included in the SAQ Submission; or ii. A completed Appendix A for the Applicant, each member of a Consortium, Joint Venture or Partnership, and any entity being relied upon for the purposes of the Questionnaire, is included in the SAQ Submission;
disclose the following Registrable Interests involving the Applicant, Applicant Members, entities relied upon or subcontractors, and the Contracting Authority, members of the Government, members of the Oireachtas, or employees and officers of the Contracting Authority: ;
disclose the following conflict of interest or potential conflict of interest on the part of the Applicant, Applicant Members, entities relied upon, subcontractor(s) or individual employee(s) or agent(s) of an Applicant or Applicant Members: ;
confirm that all data subjects whose personal data is provided have consented to the processing of such personal data by us, the Applicant, the Contracting Authority, the evaluation team and the supplier of the etenders.gov.ie website, for the purposes of our participation in this Competition or that we otherwise have a legal basis for providing such personal data to the Contracting Authority for the purposes of our participation in this Competition and that we will provide evidence of such consent and/or legal basis to the Contracting Authority upon request;
declare, that insofar as the Project Particulars in the Questionnaire state that Regulation (EU) No 833/2014 as amended by Council Regulation (EU) 2022/576 - Sanctions Against Russia applies, there will be no Russian involvement in the contract exceeding the limits set in Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning 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.

In particular, I declare that:

- (i) the Applicant (and none of the Applicant Members) is not a Russian national, or a natural or legal person, entity or body established in Russia;
- (ii) the Applicant (and none of the Applicant Members) is not a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50% by an entity referred to in point (i) of this paragraph;
- (iii) neither I nor the Applicant is a natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (i) or (ii) above; and
- (iv) there is no participation of over 10% of the contract value of subcontractors, suppliers or entities whose capacities the Applicant (or Applicant Members) relies on, by entities listed in points (i) to (iii) above;

declare, that insofar as the Project Particulars in the Questionnaire state that the Foreign Subsidies Regulation (EU) 2023/1441 applies, that the Applicant has completed the FS-PP form (or parts thereof) and it is included in the SAQ Response.

declare that insofar as the Project Particulars in the Questionnaire state that an IPI measure applies, that the Applicant does not have its origin in a third country which is subject to the IPI measure/(s), or, to the extent that the Applicant does have its origin in such a country, details are included in the SAQ Response.

declare that the Applicant is not guilty of misrepresentation in supplying or failing to supply the information requested in response to the Questionnaire.

Signed on behalf of the Applicant by:

*Signature of Applicant's
Authorised Representative*

Name:

Title:

Date:

Table 1: Members of Applicant

NOTE: Where an Applicant is a Consortium, Joint Venture or Partnership, each member (who is not the Lead Member) named in Section 2.3 must complete the table below.

Where additional tables are required click the “+” symbol that becomes visible at the end of table when you are completing a form-field to add details of additional members.

Member Name ⁶ :	
Qualification Criteria responded to:	
Address of Registered Head Office:	
Address(es) of Other Relevant Office(s):	
Date Business Commenced Trading:	
Most recent Business Accounting Period From/To	
Business Name ⁷	
Business Address	
Company Registration Number ⁸	
Business Registration Number	
Tax Reference Number	
Self-assessment tax returns Accounting Period ⁹	
Business Telephone:	
Business Email Address:	
Complete where the Applicant is a Registered Company:	
Company Type:	
Year established:	

⁶ State the full name of the Applicant’s company as it is registered with the Companies Registration Office (CRO) or equivalent in country of establishment. Refer to the CRO for requirements for registration of companies.

⁷ State the Applicant’s full business name as registered with the CRO (or equivalent in country of establishment). Refer to the CRO for requirements for registration of business names.

⁸ CRO No. or equivalent.

⁹ for Revenue Commissioners or equivalent in other tax jurisdictions.

QW Suitability Assessment Questionnaire – Works Contractors or Reserved Specialists
PART 2: Applicant Details and Declaration

Number of years actively trading under present name:	
Chairman/CEO/MD:	
Name of Interest of Chairman/CEO/MD in other companies:	
Changes to group structures or mergers over the past 5 years	
Complete where the Applicant Member is a subsidiary:	
Name and address of parent company and interest parent has in Applicant member company (for example, wholly owned by single parent company):	
Parent Company Registration No.:	
Parent Company Tax Reference No.:	

Fill in the table below if there are other companies in a group that will be involved in the contract.

NAME	ADDRESS	CRO	TAX REFERENCE NO

Table 2: Entities relied upon by Applicant (including Applicant's Specialists who are not the Applicant itself)

(PW-CF1 to PW-CF4 only) Where in Section 2.5, an Applicant declares that it relies upon the resources of other entities, each entity must complete the tables below and provide a letter from such entity in the form given in Appendix 1 to Part 1 of the Questionnaire. Where there are more than three entities relied upon, please copy this page and included in your SAQ Response.

Name of entity relied upon by Applicant ¹⁰ :			
Element responsible for:			
Qualification Criteria responded to:			
Address of Registered Head Office:			
Address(es) of Other Relevant Office(s):			
Date Business Commenced Trading:			
Most recent Business Accounting Period	From: To:	From: To:	From: To:
Business Name ¹¹			
Business Address			
Company Registration Number (CRO No. or equivalent)			
Business Registration Number			
Tax Reference Number			
Self-assessment tax returns Accounting Period for Revenue (or equivalent in other tax jurisdictions)			
Business Telephone:			

¹⁰ State the full name of the entity's company as it is registered with the Companies Registration Office (CRO) or equivalent in country of establishment. Refer to the CRO for requirements for registration of companies.

¹¹ State the entity's full business name as registered with the CRO (or equivalent in country of establishment). Refer to the CRO for requirements for registration of business names.

QW Suitability Assessment Questionnaire – Works Contractors or Reserved Specialists
PART 2: Applicant Details and Declaration

Business Email Address:			
Complete where the entity above is a subsidiary company:			
Name and address of parent company and interest parent has in entity company (for example, wholly owned by single parent company):			
Parent Company Registration No.:			
Parent Company Tax Reference No.:			

Suitability Assessment Questionnaire

for

Works Contractor and as PSCS

for

River Ilen (Skibbereen) Drainage Scheme - Levis Quay Wall Skibbereen

to be assessed under a
OPEN procedure

PART 1

Information for Tenderers, Project Particulars
and
Suitability Assessment Questionnaire

Suitability Assessment for Works Contractors

Open Procedure

Document Reference ID-QW2 v2.2

25th November 2025

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Published by:

Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation

Government Buildings

Upper Merrion Street

Dublin 2

Glossary

Acronyms or capitalised terms used throughout this Questionnaire are defined in this glossary. Other Capitalised terms (that are not defined below) are defined in the particular Form of Contract stated in the Project Particulars and have the same meaning in this document.

Term	Meaning
Tenderer	The term is used for an individual (sole) trader, a single entity, or a Consortium, a Joint Venture or a Partnership seeking to be awarded the Contract.
ARM 4	Agreed Rules of Measurement Revision 4 – These are rules governing the preparation of bills of quantities for building projects. ARM 4 must be amended for use with the Public Works Contracts. The approved amendments are published under ARM 4, 2016, Supplement 1 Issue 2 by the Society of Chartered Surveyors Ireland and the Construction Industry Federation.
ARM 5	Agreed Rules of Measurement Revision 5 – These are rules governing the preparation of bills of quantities for building projects. ARM 5 must be used with the Public Works Contracts, from Stage 1, from 1 January 2025.
BC(A)R	Building Control Regulations 1997 – 2021.
Builder	Has the meaning given in BC(A)R.
CESMM3	Civil Engineering Standard Method of Measurement Revision 3 – these are rules published by the Institute of Civil Engineers governing the preparation of bills of quantities for civil engineering projects. CESMM 3 must be amended for use with the Public Works Contracts. The approved amendments are published in Guidance Note GN 1.5.3 under the CWMF.
CESSM4: Revised	Civil Engineering Standard Method of Measurement Revision 4: Revised – these are rules published by the Institute of Civil Engineers governing the preparation of bills of quantities for civil engineering projects. CESMM 4: Revised must be amended for use with the Public Works Contracts. The approved amendments are published in Guidance Note GN 1.5.3 under the CWMF.
the/this Competition	The tender competition to which this Questionnaire relates.
Consortium	An association or combination of businesses or individuals who combine with the purpose of delivering a single objective.
Construction Regulations	Safety, Health and Welfare at Work (Construction) Regulations 2013 and any amendments thereto.
Contract	The contract that may be awarded by the Contracting Authority for the Works at the conclusion of this Competition. The particular form of the public works contract to be used is stated in the Project Particulars.

PART 1: GLOSSARY

CRO	Companies Registration Office.
CWMF	The Capital Works Management Framework is mandated by Circular for public sector construction procurement and consists of a suite of best practice guidance, standard forms of public works contracts and generic template documents, available for download at http://constructionprocurement.gov.ie/ .
Designer	Has the meaning given in the Construction Regulations.
ESPD	The European Single Procurement Document, which, where required, the Tenderer, any members of a Tenderer and any entities relied upon by the Tenderer or any members of a Tenderer, must complete in order to provide a self-declaration in regards to the situations referred to in Regulation 57 of SI 284/2016, and that the Tender meets the Qualification Criteria in the Competition.
Employer	On award of the Contract, the Contracting Authority is referred to as the Employer.
European Procurement Regulations	Means SI 284 of 2016 (European Union (Award of Public Authority Contracts) Regulations 2016) or SI 286 of 2016 (European Union (Award of Contracts by Utility Undertakings) Regulations 2016), as may be applicable to the Competition.
Foreign Subsidies Regulation (FSR)	Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market.
FSR Annex	Annex to this Questionnaire, issued by the Contracting Authority when the Competition is subject to the application of the Foreign Subsidies Regulation.
Health and Safety coordinator	Any entity appointed by the Project Supervisor Design Process or the Project Supervisor Construction Stage in accordance with the Construction Regulations.
Health and Safety Supplements	The health and safety supplement(s) issued with this Questionnaire to assess a Tenderer's competence and satisfactory allocation of resources in compliance with the Construction Regulations. Tenderers must always complete Health and Safety Supplement 3.4.1 (Contractor) and, where applicable, to the role(s) stated in section 2.3 of the Project Particulars, Health and Safety Supplement 3.4.2 (PSCS).
Joint Venture	A joint venture is a contractual business undertaking involving two or more parties.
International Procurement Instrument (IPI)	Regulation (EU) 2022/1031 of the European Parliament and of the Council of 23 June 2022 on the access of third-country economic operators, goods and services to the Union's public procurement and concession markets and procedures supporting negotiations on access of Union economic operators, goods and services to the public procurement and concession markets of third countries (International Procurement Instrument – "IPI").

PART 1: GLOSSARY

IPI Annex	Annex to the Questionnaire, issued by the Contracting Authority when the Competition is subject to the application of an IPI measure.
IPI Measure	A measure adopted by the European Commission pursuant to the International Procurement Instrument, that limits the access of businesses, goods or services originating in a third country to the EU public procurement or concession markets by means of an implementing act.
Novated Specialist	(Applicable to PW-CF1 to PW-CF5 only). The term given to one of the two categories of Specialists (the other being Reserved Specialist) that may be named by the Employer in the Contract. Where Novated Specialists will be named in the Contract, the Contracting Authorities will enter into a separate contract for novated specialist areas described in Section 2.7.1 of the Project Particulars (“Specialist contract”) and, upon award of the Contract, will novate the Specialist contract to the Works Contractor. The Works Contractor replaces the Employer in the Specialist contract.
OJEU	Official Journal of the European Union.
Partnership	A business that has two or more owners who are individually liable for the entity’s actions. There are different types of partnerships which range from unlimited liability of the individual partners to limited liability of the partners and/or the partnership.
PSCS	Project Supervisor Construction Stage, appointed by the Employer in accordance with the Construction Regulations.
PSDP	Project Supervisor Design Process, appointed by the Employer in accordance with the Construction Regulations.
PW-CF1	Public Works Contract for Building Works designed by the Employer.
PW-CF3	Public Works Contract for Civil Engineering Works designed by the Employer.
PW-CF5	Public Works Contract for Minor Building and Civil Engineering Works designed by the Employer.
PW-CF6	Short Public Works Contract.
PW-CF7	Investigation Contract.
PW-CF8	Short Investigation Contract.
PW-CF9	Framework Agreement for Construction Work.
PW-CF11	Term Maintenance and Refurbishment Contract.
Qualification Criteria	Suitability assessment criteria that apply in this Competition. The suitability assessment criteria identified in Section 3 of this Questionnaire, in Health and Safety Supplements, and, where applicable, in Section 3 of any Specialist Questionnaire(s), as Qualification Criteria for this Competition.

