Suitability Assessment Questionnaire

for	Works Contractor and as PSCS
for	Multi-Party Framework Agreement for carrying out Roadworks in a City and Suburban Environment for Contracts greater than €1.0m and less than €8.0m

to be assessed under a

RESTRICTED procedure

PART 1

Information for Applicants, Project Particulars

and

Suitability Assessment Questionnaire

Document ID QW1 v2.3

Suitability Assessment for Works Contractors/Reserved Specialist

Restricted Procedure

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IMPORTANT NOTICE FOR APPLICANTS

Purpose

The Contracting Authority has issued this Questionnaire in advance of a Competition to be conducted under a restricted procedure for the award of the Contract for the Works stated in the Project Particulars.

The purpose of this Questionnaire is to obtain information from Applicants in order to conduct a suitability assessment to form a shortlist of Qualified Candidates. The shortlisted Qualified Candidates will be invited to tender for the award of the Contract.

This Questionnaire and any related documents must not be used for any other purpose.

No liability

The Contracting Authority makes no representation, warranty, or undertaking in or in connection with this Questionnaire or the contents of this Questionnaire unless explicitly stated. The Contracting Authority has not authorised anyone to make any representation in connection with this Questionnaire on its behalf, and Applicants should not rely on any representation purportedly made on the Contracting Authority's behalf in connection with this Competition. Neither the Contracting Authority nor its officers, employees, or advisers will have any liability in connection with this Questionnaire or the contents of this Questionnaire. Applicants must make their own assessment of the adequacy, accuracy, and completeness of this Questionnaire.

Right to terminate or amend this Competition

The Contracting Authority reserves the right not to proceed with the Competition or any part of it and may terminate the Competition or any part of it at any time, with or without procuring the Works in another way. If this happens, neither the Contracting Authority nor its officers, employees, or advisers will be liable to any Applicant or other person. The Contracting Authority also reserves the right to change any part of this Questionnaire, including the procedures and time limits described in this Questionnaire. The Contracting Authority does not bind itself to accept any outcome of the process described herein and is not obliged to enter into a contract for the Works with anyone.

Costs and No Legal Relationship

Neither the Contracting Authority nor its officers, employees, or advisers have any responsibility for Applicants' costs or losses in connection with this Competition. This Questionnaire does not create a contract or legal relationship (including, for the avoidance of doubt, any contract about the Competition itself) between any Applicant and the Contracting Authority unless and until the Contract has been entered into including by issue of a Letter of Acceptance or Tender Acceptance (as appropriate) and any conditions precedent to its effectiveness have been met. The exception to this is the obligation upon an Applicant with regard to confidentiality. This Questionnaire will not form part of any Contract unless expressly stated otherwise.

Confidentiality

Applicants must treat this Questionnaire and their participation in the Competition as confidential. Applicants must not disclose any information about the Competition to anyone other than as required for the purpose of responding to this Questionnaire, or as required by law.

Disclosure

The Contracting Authority is entitled to disclose information about this Competition, including the identity of those expressing interest, to any person. If an Applicant considers that any information in its suitability assessment submission is commercially sensitive or confidential, this must be clearly

stated, and clear and substantive reasons provided. The Contracting Authority will have regard to such a statement in considering a request for access to the information under the Freedom of Information Acts 2014 (or any other legislation relating to disclosure of information) but is not bound by the Applicant's view and will take such steps as it considers necessary to comply with its obligations under applicable law.

Conflicts of Interest

Any conflict of interest or potential conflict of interest must be fully disclosed to the Contracting Authority as soon as such conflict or potential conflict becomes apparent. This includes, but is not limited to, situations where an Applicant or any of the members of an Applicant which is a consortium, joint venture or partnership, or any entity being relied upon by an Applicant, or any of their advisers, contractors, consultants, servants or agents are currently or have been in the past an adviser, contractor, consultant, servant or agent to the Contracting Authority, or any local or other relevant authority in relation to the works which are the subject matter of this Competition.

Without prejudice to the foregoing, any "registrable interest" involving the Applicant and the Contracting Authority (and where applicable any elected members of the Contracting Authority or members of the Board of the Contracting Authority), members of the Government, members of the Oireachtas or employees of the Contracting Authority or their relatives must be fully disclosed to the Contracting Authority immediately upon such information becoming known to the Applicant. The terms 'registrable interest' and 'relatives' shall be interpreted in line with the Ethics in Public Office Act, 1995 and the Standards in Public Office Act 2001 as may be amended from time to time.

The Contracting Authority will, at its absolute discretion, decide on the appropriate course of action in relation to any actual or perceived conflicts of interest, which may include (but is not limited to) excluding the Applicant from the Competition, or permitting the Applicant to continue subject to safeguards determined by the Contracting Authority being put in place and observed.

