

Health & Safety Competence of a Reserved Specialist with Design Input ¹

3.4.3 (HS) EVIDENCE OF TECHNICAL CAPABILITY CRITERIA

It is a statutory requirement that the competence and satisfactory allocation of resources of the Reserved Works Specialist with Design Input are established in compliance with the Safety Health and Welfare at Work (Construction) Regulations 2013. **Therefore, Applicants² must complete this supplement on Health and Safety.**

The criteria below mirror the structure in Section 3.4 (Technical Capability Criteria) of the Questionnaire for consistency but must be answered specifically in relation to Health and Safety competency in the Reserved Specialist with Design Input.

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

3.4.3a (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 sufficient management staff with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the specialist works which are subject of this procurement.

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

APPLICANT NOTE:

¹ Select as appropriate

² When used with QW2, the term "Tenderer" shall be read in place of "Applicant", or where used with QW3a or QW3b, the term "Specialist" or "Specialist with Design Input" shall be read in place of "Applicant".

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

3.4.3b (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 sufficient personnel with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the specialist works which are required for this Competition.

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

APPLICANT NOTE:

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

3.4.3c (HS) LIST of SPECIALIST WORKS WITH DESIGN 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 health and safety design management in relation to the design element of specialist works over which the specialist had responsibility that were previously undertaken by the Applicant.

A Contracting Authority may only require an Applicant to submit a list of works provided over a maximum period of 5 years. However a Contracting Authority may take into account works delivered over a longer period if appropriate. The period specified in the title above is the period within which the Applicant may submit evidence of the specialist works contracts it has delivered, it is not mandatory that projects be evidenced for the whole period. If a firm cannot provide evidence for the entire period (e.g. a firm has not been trading for the whole period) this will not be used as a reason to reject its application.

The evidence required for assessment purposes is details of specialist works with design input that the Applicant has completed over the period stated above on projects that are similar in nature and complexity to the Works required for this project. The evidence must be provided in the format specified below. (Note that the request is not necessarily for projects that are identical to the project that is the subject of this Questionnaire).

A list of projects must be provided in the standard form at Appendix B1 List of Previous Projects for which there are certificates of Satisfactory Execution in accordance with the particular requirements set out below (if any). The Certificates of Satisfactory Execution required in relation to these projects must be submitted using the standard form provided in Appendix B2 Certificate of Satisfactory Execution. Supplementary requirements (if any) will be stated by the Contracting Authority below.

3.4.3d (HS) MEASURES FOR ENSURING QUALITY

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

The Minimum Standard is adequate knowledge, training and resources (taken in conjunction with Criteria 3.4.3a (HS) to 3.4.3e (HS) to ensure that the design element of specialist works over which the specialist has responsibility is undertaken in compliance with Safety Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (Construction) Regulations 2013.

The evidence required to pass this criterion is details of relevant technicians or technical bodies upon whom the applicant can call on in order to carry out the work or whom the Applicant can use in regard to quality control with regards to Health and Safety. Applicants must also provide evidence of a safety management system.

In the event that the Applicant's declaration states that enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded, further evidence is required that adequate measures have been put in place by the applicant to address any deficiencies in their Health and Safety procedures.

Where the response 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 declaration in Appendix 1 and any additional 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.

3.4.3e (HS) A STATEMENT OF THE AVERAGE ANNUAL NUMBER OF PERSONS EMPLOYED BY THE SPECIALIST AND THOSE IN A MANAGERIAL POSITION OVER THE PAST 3 YEARS

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

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 design management and meeting the requirements specified below (if any).

APPLICANT NOTE:

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

APPENDIX 1: REQUIREMENTS FOR 3.4.3d (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 contractor³ 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 as enumerated below 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 assessments⁴.
5. Where the role required is Reserved Specialist with Design Input, 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. Where there have been enforcement actions, legal proceedings accidents, fatalities or incidents associated with the discharge of our duties as Reserved Specialist with Design Input (whether

³ Under the Safety, Health & Welfare at Work (Construction) Regulations 2013, the term ‘contractor’ applies to main contractors and sub-contractors alike.

⁴ Available at: http://www.hsa.ie/eng/Topics/Managing_Health_and_Safety/Safety_Statement_and_Risk_Assessment/

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 Reserved Specialist with Design Input as stated above.
9. We have a Safety Statement in the format outlined by the Health and Safety Authority⁵ (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;		

⁵ Available at:

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

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.