PART 1: GLOSSARY

the/this Questionnaire	Means this Questionnaire, accompanying Health and Safety Supplements, annexes and related documents, and, where applicable, Specialist Questionnaires.
SAQ Response	The Tenderer's response to this Questionnaire, as described in Section 1.2 of the Questionnaire.
Specialist	Means an entity to be named in the Contract by the Employer and/or the Contractor to undertake specialists areas of work or services.
Works	The construction works which are the subject of this Competition.
Works Contractor	Refers to the successful Tenderer appointed as the Contractor under the Contract to provide the Works.

1. INSTRUCTIONS FOR TENDERERS

1.1. THIS QUESTIONNAIRE

Part 1 of this Questionnaire comprises the following:

- Section 1 contains instructions in relation to completing this Questionnaire.
- Section 2 contains the information particular to the project (“the Project Particulars”).
- Section 3 contains the Qualification Criteria and for each such criterion, the response type that Tenderers are required to provide, and the basis of evaluation of the response.

Tenderers should note that Qualification Criteria and requirements are also contained in any Health and Safety Supplements issued with this Questionnaire.

Tenderers should read this information carefully before submitting their response to this Questionnaire. Tenderers must follow the instructions set out in the Questionnaire and submit the information required in the format required, otherwise the submission may be declared invalid.

1.2. SAQ RESPONSE

Tenderers must complete and submit the following:

- (i) Part 2 (Tenderer Details and Declaration) of this Questionnaire; and
- (ii) where the Project Particulars state that grounds for exclusion in Regulation 57 of SI 284/2016 apply to this Competition, a self-declaration regarding the Tenderer’s circumstances either in the form of an ESPD, or Appendix A, as stated in the Project Particulars; and
- (iii) any evidence or other documentation required by the Questionnaire.

Completing Part 2 of the Questionnaire

The Tenderer must always complete and submit Part 2 of this Questionnaire. In Part 2, Tenderers must provide information on the Tenderer’s organisation(s) and, where applicable, any entities upon whose capacity they rely for the purpose of meeting the requirements of any Qualification Criteria.

The Tenderer must always complete and sign the Declaration in Part 2, otherwise the SAQ Response may be declared invalid. The Declaration must still be completed and signed even where the Tenderer has submitted an ESPD.

Completing an ESPD or Appendix A - Self Declaration in relation to Regulation 57

Where the Competition is subject to the application of the European Procurement Regulations, Tenderers must always complete and submit an ESPD (in addition to completing Part 2).

Where an ESPD is required to be submitted, the Tenderer must complete Parts II (Information concerning the economic operator), Part III (Exclusion Grounds), Part IVα (Selection Criteria) and Part V (Concluding Statement) of the ESPD. Part IVα is completed by selecting “yes” to confirm that the Applicant meets the Qualification Criteria in the Competition.

Tenderers may use an existing ESPD, provided however that it is accompanied by a letter from the Tenderer confirming that their circumstances have not changed since the ESPD was originally completed.

Providing Evidence

Where evidence is required to be submitted as part of the SAQ Response, the Tenderer must only provide evidence that is current up to the date of submission of the SAQ Response.

Failure to submit the required evidence with the SAQ Response may result in exclusion from this Competition.

Where the required means of submission of the SAQ Response is by electronic submission, the Contracting Authority reserves the right to inspect any original hardcopy signed documents.

Section 1: INSTRUCTIONS FOR TENDERERS

1.3. APPLICATIONS BY CONSORTIA, JOINT VENTURES OR PARTNERSHIPS

For entities which apply and tender as a Consortium, Joint Venture or Partnership and the members have not set up together as a company (to be the legal entity which enters into the contract), one member of the Consortium must act as the lead member ("Lead Member") in compiling and submitting a single SAQ Response.

Notwithstanding the above, where a Tenderer is a Consortium, Joint Venture or Partnership each member of the Tenderer must respond to the applicable sections of Section 3 of this Questionnaire (and the applicable H&S Supplements), the applicable sections of Part 2, and the responses are to be submitted as a single SAQ Response by the Lead Member.

1.4. RELIANCE ON RESOURCES (PW-CF1 and PW-CF3 only)

Where, in order to meet any Qualification Criteria in Section 3.3 (Financial and Economic Standing) (including for the avoidance of doubt, with respect to evidence of turnover) and/or Section 3.4 (Technical Capability) (including in any Health and Safety Supplements and Specialist Questionnaires, where applicable), a Tenderer (or a member of the Tenderer, where the Tenderer is a Consortium, Joint Venture or Partnership) relies on the capacities of other entities or undertakings with which it is directly or indirectly linked, whatever the legal nature of those links may be (including, for example, but not limited to, a parent company and/or a subcontractor), the Tenderer will be required to demonstrate to the satisfaction of the Contracting Authority that the capacities relied upon will actually be available to the Tenderer if it is awarded the Contract.

If availability of capacities is not established to the satisfaction of the Contracting Authority, the Contracting Authority will assess the suitability of the Tenderer without taking into account the capacities of such an entity or entities.

For the purpose of responding to this Questionnaire, it shall suffice for an entity being relied upon to¹:

- (a) provide a response to applicable sections of Part 1 and Part 2 of the Questionnaire and provide a letter in the form set out in Appendix 1 to this Questionnaire; or
- (b) where the entity being relied upon is a Tenderer Specialist, the entity must provide a response to the applicable sections of Part 1 of the Questionnaire and complete the relevant Specialist Questionnaire.

At contract award stage, the Contracting Authority reserves the right to require the following from any entity relied upon with regard to:

- (a) any of the economic or financial standing Qualification Criteria, the entity relied upon may be required to enter into a guarantee in the form of Model Form MF 1.7 Reliance Guarantee in respect of the performance of the contract by the Tenderer²;
- (b) any of the technical capability Qualification Criteria, the entity relied upon may be required to enter into either a Reliance Warranty (in the form of Model Form MF 1.30) or Collateral Warranty in the form of Model Form MF 1.12 or MF 2.3 (as appropriate to the nature of the resource relied upon by the Tenderer) with regard to the making available the resources relied upon by the Tenderer³. Note that where a Tenderer relies on another entity for educational or professional qualifications, or, with regard to relevant professional experience (in Part 1 or H&S Supplements), the entity being relied upon must perform the works or services to which those educational or professional qualifications or professional experiences relate.
- (c) further evidence of the availability of the resources relied upon may be required by the Contracting Authority at a later stage in the Competition and/or upon award of the Contract.

Where Tenderers are required to submit an ESPD, each entity relied upon by the Tenderer must also submit an ESPD.

¹ Alternate evidence may be acceptable to the Contracting Authority

² The Contracting Authority may accept alternate arrangements, in place of a guarantee, at its discretion.

³ The Contracting Authority may accept alternate arrangements at its discretion.

Section 1: INSTRUCTIONS FOR TENDERERS

1.5. GROUNDS FOR EXCLUSION UNDER REGULATION 57 OF SI 284/2016

Note: Where a Competition is subject to the application of the European Procurement Regulations, grounds for excluding Tenderers in Regulation 57 of SI 284/2016 from participation in the Competition will automatically apply.

Where a Competition is not subject to the application of the European Procurement Regulations, a Contracting Authority may apply grounds for exclusion in Regulation 57 of SI 284/2016. The position for the Competition is set out in Section 2.2 of the Project Particulars.

The grounds under which the Contracting Authority may exclude a Tenderer, any member of the Tenderer (where the Tenderer is a Consortium, Joint Venture or Partnership), or any entity relied upon by the Tenderer, from participation in this Competition are set out below.

The term 'Tenderer' as used below refers to each of (a) the Tenderer (b) any member of the Tenderer (c) any entity being relied upon by the Tenderer.

Subject always to the provisions of Regulation 57 of the European Union (Award of Public Authority Contracts) Regulations 2016 (SI 284 of 2016):

(a) if:

- (i) the Tenderer is in one of the situations listed in Regulations 57(1) or 57(3) of SI 284 of 2016; or
- (ii) a member of the administrative, management or supervisory body of the Tenderer/member of the Tenderer, or a person having powers of representation, decision or control therein, is in one of the situations listed in Regulation 57(1) of SI 284 of 2016,

the Tenderer shall be excluded from the Competition;

- (b) if the Tenderer (or a member of the Tenderer, where the Tenderer is a Consortium, Joint Venture or Partnership), is in any of the situations listed in Regulation 57(4) or 57(8) of SI 284 of 2016 that are applied by the Contracting Authority for the purposes of this Competition, the Tenderer may be excluded from the Competition.

Any Tenderer which is in one of the situations referred to above must provide details of any factors or circumstances which it believes are relevant to the Contracting Authority's assessment of whether the existence of these grounds should lead to the exclusion of the Tenderer. For example, where a Tenderer is in one of the situations referred to above but has taken measures which it believes are sufficient to demonstrate its reliability, that Tenderer may provide evidence of such measures to the Contracting Authority for consideration. Tenderers should note that, with regard to the situations listed in (a) above, the circumstances which the Contracting Authority may take into account before deciding whether or not to exclude a Tenderer are prescribed by law, and Tenderers are directed to Regulation 57 of SI 284/2016 in this regard.

If an entity being relied upon is in one of the situations listed above, the Contracting Authority may require that the Tenderer replaces such entity with another entity which is not in any of these situations. In the event that the entity cannot be replaced with another entity to whom the grounds do not apply (including where the Contracting Authority concludes that to permit such replacement would be contrary to law), the Contracting Authority reserves the right to eliminate the Tenderer from the Competition.

Where grounds for exclusion apply in the Competition, the Tenderer, each member of the Tenderer and any entity being relied upon by the Tenderer (or any member of the Tenderer), must provide a self-declaration regarding the situations referred to above in the form of an ESPD, or, by completing the self-declaration in the form of Appendix A – Self Declaration re Regulation 57, as specified in the Project Particulars⁴.

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

⁴ CA Note: Where the Competition is subject to the European procurement regulations, an eESPD must always be selected in the Particulars. Where the Competition is not subject to the European procurement regulations, either an eESPD or Appendix A – Self Declaration re Article 57 may be selected in the Particulars.

Section 1: INSTRUCTIONS FOR TENDERERS

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.

1.6. ADDITIONAL GROUNDS FOR EXCLUSION

The Contracting Authority reserves the right to exclude any Tenderer from the Competition should the Contracting Authority be of the view that entry into the Contract with such Tenderer (bearing in mind any Tenderer members (where the Tenderer is a Consortium, Joint Venture or Partnership), entities relied upon or subcontractors) would be contrary to any applicable law or regulation, including any applicable sanctions regimes.

Where required in the Particulars, Tenderers shall be required to disclose in their SAQ Response any issues giving rise to possible sanctions applications.

1.7. MEASURES UNDER THE INTERNATIONAL PROCUREMENT INSTRUMENT

Where the Project Particulars state that pursuant to Regulation (EU) 2022/1031 of the European Parliament and of the Council of 23 June 2022 *on the access of third-country economic operators, goods and services to the Union's public procurement and concession markets and procedures supporting negotiations on access of Union economic operators, goods and services to the public procurement and concession markets of third countries* ("The International Procurement Instrument" – IPI) an IPI measure applies to this Competition (having regard to the estimated value of the contract⁵, the scope of application of the IPI measure, or the date on which the IPI measure was made⁶),- the IPI Annex issued by the Contracting Authority forms part of this Questionnaire.

1.8. SPECIALISTS TO BE NAMED BY THE EMPLOYER (PW-CF1 to PW-CF5 only)

The Employer may name Novated Specialists (as described below) in the Contract for appointment by the Works Contractor as Specialist sub-contractors.