Tax Clearance

It will be a condition of the award of the Contract that the successful Tenderer shall, for the term of the contract, comply with all applicable EU and domestic tax laws. Prior to the award of the Contract arising out of this Competition the successful Tenderer shall be required to supply its Tax Clearance Access Number and Tax Reference Number to facilitate online verification of their tax status by the Contracting Authority. By supplying these numbers the successful Tenderer acknowledges and agrees that the Contracting Authority has the permission of the successful Tenderer to verify its tax cleared position online. Applicants may obtain information regarding their obligations concerning taxation from the Revenue Commissioners (www.revenue.ie).

Irish Law

Irish law is applicable to this Questionnaire and the Irish courts shall have exclusive jurisdiction in relation to any disputes arising from or in connection with this Questionnaire.

Collusion

Applicants' attention is drawn to the Competition Act 2002 - 2019 (as may be amended from time to time) which makes it a criminal offence to collude on prices or terms in a public procurement competition.

Prior Knowledge

Applicants must not make any assumptions that the Contracting Authority has prior knowledge of their organisation or service provision. Applicants will only be evaluated on the information contained in their response to this Questionnaire (as may be clarified by the Contracting Authority in accordance with this Questionnaire).

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
Applicant	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.
Applicant Specialist	(Applicable to PW-CF2 or PW-CF4 where the Applicant is required to propose Specialists to be named in the Contract). An entity proposed by the Applicant to undertake specialist areas of works or services described in Section 2.6.1 of the Project Particulars. Note: an Applicant Specialist may be the Applicant itself (or an any member of an Applicant), or a subcontractor to the Applicant. Applicant Specialists must always complete the relevant Specialist Questionnaires issued by the Contracting Authority with this Questionnaire.
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 on building projects, that are commencing Stage 1, from 1 January 2025.
BC(A)R	Building Control Regulations 1997 – 2021.
Builder	Has the meaning given in BC(A)R.
Candidate	A Candidate is an Applicant who has submitted a response to this Questionnaire.
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. Where the purpose of the Competition is to identify a successful Tenderer as a Reserved Specialist, the successful Tenderer will be appointed by the successful tenderer for the main contract using the NN Conditions of Subcontract.
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 Applicant, any members of an Applicant and any entities relied upon by the Applicant or any members of an Applicant, 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 Applicant 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 Co-coordinator	Any entity appointed by the Project Supervisor Design Process or the Project Supervisor Construction Stagein accordance with the Construction Regulations.
Health and Safety Supplements	The health and safety supplement(s) issued with this Questionnaire to assess an Applicant's (and Applicant Specialists,

	where applicable) competence and satisfactory allocation of resources in compliance with the Construction Regulations. Applicants **must always** complete Health and Safety Supplement 3.4.1 (Contractor/Reserved Specialist) and, where applicable, to the role(s) stated in section 2.3 of the Project Particulars, Health and Safety Supplement 3.4.2 (PSCS), and/or 3.4.3 (Reserved Specialist with Design Input/Works Specialist with Design Input).
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").
IPI Annex	Annex to the Questionnaire, issued by the Contracting Authority when the Comeptition 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.
NN Conditions of Subcontract	The form of sub-contract, published by the Construction Industry Federation, under which a Reserved Specialist is appointed as a Specialist sub-contractor by a main works contractor.
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 parterns 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-CF2	Public Works Contract for Building Works designed by the Contractor.
PW-CF3	Public Works Contract for Civil Engineering Works designed by the Employer.
PW-CF4	Public Works Contract for Civil Engineering Works designed by the Contractor.
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-CF10	Public Works Contract for Early Collaboration.
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.
the/this Questionnaire	Means this Questionnaire, accompanying Health and Safety Supplements, annexes and related documents, and, where applicable, Specialist Questionnaires.
Reserved Specialist	(Applies to PW-CF1, PW-CF3 or PW-CF5 only). The term given to one of the two categories of Specialists (the other being Novated Specialists) named by the Employer in a Contract for the reserved specialist areas described in Section 2.7.2 of the Project Particulars. The Contracting Authority administers a tender competition to identify a successful Tenderer as a Reserved Specialist. Upon award of the main Contract, the Contractor appoints the Reserved Specialist under the NN form of Sub-contract. Note that, where the Project Particulars states that the purpose of the Competition is to identify a Reserved Specialist, the Contracting Authority will conduct a separate tender competition to award a main works contract.
SAQ Response	The Applicant'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.
Specialist Questionnaire	(Applies to PW-CF2 or PW-CF4 only where Applicants are required to propose Applicant's Specialists to be named in the Contract).