Where Section 2.1 of the Project Particulars states that the Employer will novate Specialist contracts to the Works Contractor, the Contracting Authority will conduct separate tender competition(s) to appoint contractor/(s) ("Novated Specialist(s)") for those specialist novated areas described in Section 2.6.1 (of the Project Particulars).

At the next stage of the Competition, the Contracting Authority will name the Novated Specialist(s) and provide the applicable conditions of contract, the novated contract sum and any other appropriate contract information in the Form of Tender and Schedule, part 3B, either in the tender documents or during the tendering period.

1.9. COMPETITIONS WHERE THE CONTRACT IS TO BE NOVATED AS A SPECIALIST CONTRACT

Where Section 2.1 of the Project Particulars states that the Contract is to be novated as a Specialist contract ("novated Specialist contract"), the Contracting Authority intends to novate the Contract for the works described in the Project Particulars to a main works contractor.

In a separate tender competition for a main works contract, the Contracting Authority intends to name and provide details of the novated Specialist contract to be novated, including the name of the Novated Specialist, the form of contract to be novated and the novated contract price, either in the tender documents or during the tendering period for the main works contract.

On award of the main works contract, the Employer novates the Specialist contract to the main works contractor. A Novation Agreement will be required to be entered into by the Employer, the novated Specialist and the main works contractor.

⁵ Where the estimated value of the contract is above €5m (Services) and €15m (Works).

⁶ Relevant IPI measures are those which were in force at the time the competition was launched.

Section 1: INSTRUCTIONS FOR TENDERERS

1.10. QUALIFICATION CRITERIA

1.10.1. General

In order to pass the suitability assessment overall, a Tenderer must pass the requirements of all Qualification Criteria, (whether in Section 3 of this Questionnaire and Health and Safety Supplement(s)). If a Tenderer does not pass a Qualification Criterion, the Tenderer will be eliminated from the Competition.

The Tenderer must follow the instructions and respond as required by the following titles under the 'Response' heading for each Qualification Criterion:

- (a) Where the Contracting Authority has chosen "Declaration Required", it shall suffice for the purposes of SAQ Response for the Tenderer to complete the Declaration in Part 2 of the Questionnaire (and may also respond by selecting Yes in Part IVα (Selection Criteria) of the ESPD, where an ESPD is required). The Declaration in Part 2 of the Questionnaire will be required to be completed even if the Tenderer is also submitting an ESPD. The Contracting Authority may, at any time (for example, prior to shortlisting), request supporting documentation substantiating any declaration made in respect of any or all such Qualification Criteria. Supporting documents must prove that the Tenderer meets the relevant Qualification Criterion as of the date of submission of the Tenderer's SAQ Response. Where the Contracting Authority requests supporting documentation substantiating any declaration made in respect of any or all such Qualification Criteria, the supporting documents must be provided promptly and within the timeframe specified by the Contracting Authority. Failure to provide the requested supporting documentation within the timeframe specified may result in exclusion from the Competition.
- (b) Where the Contracting Authority has chosen "Evidence Required", Tenderers must include the evidence required in their SAQ Response. Tenderers should not purport to have responded to any such Qualification Criterion solely by having provided the completed Part 2 (and/or an ESPD where an ESPD is required). The evidence submitted must prove that the Tenderer (or an entity being relied upon for these purposes in accordance with the terms of this Questionnaire) meets the relevant Qualification Criteria as of the date of submission of the Tenderer's SAQ Response. Failure to submit the required evidence in the SAQ Response may result in exclusion from the Competition.

All Qualification Criteria are evaluated on a "Pass/Fail" basis, and the requirements specified in the Qualification Criterion must be met in full in order to pass. Where a Tenderer does not pass a Qualification Criterion, the Tenderer will be eliminated from the Competition.

1.11. FOREIGN SUBSIDIES REGULATION

Where the Project Particulars state that Regulation (EU) 2022/2560 of the European Parliament and of the Council *on foreign subsidies distorting the internal market applies to this Competition* ("the Foreign Subsidies Regulation"), (having regard to the estimated value of the Contract⁷) – the Annex entitled- *Application of Regulation (EU) 2022/2560 in respect of Foreign Subsidies Regulation to the Competition* issued by the Contracting Authority forms part of this Questionnaire.

⁷ Where the estimated value of the contract is above €250m [or the equivalent in Lots (€125m) or in the case of a Reserved Specialist €50m].

2. PROJECT PARTICULARS⁸

2.1. PROJECT INFORMATION

TABLE 1: GENERAL			
1(i)	Project Title:	River Ilen (Skibbereen) Drainage Scheme - Levis Quay Wall Skibbereen	
1(ii)	Suitability assessment for:	Works Contractor and as PSCS	
1(iii)	Form of public works contract to be used:	PW-CF5	Note: If any of PW-CF1, PW-CF3, PW-CF5, see Tables 2 to 3
1(iv)	The Bill of Quantities Method of Measurement to be used is (where applicable):	TII's Requirements for Measuring and Pricing (RMP)	
1(v)	Is the Contract to be novated as a Specialist contract?	N/A	Note: If Yes, see Tables 3 and 4

ADDITIONAL INFORMATION TO BE PROVIDED ONLY WHERE THE FORM OF PUBLIC WORKS CONTRACT TO BE USED IS ANY OF PW-CF1, PW-CF3, PW-CF5:

CA Note: Complete Tables 2 and 3 below ONLY where it states in Table 1, row (iii) that the form of public works contract to be used is any of PW-CF1, PW-CF3, PW-CF5. Otherwise, enter "N/A".

TABLE 2: SPECIALISTS TO BE NAMED BY THE EMPLOYER			
2(i)	Novated Specialists	N/A	Note: If "YES", see Section 2.7.1
	Are Specialists contracts to be novated to the Works Contractor?		

⁸ Refer also to the Particulars in the ITT for additional information in relation to the Competition

Section 2: PROJECT PARTICULARS

ADDITIONAL INFORMATION TO BE PROVIDED ONLY WHERE THE CONTRACT IS TO BE NOVATED

CA Note: Complete Tables 3 and 4 below ONLY where it states in Table 1, row (v) that the contract is to be novated as a Specialist contract.

TABLE 3: MAIN WORKS CONTRACT DESCRIPTION		
3(i)	Contract Notice Reference for the main works contract	
3(ii)	Approximate size and general description of the main works contract:	
3(iii)	Approximate value of the main works contract, where known:	
3(iv)	Anticipated start of the main works contract:	
3(v)	The form of contract to be used for the main works contract:	

TABLE 4: WHERE THE CONTRACT IS TO BE NOVATED AS A SPECIALIST CONTRACT	
4(i)	Where other contracts are to be novated as specialist contracts, provide a brief description below of the other specialist areas to be novated.

2.2. COMPETITION DETAILS

TABLE 5 – COMPETITION DETAILS		
Regulation 57 (Exclusion Grounds) of SI 284/2016		
5(i)	Tenderers (and any members of the Tenderer and entities relied upon) are required to provide a declaration in relation to Regulation 57 (Exclusion Grounds) of SI 284/2016⁹ the form of: <i>CA Note: Reminder: Where the European Procurement Regulations apply to the Competition, select an ESPD .</i>	Appendix A (Self Declaration re Regulation 57)
Regulation (EU) No 833/2014 as amended by Council Regulation (EU) 2022/576 - Sanctions Against Russia		
5(ii)	Tenderers are required to provide a declare (by completing the Applicant Declaration inf Part 2) that the Tenderer, any members of the Tenderer and entities relied upon do not exceed the limits set in Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the	N/A

⁹CA note: where the Competition is subject to the European Procurement Regulations, then the exclusion grounds in Article 57 automatically apply and the CA must select "an ESPD". Where the Competition is not subject to the European Procurement Regulations, the CA may select an ESPD or Appendix A, where the CA applies the grounds for exclusion in the Competition.

Section 2: PROJECT PARTICULARS

	situation in Ukraine, as amended by Council Regulation (EU) No 2022/578 of 8 April 2022.	
IPI measures-Application of Regulation (EU) 2022/1031 of the European Parliament and of the Council of 23 June 2022 - the International Procurement Instrument to the Competition (“the IPI”)		
5(iii)	Does an IPI Measure/(s) made pursuant to Regulation (EU) 2022/1031 – the IPI - apply to this Competition? <i>CA Note: The IPI Regulation applies automatically where the Competition is subject to the application of the European Procurement Regulations.</i> <i>CA Note: Where an IPI measure made pursuant to the IPI Regulation is in force and applies to the Competition, complete and issue the IPI Annex with this Questionnaire.</i>	N/A
Application of the Foreign Subsidies Regulation- Regulation 2023/1441 of the European Parliament and of the Council of 10 July 2023 –on foreign subsidies distorting the internal market – the Foreign Subsidies Regulation.		
5(iv)	Does Regulation 2022/2560 (“the FSR”) apply to this Competition? <i>CA Note: The Foreign Subsidies Regulation applies where the value of the contract is €250m or greater, or where the Competition is divided into lots, the value of a lot is €125m or greater.</i> <i>CA Note: Where the FSR applies to the Competition, complete and issue the FSR Annex with this Questionnaire.</i>	N/A

2.3. CONTRACTOR ROLE(S)

The successful Tenderer will be appointed to, or carry out, the roles stated below (as appropriate).

TABLE 6: COMPETITIONS FOR WORKS CONTRACTORS		
Ref	Role	Requirement
6(i)	Works Contractor	The successful Tenderer WILL BE appointed the Contractor on the project for the purpose of the Construction Regulations (and the Builder for the purposes of BC(A)R, where BC(A)R applies).

Section 2: PROJECT PARTICULARS

		Note Tenderers must always complete H&S Supplement 3.4.1.
6(ii)	PSCS	The successful Tenderer WILL BE appointed as the PSCS on the project in accordance with the Construction Regulations. Where the response is “will be”, Tenderers must also complete H&S Supplement 3.4.2.

2.4. PROJECT CATEGORY¹⁰

TABLE 7: PROJECT CATEGORY	
Project categorisation for assessment of Works Contractor.	Type 2

2.5. HEALTH AND SAFETY

The successful Tenderer will be required to comply with the Safety, Health and Welfare at Work Act 2005 and any subsequent Safety, Health and Welfare legislation including the requirement to have a Safety Statement. The successful Tenderer will also be required to comply with the Construction Regulations, particularly in relation to the appointment (as applicable) of the Works Contractor, Health and Safety Coordinator, Designer, PSCS, and the PSDP.

TABLE 8: Areas of work involving particular risks known to Contracting Authority at issue of Questionnaire:
Working at height Risk of burial under earth falls Working in or near water (risk of drowning) Working which put persons at risk from chemical or biological damage Manoeuvring plant and equipment on a confined site Risk of Explosion and/or Drowning from Hitting High-Pressure Underground Watermains or Foul Sewers Work Involving the Assembly or Dismantling of Heavy Prefabricated Components

2.6. SPECIALISTS NAMED BY THE EMPLOYER (PW-CF1, PW-CF3, PW-CF5 only)**2.6.1. NOVATED SPECIALISTS**

CA Note: Where the Competition is to appoint a Works Contractor, in Table 9 below, give a brief description and percentage cost of the specialist areas for which you intend to novate a Specialist contract to the Works Contractor.

¹⁰ The Contracting Authority must select the category of project, in general:

- Type 1 project has a value < €1,000,000 (Excluding VAT);
- Type 2 project has a value €1,000,000 to €10,000,000 (Excluding VAT); or
- Type 3 project has a value > 10,000,000 (Excluding VAT).

Notwithstanding the above, considerations in relation to the H&S risk must also be taken into account in deciding on the project type. If there is a high H&S risk the category may need to be higher than that indicated by the project value. The category of project chosen then governs decisions to be made about selection criteria and requirements in section 3 of this Questionnaire.

TABLE 9: NOVATED SPECIALIST CONTRACT AREA(S)	% of total project costs
N/A	Click or tap here to enter text.

2.7. OTHER WORKS

CA Note: List in Table 10 other works intended to be carried out by independent contractors who will be working on the site at the same time as the Works Contractor.

The following works will be undertaken on the Site by independent contractors at the same time as the works that are the subject of this Competition.

TABLE 10: DESCRIPTION OF OTHER WORKS
N/A

2.8. ADDITIONAL TENDERER INFORMATION

TABLE 11: OTHER INFORMATION REQUIRED
Click or tap here to enter text.

3. SUITABILITY ASSESSMENT QUESTIONNAIRE

CA Note: Select the Qualification Criteria/Requirement that apply for the Competition the Response required and the Evaluation that will apply in the summary Table 15 below by selecting from the drop down options in each column. Ensure these match the options under each individual Qualification Criteria selected in sections 3.2, 3.3 and 3.4, H&S Supplements 3.4.1 and 3.4.2 (where applicable). Where a Requirement/ Criterion is not an Qualification Criterion in this competition, select “No” in the headed column entitled “Qualification/ Criterion”, and in the column “Response”, select “N/A” in the drop down fields.

TABLE 11: CONTRACTING AUTHORITY’S ASSESSMENT SCHEME SUMMARY				
No. ¹¹	Requirement/Criterion	Qualification Criterion	Response Type	Evaluation
3.1	(NOT USED ¹²)			
3.2	PROFESSIONAL OR TRADE REGISTER	Yes	Declaration Required	Pass/Fail
3.3	FINANCIAL & ECONOMIC STANDING CRITERIA			
3.3a	Evidence of Turnover	Yes	Declaration Required	Pass/Fail
3.3b	Balance sheet or Extracts from a Balance Sheet	Yes	Declaration Required	Pass/Fail
3.3c	Banker’s Letter	Yes	Declaration Required	Pass/Fail
3.3d	Financial Statements or Extracts From Financial Statements	Yes	Declaration Required	Pass/Fail
3.3e	Professional Indemnity Insurance	Yes	Declaration Required	Pass/Fail
3.3f	Public Liability Insurance	Yes	Declaration Required	Pass/Fail
3.3g	Employer’s Liability Insurance	Yes	Declaration Required	Pass/Fail
3.3h	Performance Bond	Yes	Declaration Required	Pass/Fail
3.4	TECHNICAL CAPABILITY CRITERIA (Contractor Technical Competency)			
3.4a	Educational and Professional Qualifications (Managerial)	Yes	Evidence Required	Pass/Fail
3.4b	Educational and Professional Qualifications (Personnel)	Yes	Evidence Required	Pass/Fail
3.4c	List Works carried out over the Past 5 Years	Yes	Evidence Required	Pass/Fail
3.4d	List Technicians or Technical Bodies involved especially	Yes	Declaration Required	Pass/Fail

¹¹ The numbers in this column reference the subsection numbers of the criteria in this Questionnaire.

¹² For the requirements in relation to Regulation 57 of SI 284/2016 (Exclusion Grounds) in relation to the competition, refer to the Particulars Part 2.2.

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TABLE 11: CONTRACTING AUTHORITY'S ASSESSMENT SCHEME SUMMARY				
No. ¹¹	Requirement/Criterion	Qualification Criterion	Response Type	Evaluation
	those responsible for Quality Control and those whom the contractor can call on in order to carry out work			
3.4e	A statement of the Average Annual Numbers of Persons Employed by the Contractor and those in a Managerial Position over the Past 3 Years	Yes	Declaration Required	Pass/Fail
3.4f	A statement of the Technical Equipment Available	Yes	Declaration Required	Pass/Fail
3.4g	Environmental Management Measures	Yes	Evidence Required	Pass/Fail
3.4h	Supply Chain Management & Tracking Systems	Yes	Declaration Required	Pass/Fail

TABLE 12: H&S 3.4.1 SUPPLEMENT: HEALTH AND SAFETY COMPETENCE OF A CONTRACTOR				
No.	Requirement/Criterion	Qualification Criterion	Response Type	Type of Evaluation
3.4.1	TECHNICAL CAPABILITY CRITERIA in SUPPLEMENT 3.4.1 (Health and Safety competence of Contractor)			
3.4.1a	(HS) Educational and Professional Qualifications (Management)	Yes	Declaration Required	Pass/Fail
3.4.1b	(HS) Educational and Professional Qualifications (Personnel)	Yes	Declaration Required	Pass/Fail
3.4.1c	(HS) List Works carried out over the Past 5 Years	Yes	Evidence Required	Pass/Fail
3.4.1d	(HS) Measures for Ensuring Quality	Yes	Evidence Required	Pass/Fail
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 Past 3 Years	Yes	Evidence Required	Pass/Fail

Section 3: Suitability Assessment Questionnaire

TABLE 13: H&S SUPPLEMENT 3.4.2: HEALTH AND SAFETY COMPETENCE OF A PSCS				
<i>CA Note: Complete the Table 17 ONLY where the Particulars state that the role of PSCS is required, otherwise select N/A in the drop-down fields below</i>				
No.	Requirement/Criterion	Qualification Criterion	Response Type	Type of Evaluation
3.4.2	TECHNICAL CAPABILITY CRITERIA in SUPPLEMENT 3.4.2 (Health and Safety competence of Project Supervisor for the Construction Stage) (where required in Section 1.3)			
3.4.2a	(HS) Educational and Professional Qualifications (Management)	Yes	Declaration Required	Pass/Fail
3.4.2b	(HS) Educational and Professional Qualifications (Personnel)	Yes	Declaration Required	Pass/Fail
3.4.2c	(HS) List of Technical Services provided for Works over the Past 3 Years	Yes	Submit on Request	Pass/Fail
3.4.2d	(HS) Measures for Ensuring Quality	Yes	Evidence Required	Pass/Fail
3.4.2e	(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	Yes	Declaration Required	Pass/Fail

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3.1. (NOT USED)¹³**3.2. ENROLMENT ON PROFESSIONAL OR TRADE REGISTER**

Qualification Criterion: YES	Response Type: EVIDENCE REQUIRED	Type of Evaluation: PASS/FAIL
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Tenderers must be enrolled on a professional or trade registers in accordance with Annex XI of Directive 2014/24/EU and meet the supplemental requirements (if any) as identified by the Contracting Authority below.

The evidence required to pass this criterion is proof of enrolment on a relevant professional or trade register in accordance with in accordance with Article 80 of Directive 2014/25/EU (and Regulation 85 of the European Union (Award of Contracts by Utility Undertakings) Regulations 2016 and Article 58 of Directive 2014/24/EU (and Regulation 58 of the European Union (Award of Public Authority Contracts) Regulations 2016) and the supplemental requirements (if any) as identified by the Contracting Authority below.

CA SUPPLEMENTARY REQUIREMENTS: [Click or tap here to enter text.](#)

3.3. ECONOMIC AND FINANCIAL STANDING SELECTION CRITERIA

Information in this Section 3.3 must be provided by the Tenderer, or, where the Tenderer a Joint Venture, Consortium or Partnership, each member of the Tenderer. If the Tenderer (or any member of the Tenderer) is relying on a separate entity (including but not limited to a parent company) for the purposes of meeting the requirements of this criterion 3.3 (and the sub-criteria therein), information in this Section 3.3 must be provided by the entity being relied upon in respect of the sub-criterion for which reliance is required.

3.3a EVIDENCE OF TURNOVER

Provide evidence in relation to the main works of certified turnover for the 3 previous financial years. Supply also Overall Turnover to include other areas of business. Initially the declaration at Appendix D should be provided with the tender subm

Qualification Criterion: YES	Response Type: DECLARATION REQUIRED	Type of Evaluation: PASS/FAIL
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The evidence required to pass this criterion is statements of yearly turnover for the 3 most recently completed financial years which demonstrate that the Tenderer meets or exceeds the Turnover Requirement set out below. If the date of establishment of the Tenderer means the Tenderer cannot provide yearly turnover for 3 years, the Tenderer must submit statements of yearly turnover for each year the Tenderer (or member of the Tenderer, or entity being relied upon) has been established to demonstrate they have the necessary financial standing. Tenderers may be required to demonstrate the

¹³ For the requirements in relation to Regulation 57 of SI 284/2016 (Exclusion Grounds) , refer to Section 2.2 of the Particulars and Section 1.5.

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basis for the statements provided in order to allow the Contracting Authority to verify accuracy. If, for a reason deemed valid by the Contracting Authority, the evidence sought cannot be provided then alternative evidence which is considered appropriate by the Contracting Authority may be provided.

Turnover Requirement

Area of Business/Work:	Minimum Average Yearly Turnover arising from the area of work specified:
Civil Engineering ¹⁴	€ 2,000,000

CA SUPPLEMENTARY REQUIREMENTS: Combined total turnover for all members of a consortium must meet the minimum turnover. If only one member has the skills, resources and experience for the work, that member must have an average turnover that demonstrates financial capacity for the work

Where the Tenderer is a Consortium or Joint Venture the aggregated turnover for all members of the Tenderer must meet the Turnover Requirements set out above. The Contracting Authority may specify minimum yearly turnover requirements for any person(s)¹⁵ who are providing certain roles which must be met for the Tenderer to avoid elimination. The relevant minimum requirements are as follows:

CA SUPPLEMENTARY REQUIREMENTS in relation to Consortia etc: The evidence should be in accordance with the requirements identified here (or if for any valid reason this evidence cannot be provided then alternative evidence which is considered appropriate by the Contracting Authority may be provided).

3.3b BALANCE SHEET OR EXTRACTS FROM A BALANCE SHEET

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

The evidence required to pass this criterion should meet the requirements identified below (or if for any valid reason this evidence cannot be provided then alternative evidence which is considered appropriate by the Contracting Authority may be provided).

CA REQUIREMENTS: Provide balance sheets or extracts from balance sheets for the 3 previous financial years

3.3c BANKER'S LETTER

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

¹⁴ Delete as appropriate.

¹⁵ E.g. any member(s) of the Consortium or Joint Venture or Partnership or any entity (or entities) being relied upon for the relevant skills, resources and experience.

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The evidence required to pass this criterion is a letter " " from the Tenderer's current principal banker dated within the past 3 months stating the duration of the relationship, that, to the best of its knowledge, this is the Tenderer's principal account and it is currently in good standing.

3.3d FINANCIAL STATEMENTS OR EXTRACTS FROM FINANCIAL STATEMENTS

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

The evidence required to pass this criterion should be in accordance with the requirements identified below (or, if for any valid reason this evidence cannot be provided then alternative evidence which is considered appropriate by the Contracting Authority may be provided).

CA REQUIREMENTS [Click or tap here to enter text.](#)

3.3e PROFESSIONAL INDEMNITY INSURANCE

Before appointment, the successful tenderer will be required to produce evidence from their Broker or Insurance Company confirming that the tenderer has current professional indemnity insurance cover in the required amount complying with the conditions and that it will be maintained for six years after completion of the construction works. (If for any valid reason this evidence cannot be provided then alternative evidence that is considered appropriate by the Contracting Authority may be provided). Initially the declaration at Appendix D should be provided with the tender submission

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

Prior to appointment (where there is a requirement to provide professional indemnity insurance "PII"), the successful Tenderer will be required to produce evidence in the form set out at (i) or (ii) below and that it will be maintained for 6 years after completion of the Works.

(If for any valid reason this evidence cannot be provided then alternative evidence that is considered appropriate by the Contracting Authority may be provided).

The professional insurance indemnity requirements are as follows:

The level of cover as stated here:

Minimum level of Professional Indemnity Insurance required for Works Contractor	€ 1,500,000 ¹⁶
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The excess as stated here:

¹⁶ Refer to GN 1.1.2 - If no minimum is specified, €1.5m (one million and five hundred thousand Euros) applies.

Section 3: Suitability Assessment Questionnaire

Maximum permissible excess on Professional Indemnity Insurance in any one claim below which the Works Contractor will bear the cost is the greater amount of 2% of the Tenderer's annual turnover, or €5,000.

Cover provided on an annual aggregate claim basis¹⁷;

The jurisdiction in which claims can be lodged and settled includes IRELAND.

CA SUPPLEMENTARY REQUIREMENTS [Click or tap here to enter text.](#)

Entitles issuing PII insurance cover must have been granted an authorisation as an insurance undertaking by the Central Bank of Ireland to provide Non-Life Insurance Class 13 General Liability cover. Entities providing insurance intermediary services must be either authorised by the Central Bank of Ireland, or registered in a Member State other than Ireland for the purposes of Directive 2009/138/EC.

The evidence required to pass this criterion may be either:

- (i) evidence that professional indemnity insurance meeting the requirements set out above is in place. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary; or,
- (ii) a signed letter in the form of Letter of Undertaking re Insurance provided in Appendix 1 to this Part 1, which may be provided where the Tenderer does not have professional indemnity insurance or does not have professional indemnity insurance meeting the professional indemnity insurance requirements set out above.

3.3f PUBLIC LIABILITY INSURANCE

Requirement:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

Before appointment, the successful Tenderer will be required to produce evidence in the form of (i) or (ii) below confirming that the successful Tenderer has current Public Liability insurance cover complying with the requirement(s) set out below.

Public Liability Insurance Requirements

Minimum level of Public Liability Insurance required in respect of any one accident:	€ 6,500,000 ¹⁸
Maximum level of excess for property only* for any one incident below which the Works Contractor will bear the cost:	€ 10,000

***No excess is permitted in respect of death, injury or illness.**

Entitles issuing public liability insurance cover must have been granted an authorisation as an insurance undertaking by the Central Bank of Ireland to provide Non-Life Insurance Class 13 General Liability cover. Entities providing insurance intermediary services must be either authorised by the Central Bank of Ireland; or registered in a Member State other than Ireland for the purposes of Directive 2009/138/EC.

CA SUPPLEMENTARY REQUIREMENTS [Click or tap here to enter text.](#)

¹⁷ Where a Tenderer can obtain cover on an 'any one claim' basis this should be considered as equivalent providing it meets the other listed requirements.

¹⁸ If no value entered it shall read as €6,500,000 (six million five hundred thousand euro).

Section 3: Suitability Assessment Questionnaire

The evidence required to pass this criterion may be either:

- (i) evidence that public liability insurance cover meeting the requirements above is in place. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary; or
- (ii) a signed letter in the form of the Letter of Undertaking re Insurances provided in Appendix 1 to this Part 1, which may be provided where the Tenderer does not have public liability insurance or does not have public liability insurance meeting the requirements set out above.

3.3g EMPLOYER'S LIABILITY INSURANCE

Requirement:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

Before appointment, the successful Tenderer will be required to produce evidence in the form of (i) or (ii) below confirming that the successful Tenderer has current Employer's Liability insurance cover complying with the requirement(s) set out below.

Employer's Liability Insurance Requirements

Minimum level of Employer's Liability Insurance required in respect of any one accident:	€ 13,000,000 ¹⁹
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Entities issuing employer's liability insurance cover must have been granted an authorisation as an insurance undertaking by the Central Bank of Ireland to provide Non-Life Insurance Class 13 General Liability cover. Entities providing insurance intermediary services must be either authorised by the Central Bank of Ireland; or registered in a Member State other than Ireland for the purposes of Directive 2009/138/EC.

CA SUPPLEMENTARY REQUIREMENTS [Click or tap here to enter text.](#)

The evidence required to pass this criterion may be either:

- (i) evidence that employer's liability insurance cover meeting the requirements above is in place. Such evidence may be provided by the relevant insurance undertaking itself or by an insurance intermediary; or
- (ii) a signed letter in the form of Letter of Undertaking re Insurance provided in Appendix 1 to this Part 1, which may be provided where the Tenderer does not have employer's liability insurance or does not have employer's liability insurance meeting the requirements set out above.

3.3h PERFORMANCE BOND

Requirement:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

¹⁹ If no value entered it shall read €13,000,000 (thirteen million Euro) – no excess is permitted on Employer's Liability Insurance.

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Before the Starting Date of the Contract (where there is a requirement for a Performance Bond), the Works Contractor is required to give the Contracting Authority a Performance Bond provided by a Surety in accordance with the Works Requirements and the particular requirements set out below.

Performance Bond Requirements

In order to provide a performance bond a Surety must either:

- have been granted an authorisation as an insurance undertaking to provide Non-Life Insurance Class 13 General Liability cover by the Central Bank of Ireland; or
- have been granted an authorisation as a credit institution by the Central Bank of Ireland; or
- have been granted an authorisation as an insurance undertaking or credit institution by a recognized competent EU/EEA financial regulatory authority and be listed on the relevant registers maintained by the Central Bank of Ireland.

The amount of the Performance Bond required (expressed as a percentage of the eventual Contract Sum):	10 % ²⁰
Period after Substantial Completion of the Works Contract at which the Surety is released of their total liability:	15 Months ²¹

CA SUPPLEMENTARY REQUIREMENTS: [Click or tap here to enter text.](#)

The evidence required to pass this criterion is the completed Letter of Undertaking re Bond in Appendix D2 provided by a Surety stating that they are in a position to provide a performance bond to meet the particular requirements set out above.

²⁰ If no value entered it shall read 10% of the eventual Contract Sum.

²¹ If no value entered it shall read 15 months/450 days.

Section 3: Suitability Assessment Questionnaire

3.4. TECHNICAL CAPABILITY CRITERIA²²

In the context of technical capability, the Tenderer should carefully consider the responses in this subsection in relation to the role of Works Contractor that is required for the project as outlined in Section 1.

- Where the role of PSCS is required under section 2.3 of the Project Particulars, Health and Safety Supplement 3.4.2 (HS) must be completed by entity who is proposed to fulfil the role of PSCS (whether that be the the Tenderer, any member of the Tenderer, or an entity being relied upon).
- Where the roles required under Section 2.3 of the Project Particulars include Designer and/or PSDP, separate Specialist Questionnaires must be completed by the entity who is proposed to fulfil the role of Designer and/or PSDP (whether that be the Tenderer, any member of the Tenderer, or an entity being relied upon).

If the Tenderer (or any member of the Tenderer) is relying on a separate entity (including but not limited to a parent company) for the purposes of meeting the requirements of this criterion 3.4 (and the sub-criteria therein), information in this Section 3.4 must be provided by the entity being relied upon in respect of the sub-criterion for which reliance is required.

3.4a EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Management)

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

The evidence required for assessment purposes under this criterion is the educational and professional qualifications (with dates obtained) and experience (on similar projects) of managerial staff, and must include the curricula vitae of the managerial staff and the organisational structure in accordance with the requirements (if any) identified below. Where a Tenderer is a Consortium, or where entities are being relied upon for the purposes of meeting this criterion, the organisational structure must clearly demonstrate the principal roles and responsibilities for each member of the Tenderer/entity relied upon (as may be applicable).

CA SUPPLEMENTARY REQUIREMENTS:

The Tenderer shall provide 1 No. CV only for each of the following Key Members of their Management Structure:

- Project Director
- Full-time Health & Safety Officer.

No other CVs will be considered unless the proposed Health and Safety Co-ordinator (see below) is different to the Full-time Health and Safety Officer. In such cases the Tenderer shall submit details of the Health and Safety Co-ordinator and provide evidence of the minimum requirement relating to the Health and Safety Co-ordinator being met.

The Project Director shall have:

- A recognised Level 8 (or greater) Degree in Engineering on the National Qualifications Framework or equivalent professional qualification.
- At least 15 years experience in the construction of civil engineering works.

²² Article 80 of Directive 2014/25/EU (and Regulation 85 of The European Union (Award of Contracts By Utility Undertakings) Regulations 2016) or Article 58 Of Directive 2014/24/EU (and Regulation 58 Of European Union (Award of Public Authority Contracts) Regulations 2016).

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Full-time Health & Safety Officer

The minimum educational and professional qualifications of the Full-time Health & Safety Officer who shall be responsible on behalf of the Tenderer for the overall health and safety on the project and to undertake the role of Health & Safety Co-ordinator for the Construction Stage to assist in undertaking the duties of the PSCS specified in the Safety Health and Welfare at Work (Construction) Regulations 2013 shall be as follows:

- ii(a) A professional qualification in health and safety accredited by the Institution of Occupational Safety and Health (IOSH) and/or Quality and Qualifications Ireland and,
- ii(b) At least 5 years dedicated health and safety experience in civil engineering works projects of a similar size, nature and complexity as the Works required for this project including a minimum of 2 years fulfilling the PSCS role for projects of a similar size, nature and complexity as the Works required for this project.

The person acting on behalf of the Tenderer undertaking the role of Health & Safety Co-ordinator shall as a minimum requirement have undertaken the role(s) previously in civil engineering works projects of greater than €500,000 (excluding VAT) and shall be able to demonstrate their competence through training and experience

TENDERER NOTE:

Where the response type above is “Evidence Required” and, where applicable;

- the response type to sub-criteria 3.4.1a(HS) is “Evidence Required”, and/or
- the response type to sub-criteria 3.4.2a(HS) is “Evidence Required”, and/or
- the response type to sub-criteria 3.4.3a(HS) is “Evidence Required”;

the Tenderer **may** include the evidence required for the (HS) sub-criteria stated above, with the evidence required above. Where the Tenderer includes evidence in relation to sub-criteria 3.4.1a(HS) and/or 3.4.2a(HS) and/or 3.4.3a(HS) with the evidence required above, the Tenderer must clearly identify the relevant sub-criterion to which the evidence relates.

3.4b EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Personnel)

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

The evidence required for assessment purposes under this criterion is the educational and professional qualifications (with the dates obtained) of the Tenderer’s personnel proposed for the project team, including the curricula vitae of the personnel meeting the specific requirements (if any) identified below.

CA SUPPLEMENTARY REQUIREMENTS

The minimum educational and professional qualification of the Contractor’s Representative responsible for and exclusively assigned to lead the execution and completion of the Works shall be as follows:

- (i) A recognised Level 8 (or greater) Degree in Engineering on the National Qualifications Framework or equivalent professional qualification; and
- (ii) At least 10 years’ experience in the construction of civil engineering works.
- (iii) Responsible for civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the value of works to a single structure within an overall scheme is in excess of €400,000. The minimum experience is 2 schemes involving steel sheet pile works.
- (iv) Responsible for civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the provision of concrete pressure grouting and stabilisation works were required. The minimum experience is 2 schemes involving concrete pressure

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grouting works.

(v) Responsible for civil engineering construction works in a marine environment where the value of the overall scheme is in excess of €500,000. The minimum experience is 1 scheme in a marine environment.

The Tenderer shall supply a minimum of 1 CV for the role of Contractor's Representative that meets the criteria above. Where more than 1 CV is provided, each CV must meet the above minimum criteria.

The minimum qualifications of the persons responsible for the full-time supervision of the works on site (Contractor's Supervisor) shall be:

(i) A recognised Level 8 (or greater) Degree in Engineering on the National Qualifications Framework or equivalent professional qualification; and

(ii) At least 5 years' experience in the construction of civil engineering works

(iii) Responsible civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the value of works to a single structure within an overall scheme is in excess of €300,000. The minimum experience is 2 schemes involving steel sheet pile works.

(iv) Responsible for civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the provision of concrete pressure grouting and stabilisation works were required. The minimum experience is 2 schemes involving concrete pressure grouting works.

(v) Responsible for civil engineering works in a marine environment where the value of the overall scheme is in excess of €500,000. The minimum experience is 1 scheme in a marine environment.

The Tenderer shall supply a minimum of 1 CV for the role of Contractor's Supervisor that meet the criteria above. Where more than 1 CV is provided, each CV must meet the above minimum criteria.

TENDERER NOTE:

Where response type above is "Evidence Required" and, where applicable;

- the response type to sub-criteria 3.4.1b (HS) is "Evidence Required", and/or
- the response type to sub-criteria 3.4.2b (HS) is "Evidence Required", and/or
- the response type to sub-criteria 3.4.3c (HS) is "Evidence Required",

the Tenderer may include the evidence required for the (HS) sub-criteria stated above, with the evidence required above. Where the Tenderer includes evidence in relation to 3.4.1b (HS) and/or 3.4.2b (HS) and/or 3.4.3c (HS) with the evidence required above, Tenderers must clearly identify the relevant sub-criterion to which the evidence relates.

3.4c LIST OF WORKS CARRIED OUT OVER THE PAST 5 YEARS

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

CA Note: A Contracting Authority may only require Tenderers to submit a list of works projects provided over a maximum period of the past 5 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 7 year period.

The period specified in the sub-criterion title above is the period within which the Tenderer may submit evidence of the works contracts it has delivered; it is not mandatory that projects be evidenced for the whole period. If a Tenderer cannot provide evidence for the entire period (e.g. a Tenderer has not been trading for the whole period) this will not be used as a reason to reject its application.

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The evidence required for assessment purposes is details of works projects that the Tenderer (or an a member of the Tenderer or the entity being relied upon who is proposed in respect of the carrying out of the relevant works if the Tenderer is successful) has completed over the period stated above 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 evidence requested is not necessarily for projects that are identical to the project that is the subject of this Questionnaire). Supplementary requirements (if any) will be stated by the Contracting Authority below.

A list of work projects must be provided by completing Appendix B1 (List of Previous Projects) meeting the requirements above and any supplemental requirements set out below (if any). The references required in relation to these projects must be provided by completing Appendix B2 Certificate of Satisfactory Execution (Works).

CA SUPPLEMENTARY REQUIREMENTS

The minimum experience of the Tenderer shall be:

- 1 Experience of construction of new permanent steel sheet pile walls including all activities related to their installation and construction, in an ecologically sensitive riverine environment and in close proximity to existing buildings. The value of the works to a single structure should be greater than €400,000. The minimum is 2 schemes.
- 2 Experience of concrete pressure grouting and stabilisation works in an ecologically sensitive riverine environment and in close proximity to existing buildings. The value of the works to a contract containing this work should be greater than €100,000. The minimum is 2 schemes.
- 3 Experience of civil engineering works in a marine environment. The minimum is 2 civil engineering schemes.
- 4 Experience of civil engineering works in an environmentally sensitive watercourse requiring water management. The minimum is 2 civil engineering schemes.

The same schemes may be included as evidence for any or all of the criteria 1 to 4 above and this should be identified in the form provided at Appendix B1. These forms are NOT required to be signed by the relevant contracting authority at this time, although full contact details will be required so that reference may be sought and verified.

TENDERER NOTE:

Where the response type above is “Evidence Required” and, where applicable;

- the response type to sub-criteria 3.4.1c (HS) is “Evidence Required”; and/or
- the response type to sub-criteria 3.4.3c (HS) is “Evidence Required”;

the Tenderer may include evidence for those HS sub-criteria stated above with the evidence required above.

Where the Tenderer includes evidence in relation to 3.4.1c (HS) and/or 3.4.3c (HS) with the evidence required above, Tenderers must clearly identify the relevant sub-criterion to which the evidence relates.

Note that it is NOT PERMITTED to include evidence required for sub-criterion 3.4.2 c(HS) with the evidence required above.

3.4d LIST OF TECHNICIANS OR TECHNICAL BODIES INVOLVED ESPECIALLY THOSE RESPONSIBLE FOR QUALITY CONTROL AND THOSE WHOM THE CONTRACTOR CAN CALL ON IN ORDER TO CARRY OUT WORK

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

Section 3: Suitability Assessment Questionnaire

The evidence required to pass this criterion is a list of the relevant technicians or technical bodies (other than in-house specialists, or Specialists proposed for those specialist areas listed at subsection 2.6 (if any)) upon whom the Tenderer can call in order to carry out the work, or whom the Tenderer can use in regard to quality control²³, particularly in the context of ensuring quality both in the administration of a project and the delivery of a high quality end product.

CA SUPPLEMENTARY REQUIREMENTS

The minimum standard is the provision of evidence of the Tenderer's Quality Assurance and Quality Control Systems that are adequate for undertaking the Works required for this project

TENDERER NOTE:

It is NOT PERMITTED to include evidence required for 3.4.1d (HS), 3.4.2d (HS) or 3.4.3d (HS) with the evidence required above.

3.4e A STATEMENT OF THE AVERAGE ANNUAL NUMBERS OF PERSONS EMPLOYED BY THE CONTRACTOR AND THOSE IN A MANAGERIAL POSITION OVER THE PAST 3 YEARS

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

The evidence required to pass this criterion is details of the average annual manpower and number of managerial staff over the past three years meeting with the requirements (if any) identified below.

CA SUPPLEMENTARY REQUIREMENTS:

The minimum standard shall be submission of evidence confirming that the Applicant has in their employment a minimum of 15 no. technical, supervisory staff and operatives at any one time over the past 3 years.

TENDERER NOTE:

Where the response type above is "Evidence Required" and, where applicable:

- the response type to sub-criterion 3.4.1e (HS) is "Evidence Required"; and/or
- the response type to sub-criterion 3.4.2e (HS) is "Evidence Required"; and/or
- the response type to sub-criterion 3.4.3e (HS) is "Evidence Required";

the Tenderer may include evidence required for those HS sub-criteria stated above with the evidence required above. Where Tenderers include evidence in relation to 3.4.1e (HS) and/or 3.4.2e (HS) and/or 3.4.3e (HS) with the evidence required above, Tenderers must clearly identify the relevant sub-criterion to which the evidence relates.

3.4f A STATEMENT OF THE TECHNICAL EQUIPMENT AVAILABLE

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

²³ (Part 2(b) of Annex XII to Directive 2014/24/EU and Schedule 8 Part II (b) of the European Union (Award of Public Authority Contracts) Regulations 2016)

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The evidence required to pass this criterion is details of the tool, plant or technical equipment available to the Tenderer to carry out the project, including evidence of technical equipment available to the Tenderer Specialists and the requirements (if any) listed below.

CA SUPPLEMENTARY REQUIREMENTS:

If H&S evidence in relation to Works, Design, PSDP, PSCS/HSC is included in the response here it should then be cross-referenced in Supplements 3.4.1f, 3.4.2f, 3.4.3f and 3.4.4f as appropriate: such evidence will be assessed under those sections.

The minimum standard shall be submission of evidence of the availability of adequate technical equipment to undertake the Works required for this project.

The Contractor must ensure they have adequate technical equipment to carry out the works as described in the Contract Documents

TENDERER NOTE:

Where the response type above is “Evidence Required” and, where applicable:

- the response type to sub-criterion 3.4.1f (HS) is “Evidence Required”; and/or
- the response type to sub-criterion 3.4.2f (HS) is “Evidence Required”; and/or
- the response type to sub-criterion 3.4.3f (HS) is “Evidence Required”;

the Tenderer may include evidence required for those HS sub-criteria stated above with the evidence required above. Where Tenderers include evidence in relation to 3.4.1f (HS) and/or 3.4.2f (HS) and/or 3.4.3f (HS) with the evidence required above, Tenderers must clearly identify the relevant sub-criterion to which the evidence relates.

3.4g ENVIRONMENTAL MANAGEMENT MEASURES

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

The evidence required to pass this criterion should be in accordance with the requirements identified below (or, if for any valid reason this evidence cannot be provided then alternative evidence which is considered appropriate by the Contracting Authority may be provided).

CA REQUIREMENT:

The Applicant shall show evidence of a minimum of 1 scheme greater in value than €1,000,000 which contained a Construction Environmental Management Plan (CEMP) in a SAC, SPA or NHA over the past 5 years.

3.4h SUPPLY CHAIN MANAGEMENT AND TRACKING SYSTEMS

Qualification Criterion:	Response Type:	Type of Evaluation:
NO	NOT REQUIRED	N/A

The evidence required to pass this criterion should be in accordance with the requirements identified below (or, if for any valid reason this evidence cannot be provided then alternative evidence which is considered appropriate by the Contracting Authority may be provided).

CA REQUIREMENT: Click or tap here to enter text.

APPENDIX 1

FORMS OF LETTERS OF UNDERTAKING/DECLARATIONS

Appendices

(A): Letter of Undertaking from an entity being relied upon – Refer to Section 1.4

[On letterhead of entity being relied upon]

To: [Name and address of Contracting Authority]

Regarding: [Title of contract]

Date: [Date]

A Dhaoine Uaisle,

We refer to the tender for the above contract submitted by

[Insert name of Tenderer]

We confirm that, if the above contract is awarded to the above-named Tenderer, we will make the capacities relied upon available to the Tenderer. We also confirm that, if the Tenderer is awarded the contract, we will execute a contractual commitment to that effect in the form described in the relevant warranty/guarantee. In particular we confirm that:

- a) where we have been relied upon for financial or economic standing criteria, we confirm we will execute and deliver to you a guarantee in the form of a Reliance Guarantee²⁴; or
- b) where we have been relied upon for technical competency criteria we confirm that we will execute and deliver to you a warranty in the form of a Reliance Warranty²⁵ or Collateral Warranty²⁶ (as required by the Contracting Authority). Where we have been relied upon for educational or professional qualifications, or with regard to relevant professional experience, we confirm that we will perform the works or services to which those qualifications or experiences relate.

Is sinne, le meas

Signed by

Authorised signature of entity
being relied upon

²⁴ Model Form 1.7 Reliance Guarantee

²⁵ Model Form 1.30 Reliance Warranty

²⁶ Model Form 2.3 Collateral Warranty for Specialists or MF 1.12 Collateral Warranty (Specialists)

Appendices

B) Letter from Insurance Undertaking/Insurance Intermediary where evidence is required for sub-criteria 3.3e, 3.3f or 3.3g

To: [Name and address of Tenderer]

Regarding: [Insert contract title]

Date: [Date]

A Dhaoine Uaisle,

We confirm that we are

- a) an insurance undertaking authorised by the Central Bank of Ireland; or
- b) an insurance intermediary authorised by the Central Bank of Ireland; or
- c) an insurance intermediary registered in the EU/EEA for the purposes of Directive 2009/138/EC; and
- d) we meet any other requirements for an insurance undertaking or insurance intermediary set out in the relevant Qualification Criterion relating to the provision of the insurance type stated below.

We confirm we have insurance facilities in place, which would enable us to provide to the above named entity with *(insert insurance type and limit amount as appropriate)*

- Professional indemnity Insurance in the required amount of [●] euros on [annual aggregate/each and every claim basis]
- Public Liability Insurance in the required amount of [●] euros
- Employers Liability Insurance in the required amount of [●] euros

and meeting any other requirements in the relevant Qualification Criteria for insurances²⁷.

Therefore, subject to a satisfactory application, we expect that insurance cover can be issued within 4 weeks of the receipt by us of the relevant application, subject to our normal terms and conditions.

We understand you will be giving a copy of this letter to

[Name of Contracting Authority]

We look forward to receiving an application from you if your tender is successful.

is sinne, le meas

Director

Name of Insurance Undertaking/Insurance Intermediary

²⁷ i.e. criterion 3.3e (Professional Indemnity Insurance), 3.3f (Public Liability Insurance), or 3.3g (Employer's Liability Insurance).

Health and Safety Competence of a Contractor¹

3.4.1 (HS) EVIDENCE OF TECHNICAL CAPABILITY CRITERIA

It is a statutory requirement that the competence and satisfactory allocation of resources of the Contractor are established in compliance with the Safety Health and Welfare at Work (Construction) Regulations 2013. **Applicants² must always complete the relevant sections of this Health and Safety Supplement 3.4.1.**

The criteria below mirror the structure in Section 3.4 (Technical Capability Criteria) of the Questionnaire for consistency, but should be answered specifically in relation to Health and Safety competence in the Contractor role.

The level of information required is stated under the relevant criterion and is based on the category of project identified at Section 2.4 of the Particulars (i.e. Type 1/Type 2/Type 3) in the Questionnaire.

All health and safety selection criteria are pass/fail criteria only. The Applicant must meet the relevant minimum standard stated under each Qualification Criterion.

3.4.1a (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Management)

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

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

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.

The Tenderer shall provide 1 No. CV only for each of the following Key Members of their Management Structure:

(i) Project Director

¹ Select as appropriate

² When used with QW2, the term "Tenderer" shall be read in place of "Applicant", or where used with QW3a, the term "Specialist" or "Specialist with Design Input" shall be read in place of "Applicant".

(ii) Full-time Health & Safety Officer.

No other CVs will be considered unless the proposed Health and Safety Co-ordinator (see below) is different to the Full-time Health and Safety Officer. In such cases the Tenderer shall submit details of the Health and Safety Co-ordinator and provide evidence of the minimum requirement relating to the Health and Safety Co-ordinator being met.

The Project Director shall have:

i(a) A recognised Level 8 (or greater) Degree in Engineering on the National Qualifications Framework or equivalent professional qualification.

i(b) At least 15 years experience in the construction of civil engineering works.

Full-time Health & Safety Officer

The minimum educational and professional qualifications of the Full-time Health & Safety Officer who shall be responsible on behalf of the Tenderer for the overall health and safety on the project and to undertake the role of Health & Safety Co-ordinator for the Construction Stage to assist in undertaking the duties of the PSCS specified in the Safety Health and Welfare at Work (Construction) Regulations 2013 shall be as follows:

ii(a) A professional qualification in health and safety accredited by the Institution of Occupational Safety and Health (IOSH) and/or Quality and Qualifications Ireland and,

ii(b) At least 5 years dedicated health and safety experience in civil engineering works projects of a similar size, nature and complexity as the Works required for this project including a minimum of 2 years fulfilling the PSCS role for projects of a similar size, nature and complexity as the Works required for this project.

The person acting on behalf of the Tenderer undertaking the role of Health & Safety Co-ordinator shall as a minimum requirement have undertaken the role(s) previously in civil engineering works projects of greater than €500,000 (excluding VAT) and shall be able to demonstrate their competence through training and experience.

Failure to demonstrate all of the above capabilities will result in the tenderer being excluded from further consideration. It is a condition of the award of the contract that the tenderer proves to the satisfaction of the Contracting Authority that the individuals named at Suitability Assessment Questionnaire Section 3.4a will be available for the performance of the contract throughout the term of the contract. Changes to individuals named in 3.4a at the time of tender which occur during the term of the contract may be permitted at the Contracting Authority's discretion following prior written notification of the change to the Contracting Authority and receipt of the Contracting Authority's written authorisation of the change. In making a determination under this heading the Contracting Authority will take into account the tenderer's commitments in relation to other relevant contracts.

APPLICANT NOTE:

Where response type above is marked "Evidence Required"; and the response type to sub-criterion 3.4a is also "Evidence Required", the Applicant **may** include the evidence required above with the

evidence required for sub-criterion 3.4a. Where an Applicant includes evidence for this sub-criterion with the evidence required for sub-criterion 3.4a, the Applicant must clearly identify the relevant sub-criterion to which the evidence relates.

3.4.1b (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Personnel)

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

CA Note: for projects indicated as Type 1 in section 1.4 of the Particulars in the SAQ delete the text in the form fields at paragraphs 1 and 2 below.

1. The Minimum Standard required to pass this criterion is evidence of personnel with appropriate educational and professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the Works.
2. 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.

The minimum educational and professional qualification of the Contractor's Representative responsible for and exclusively assigned to lead the execution and completion of the Works shall be as follows:

- (i) A recognised Level 8 (or greater) Degree in Engineering on the National Qualifications Framework or equivalent professional qualification; and
- (ii) At least 10 years' experience in the construction of civil engineering works.
- (iii) Responsible for civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the value of works to a single structure within an overall scheme is in excess of €400,000. The minimum experience is 2 schemes involving steel sheet pile works.
- (iv) Responsible for civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the provision of concrete pressure grouting and stabilisation works were required. The minimum experience is 2 schemes involving concrete pressure grouting works.
- (v) Responsible for civil engineering construction works in a marine environment where the value of the overall scheme is in excess of €500,000. The minimum experience is 1 scheme in a marine environment.
- (vi) A qualification in health and safety such as CIF IOSH Safety for Construction Manager Programme or similar approved.

The Tenderer shall supply a minimum of 1 CV for the role of Contractor's Representative that meets the criteria above. Where more than 1 CV is provided, each CV must meet the above minimum criteria.

The minimum qualifications of the persons responsible for the full-time supervision of the works on site (Contractor's Supervisor) shall be:

- (i) A recognised Level 8 (or greater) Degree in Engineering on the National Qualifications Framework or equivalent professional qualification; and
- (ii) At least 5 years' experience in the construction of civil engineering works
- (iii) Responsible civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the value of works to a single structure within an overall scheme is in excess of €300,000. The minimum experience is 2 schemes involving steel sheet pile works.
- (iv) Responsible for civil engineering construction works in an ecologically sensitive riverine environment and in close proximity to existing buildings, where the provision of concrete pressure grouting and stabilisation works were required. The minimum experience is 2 schemes involving concrete pressure grouting works.
- (v) Responsible for civil engineering works in a marine environment where the value of the overall scheme is in excess of €500,000. The minimum experience is 1 scheme in a marine environment.
- (vi) A qualification in health and safety such as CIF IOSH Safety for Construction Manager Programme or similar approved.

The Tenderer shall supply a minimum of 1 CV for the role of Contractor's Supervisor that meet the criteria above. Where more than 1 CV is provided, each CV must meet the above minimum criteria.

Failure to demonstrate all of the above capabilities will result in the tenderer being excluded from further consideration. It is a condition of the award of the contract that the tenderer proves to the satisfaction of the Contracting Authority that the individuals named at Suitability Assessment Questionnaire Section 3.4b will be available for the performance of the contract throughout the term of the contract. Changes to individuals named in 3.4b at the time of tender which occur during the term of the contract may be permitted at the Contracting Authority's discretion following prior written notification of the change to the Contracting Authority and receipt of the Contracting Authority's written authorisation of the change. In making a determination under this heading the Contracting Authority will take into account the tenderer's commitments in relation to other relevant contracts.

APPLICANT NOTE:

Where the response type above is "Evidence Required" and the response to sub-criterion 3.4b is also "Evidence Required", an Applicant may include the evidence required above with the evidence required for 3.4b. Where the Applicant includes the evidence required above with the evidence required for criterion 3.4b, the Applicant must clearly identify the relevant sub-criterion to which the evidence relates.

3.4.1c (HS) LIST OF WORKS CARRIED OUT OVER THE PAST 5 YEARS

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

The Minimum Standard required to pass this criterion is evidence in the form specified below of the Health and Safety aspects of works previously undertaken by the Applicant.

A Contracting Authority may only require Applicants to submit a list of works projects provided over a maximum period of the past 5 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 7 year period. The period specified in the sub-criterion title above is the period within which the Applicant may submit evidence of the 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 works that the Applicant has completed over the period stated above on projects that are similar in nature and complexity to the Works that are subject of this Competition. 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 by completing Appendix B1 List of Previous Projects for which there are certificates of Satisfactory Execution. The Certificates of Satisfactory Execution required in relation to these projects must be provided by completing Appendix B2 Certificate of Satisfactory Execution. Supplementary requirements (if any) will be stated by the Contracting Authority below.

Additional Minimum Requirements:

1. Evidence of the Health and Safety aspects of works previously undertaken by the Applicant shall be set out in the standard form at Appendix B1 and B2. The Applicant shall submit at least three reference projects where the Applicant has acted as Main Contractor responsible for Health and Safety. The projects submitted shall have reached Substantial Completion within the last 5 years.
2. A Safety and Health Plan from a previous construction project of similar scale and complexity with a construction value at tender award of a minimum of €1,000,000 (ex VAT).
3. The Applicant shall demonstrate how health and Safety management was implemented on the project referred to in 2 above by submitting a written statement which shall be a maximum of 1 A4 page.

Failure to demonstrate all of the above capabilities will result in the tenderer being excluded from further consideration

APPLICANT NOTE:

HEALTH & SAFETY SUPPLEMENT 3.4.1 (Contractor/Reserved Specialist/Reserved Specialist with Design Input/Applicant Works Specialist/Applicant Works Specialist with Design Input)

Where response type above is marked “Evidence Required” and the response to sub-criteria 3.4c is also marked “Evidence Required” the Applicant may include the evidence required above with the evidence required for sub-criteria 3.4c. Where an Applicant includes evidence for this criterion with the evidence required for this criterion 3.4c, the Applicant must clearly identify the relevant criterion to which the evidence relates.

3.4.1d (HS) MEASURES FOR ENSURING QUALITY

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

The Minimum Standard required is adequate knowledge, training and resources to carry out the duties of Contractor 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 3.4.1a (HS) to 3.4.1e (HS) may be taken into account in response to this criterion.

The evidence required to pass this criterion is details of the 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 regards to quality control. Applicants must also provide evidence of a safety management system.

Where the response type above is “DECLARATION REQUIRED” the Applicant declares that it meets the requirements set out above and in Appendix 1 to this Supplement.

Evidence in support of the declarations in Appendix 1 and any requirements set out above must be provided when requested by the Contracting Authority. In place of documentary evidence, Applicants may provide third party certification that their safety management system is in accordance with ISO 45001:2018 or equivalent. Certified membership of Safe-T-Cert may be deemed equivalent for the purposes of this criterion.

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

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

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 involved in Health and Safety in relation to Works.

The minimum standard shall be submission of evidence confirming that the Applicant has in their employment a minimum of 5 no. technical, supervisory staff and operatives at any one time over the past 3 years.

APPLICANT NOTE:

Where the response type above is “Evidence Required” and the response to criterion 3.4e is “Evidence Required”, the Applicant **may** include the evidence required above with the evidence required for sub-criterion 3.4e. Where an Applicant includes the evidence required above with the evidence required for sub-criterion 3.4e, the Applicant must clearly identify the relevant criterion to which the evidence relates.

APPENDIX 1: REQUIREMENTS FOR 3.4.1d (HS).

The Applicant declares that:

1. Each member of its staff is aware of his/her responsibilities under the Safety, Health and Welfare at Work Act 2005 and the Safety Health & Welfare at Work (Construction) Regulations 2013.
2. In particular we are familiar with our general duties as Contractors as outlined in Part 3 Regulations 24-29 of the *Safety, Health & Welfare at Work (Construction) Regulations 2013*; also with the specific duties enumerated in Parts 4-14, Regulations 30-105 of those Regulations and Schedules 1-6 of those Regulations. We are aware of and will take into account the General Principles of Prevention in Schedule when carrying out design construction work associated with the project and undertake to liaise with, communicate and cooperate with the PSDP and the PSCS in their roles.
3. We are aware as Contractors of our obligations under Section 17 (3) of the Safety, Health & Welfare at Work Act 2005 to ensure, so far as is reasonably practicable, that the project “is constructed to be safe and without risk to health and that it complies in all respects, as appropriate, with the relevant statutory provisions”.
4. We confirm that all staff have received, read and will apply the Safety, Health and Welfare at Work (General Application) Regulations 2007, the Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007, and the HSA “frequently asked questions” on risk assessments³.
5. Where the role required is Contractor, risk assessments will be carried out and maintained on the job file.
6. We confirm that in our opinion this declaration is deemed to satisfy our obligations in relation to the following areas given the scope and nature of the proposed works:
 - Health and Safety Policy and Organisation;
 - Arrangements;
 - Competent Advice;
 - Training and Information;
 - Individual Qualifications and Experience;
 - Monitoring, Audit and Review;
 - Workforce Involvement;
 - Accident/Incident Reporting, Review;
 - Sub-consulting Procedures;
 - Hazard Management and Risk Assessment; and
 - Health and Welfare.
7. Were there have been enforcement actions, legal proceedings accidents, fatalities or incidents associated with the discharge of our duties as Contractor or PSCS (whether the relevant discipline is the subject of this declaration or not) over the last three years, we have included details in our SAQ Response.
8. We confirm that, in our opinion, our organisation is competent and adequately resourced to fulfil its obligations under the Safety, Health and Welfare at Work Act 2005 and that our organisation has adequate resources to fulfil the role of Contractor as stated above.

³ Available at: http://www.hsa.ie/eng/Topics/Managing_Health_and_Safety/Safety_Statement_and_Risk_Assessment/

9. We have a Safety Statement in the format outlined by the Health and Safety Authority⁴ (which will be provided on request) and that all of the requirements listed in Table 1 below are addressed in the Safety Statement, as is the evidence relating to the minimum standards (also listed below), which have been met. If the requirements and minimum standards have not been addressed in the Safety Statement, separate evidence is to be provided on request which demonstrates that such requirements and minimum standards have been met.

TABLE 1: REQUIREMENTS & MINIMUM STANDARDS FOR SAFETY STATEMENTS FOR ROLE OF CONTRACTOR

Requirements		Minimum Standards
a copy of our current general health and safety policy;		a general Health and Safety policy document appropriate to a Health and Safety led Construction Management role;
an outline of our management organisational structure with regard to allocation of duties, delegation of responsibilities, etc., in relation to Health and Safety;		the relevant management organisational structure document indicating the duty holders responsible for Health and Safety;
copies of standard forms used for method statements and risk assessments as part of our duties under the Safety, Health and Welfare at Work Act 2005;		a standard method statements (relevant to projects of a similar size, nature and complexity) covering all stages of the construction project life cycle from initiation to project completion;
details of arrangements for continuing training of personnel in Health and Safety, including personnel who would be employed on the project;		evidence of training arrangements in place appropriate to the size and complexity of the work. (This must include specific Health and Safety training);
details of the company's procedures for disseminating up-to-date developments on health and safety issues;		evidence that there is an adequate organisational structure in place within the company to facilitate the dissemination of up-to-date developments on health and safety issues.
details of the company's arrangements for the coordination of information between the different contractors, suppliers and designers involved in a project;		evidence that there are adequate arrangements in place for the coordination of information between Contractor and PSCS with an adequate mechanism in place that tracks and records delivery and receipt of information distributed.
details of the methodology for the dissemination of health and safety information for the construction stage on this or equivalent projects;		

10. We meet the minimum standards in regard to Technicians or Technical Bodies responsible for Quality Control and those we can call upon to carry out work.

⁴ Available at:

https://www.hsa.ie/eng/publications_and_forms/publications/safety_and_health_management/a_guide_to_risk_assessments_and_safety_statements.html

Health and Safety Competence of Project Supervisor for the Construction Stage (PSCS)

3.4.2 (HS) EVIDENCE OF TECHNICAL CAPABILITY CRITERIA

It is a statutory requirement that the competence of the person or persons to be appointed as Project Supervisor for the Construction Stage (PSCS) is established pursuant to section 6(1)(a) of the *Safety, Health and Welfare at Work Construction Regulations 2013*. **Therefore, where the role of PSCS is required in Section 2.3 of the Particulars, the Applicant must complete the relevant sections of this Health and Safety Supplement.**

The criteria below mirror the structure in Section 3.4 (Technical Capability Criteria) of the Questionnaire for consistency but should be answered specifically in relation to the PSCS service.

The level of information required is stated under the relevant criterion based on the category of project identified at Section 2.4 of the Particulars (i.e. Type 1/Type 2/Type 3). All health and safety criteria are pass/fail criteria only. The Applicant must meet the relevant minimum standard(s) stated under each Qualification Criterion.

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

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

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.

Additional Minimum Requirements:

1. The Applicant must provide evidence of adequate and appropriate ongoing health and safety training and commitment to resources.
2. At least one member of the Contractor's management staff shall have:
 - (a) Appropriate annual health and safety training in the provision of PSCS services (i.e. in-house or a CPD course) for the past three years.
 - (b) A professional qualification in health and safety, accredited by the Institution of Occupational Safety and Health (IOSH) and/or Quality and Qualifications Ireland (QQI); and
 - (c) At least 120 months dedicated health and safety experience and at least 36 months experience of undertaking the role of PSCS on civil engineering construction projects, including the following:

(i) At least one similar civil engineering project which must have had a minimum contract award value of €1,000,000 ex VAT;

Failure to demonstrate all of the above capabilities will result in the tenderer being excluded from further consideration. It is a condition of the award of the contract that the tenderer proves to the satisfaction of the Contracting Authority that the individuals named at Suitability Assessment Questionnaire Section 3.4a will be available for the performance of the contract throughout the term of the contract. Changes to individuals named in 3.4a at the time of tender which occur during the term of the contract may be permitted at the Contracting Authority's discretion following prior written notification of the change to the Contracting Authority and receipt of the Contracting Authority's written authorisation of the change. In making a determination under this heading the Contracting Authority will take into account the tenderer's commitments in relation to other relevant contracts.

APPLICANT NOTE:

Where the response type above is "Evidence Required" and the response type to sub-criterion 3.4a is "Evidence Required", the Applicant may include evidence required above with the evidence required for sub-3.4a. Where Applicants include evidence required above with the evidence required for sub-criterion 3.4a, Applicants must clearly identify the relevant criterion to which the evidence relates.

3.4.2b (HS) EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Personnel)

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

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.

The minimum educational and professional qualification of the Contractor's Representative responsible for and exclusively assigned to lead the execution and completion of the Works shall be as follows:

(Additional Minimum Requirements:

1. The Applicant(s) must provide evidence of adequate and appropriate ongoing health and safety training and commitment to resources.
2. The person or persons responsible for providing the delivery of PSCS services shall have appropriate annual health and safety training in PSCS services (in-house or CPD course) and at least 36 months experience of undertaking the role of PSCS on civil engineering construction projects, including the following:

(i) At least one similar construction project of similar scale and complexity which must have had a minimum contract award value of €1,000,000 ex VAT; and

APPLICANT NOTE

Where the response type above is "Evidence Required" and the response to criterion 3.4b is "Evidence Required", the Applicant may include the evidence required above with the evidence required for criterion 3.4b. Where the Applicant includes the evidence required above with the evidence required for criterion 3.4b, Applicants must clearly identify the relevant criterion to which the evidence relates.

3.4.2c (HS) LIST of TECHNICAL SERVICES PROVIDED FOR WORKS OVER THE PAST 3 YEARS

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	DECLARATION REQUIRED	PASS/FAIL

The Minimum Standard required to pass this criterion is evidence in the form specified below of Project Supervisor Construction Stage (PSCS) appointments previously undertaken by the Applicant.

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 at Appendix 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.

The Authority will conduct a Pass/Fail Assessment on the criteria below:

1. Evidence of the Health and Safety aspects including PSCS role of works previously undertaken by the Applicant shall be set out in the standard form at Appendix B3. The Applicant shall submit at least three reference projects where the Applicant has acted as PSCS. The projects submitted shall have reached Substantial Completion within the last 5 years.
2. A Safety and Health Plan from a previous construction project of similar scale and complexity with a construction value at tender award of a minimum of €1,000,000 (ex VAT).
3. The Applicant shall demonstrate how health and Safety management was implemented on the project referred to in 2 above by submitting a written statement which shall be a maximum of 1 A4 page.

The same schemes may be included as evidence for any or all of the criteria 1 to 4 above and this should be identified in the form provided at Appendix B1. These forms are NOT required to be signed by the relevant contracting authority at this time, although full contact details will be required so that reference may be sought and verified.

Failure to demonstrate all of the above capabilities will result in the tenderer being excluded from further consideration

3.4.2d (HS) MEASURES FOR ENSURING QUALITY

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

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.

The minimum standard is the provision of evidence of the Safety Management Systems that are adequate for undertaking the Works required for this project

Where the response type above is “DECLARATION REQUIRED” the Applicant declares that it meets the requirements set out above and in Appendix 1 to this Supplement. Evidence in support of the declarations in Appendix 1 and any requirements set out above must be provided when requested by the Contracting Authority. In place of documentary evidence, Applicants may provide third party certification that their safety management system is in accordance with ISO 45001:2018 or equivalent. Certified membership of Safe-T-Cert may be deemed equivalent for the purposes of this criterion.

3.4.2e (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

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	PASS/FAIL

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.

The minimum standard shall be submission of evidence confirming that the Applicant has in their employment a minimum of 5 no. technical, supervisory staff and operatives at any one time over the past 3 years.

APPLICANT NOTE:

Where the response above is “Evidence Required” and the response to sub-criterion 3.4e is also marked “Evidence Required”, the Applicant **may** include the evidence required above with the evidence required for sub-criterion 3.4e. Where Applicants include evidence required above with the evidence required for sub-criterion 3.4e, Applicants must clearly identify the relevant criterion to which the evidence relates.

APPENDIX 1: REQUIREMENTS FOR 3.4.2d (HS).

The Applicant declares that

1. Each member of staff is aware of his/her responsibilities under the Safety, Health and Welfare at Work Act 2005 and the Safety, Health & Welfare at Work (Construction) Regulations 2013.
2. We are familiar with our duties as outlined in Part 2 Regulations 16-23 of the Safety Health & Welfare at Work (Construction) Regulations 2013. We are aware of and will take into account and communicate to all contractors (including Specialists) the general principles of prevention as enumerated below when coordinating organisational or technical aspects of the project or the programme and undertake to liaise with, communicate and facilitate cooperation amongst the other duty holders under those Regulations, specifically Regulations 16 and 17 of the Safety, Health & Welfare at Work (Construction) Regulations 2013.
3. We are aware as PSCS of our obligations under Section 17 (3) of the Safety Health & Welfare at Work Act 2005 to ensure, so far as is reasonably practicable, that the project “is constructed to be safe and without risk to health and that it complies in all respects, as appropriate, with the relevant statutory provisions”.
4. We confirm that all staff have received, read and will apply the Safety, Health and Welfare at Work (General Application) Regulations 2007, the Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007, and the Health and Safety Authority’s frequently asked questions on risk assessments.¹
5. As PSCS, risk assessments will be sought and collected from contractors for inclusion in a Construction Stage Safety & Health Plan which we as PSCS will prepare and update as appropriate.
6. We confirm that in our opinion this declaration is deemed to satisfy our obligations in relation to the following areas given the scope and nature of the proposed works:
 - Health and Safety Policy and Organisation;
 - Arrangements;
 - Competent Advice;
 - Training and Information;
 - Individual Qualifications and Experience;
 - Monitoring, Audit and Review;
 - Workforce Involvement;
 - Accident/Incident Reporting, Review;
 - Sub-consulting Procedures;
 - Hazard Management and Risk Assessment; and
 - Health and Welfare.
7. Where there have been enforcement actions, legal proceedings accidents, fatalities or incidents associated with the discharge of our duties as Contractor or PSCS (whether the relevant discipline is the subject of this declaration or not) over the last three years we have included details in our SAQ Response. We have also included further evidence that adequate measures have been put in place to address any deficiencies in the Health and Safety procedures.
8. We confirm that in our opinion our organisation is competent and adequately resourced to fulfil its obligations under the Safety, Health and Welfare at Work Act 2005 and that our organisation has adequate resources to fulfil the role of PSCS as stated above.
9. We have a Safety Statement in the format outlined by the Health and Safety Authority² which will be provided on request and that all of the requirements listed in Table 1 below are addressed in the Safety Statement as is the evidence relating to the minimum standards (also listed below) which have been met. If the requirements and minimum standards have not been addressed in the Safety Statement separate evidence is to be provided on request which demonstrates that such requirements and minimum standards have been met.

¹ Available at: http://www.hsa.ie/eng/Topics/Managing_Health_and_Safety/Safety_Statement_and_Risk_Assessment/

² Available at: http://www.hsa.ie/eng/Publications_Forms/Publications/Safety_and_Health_Management/Guidelines%20on%20Risk%20Assessments%20and%20Safety%20Statements.pdf

TABLE 1: REQUIREMENTS & MINIMUM STANDARDS FOR SAFETY STATEMENTS FOR ROLE OF PSCS

Evidence to be Provided at the Appropriate Time		Minimum Standard of Evidence
a copy of our current general health and safety policy;		a general Health and Safety policy document appropriate to a Health and Safety led Construction Management function;
an outline of our management organisational structure with regard to allocation of duties, delegation of responsibilities, etc., in relation to Health and Safety;		the relevant management organisational structure document indicating the duty holders responsible for Health and Safety;
copies of standard forms used for method statements and risk assessments as part of our duties under the <i>Safety, Health and Welfare at Work Act 2005</i>;		standard method statements (relevant to projects of a similar size, nature and complexity) covering all stages of the life cycle from early design stage to project completion;
details of arrangements for continuing Health and Safety training of PSCS personnel, including personnel who would be employed on the project;		evidence of training arrangements in place appropriate to the size and complexity of the work. (This must include specific Health and Safety training);
details of the company's procedures for disseminating up-to-date developments on health and safety issues;		evidence that there is an adequate organisational structure in place within the company to facilitate the dissemination of up-to-date developments on health and safety issues.
details of the company's arrangements for the co-ordination of information between the different contractors, suppliers and designers involved in a project;		evidence that there are adequate arrangements in place for the coordination of information between contractors with adequate mechanism in place that tracks and records delivery and receipt of information distributed.
details of the methodology for the dissemination of health and safety information for the design and construction stage on this or equivalent projects;		evidence of adequate structured procedures relevant to the size and complexity of the project to ensure that PSCS role in coordinating Construction Safety Management is clearly demonstrated.

10. We meet the minimum standards in regard to Technicians or Technical Bodies responsible for Quality Control and those we can call upon to carry out work.