	Means a QW3(a) (Works Specialist) and/or QC1 (Service Provider) suitability assessment questionnaire(s) issued with this Questionnaire, to be completed by the relevant Applicant Specialist.
Tenderer	A Candidate who submits a tender at the next stage of this Competition.
Works	The construction works which are the subject of this Competition. In the case of a Reserved Specialist or Reserved Specialist with Design Input, means the specialist works.
Works Contractor	Refers to the successful Tenderer appointed as the Contractor under the Contract to provide the Works.

1. INSTRUCTIONS FOR APPLICANTS

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 Crtieria and for each such criterion, the response type that Applicants are required to provide, and the basis of evaluation of the response.

Applicants should note that Qualification Criteria and requirements are also contained in any Health and Safety Supplements and, where applicable, Specialist Questionnaires, issued with this Questionnaire.

Applicants should read this information carefully before submitting their response to this Questionnaire. Applicants 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

Applicants must complete and submit the following:

(i) Part 2 (Applicant 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 Applicant's circumstances either in the form of an eESPD, 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 Applicant must always complete and submit Part 2 of this Questionnaire. In Part 2, Applicants must provide information on the Applicant'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 Applicant must always complete and sign the Declaration in Part 2, otherwise the SAQ Reponse may be declared invalid. The Declaration must still be completed and signed even where the Applicant has submitted an ESPD.

Completing an ESPD

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

Where an ESPD is required to be submitted, the Applicant 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.

Applicants may use an existing ESPD, provided however that it is accompanied by a letter from the Applicant 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 Applicant 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.

1.3. DEADLINE AND MEANS OF SUBMISSION OF SAQ RESPONSE

SAQ Responses must be received in accordance with the required means of submission by no later than the deadline stated in Section 2.2 of the Project Particulars. All times are local Irish time as standard time according to the Standard Time Act 1968 (as amended).

Where the Project Particulars state that the required means of submission is by electronic submission to the eTenders web portal:

- Applicants are advised to ensure that they give sufficient time to allow for the successful upload of their SAQ Response (together with any required supporting documentation) and that they have a reliable, continual connection speed available for this purpose.
- Applicants should ensure that their operating system has sufficient capacity to execute the upload of all documents before the deadline for receiving SAQ Responses.
- The timely and complete upload of documents is the responsibility of each Applicant. Applicants are advised to consult etenders.gov.ie for information on uploading electronic submissions to the eTenders web portal.
- All files submitted electronically must be capable of being readily viewed in their entirety in the required file format stated in the Project Particulars. All documents that require signature must be signed prior to scanning/converting to the required file format.
- All uploaded documents should be clearly identified by the name of the file. All documents should clearly carry the name of the Applicant, and the name of the Contract.
- It is the responsibility of the Applicant to ensure that electronic documents submitted are not corrupt.

Completed delivery of SAQ Responses, including any required supporting documentation, in advance of the submission deadline, is the responsibility of each Applicant.

1.4. MEANS OF COMMUNICATIONS

All communications in relation to this Questionnaire and this Competition must be in writing and submitted in accordance with the means of communication stated in Section 2.2 of the Project Particulars.

1.5. QUERY PROCEDURE

The interpretation of this Questionnaire is a matter for Applicants. Applicants may submit queries in relation to this Questionnaire in writing to the Contracting Authority using the means of communication stated in the Project Particulars.

Applicants should ensure queries are received before the query deadline specified in the Section 2.2 of the Project Particulars. The Contracting Authority may, but is not obliged to, respond to queries received after the query deadline.

The Contracting Authority has no obligation to respond to queries. Where the Contracting Authority responds to a query, it will issue the response on the e-Tenders website, unless the query has been clearly designated as confidential. If the query has been designated as confidential, and the Contracting Authority decides that the response should be published on the e-Tenders website, the Contracting Authority will notify the person raising the query, who will have the option within the time limit specified by the Authority of withdrawing the query or having any response sent to all Applicants.

The Contracting Authority may still issue any information it considers appropriate on the eTenders website following withdrawal of the query.

As with this Questionnaire, responses to queries will not create any contractual relationship between the Contracting Authority and Applicants, or form part of the Contract unless explicitly stated otherwise.

It is the responsibility of Applicants to monitor the means of communication for this Competition for any correspondence or clarifications in relation to this Questionnaire.

It is the responsibility of Applicants to notify the Contracting Authority of any ambiguity, discrepancy, error, or omission in relation to this Questionnaire or related documents, immediately, even after the time for submitting queries has expired.

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

1.7. RELIANCE ON RESOURCES (PW-CF1 to PW-CF4 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), an Applicant (or a member of the Applicant, where the Applicant 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 Applicant will be required to demonstrate to the satisfaction of the Contracting Authority that the capacities relied upon will actually be available to the Applicant 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 Applicant 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 to[1]:

(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 an Applicant Specialist (PW-CF2 or PW-CF4 only), 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 Applicant[2];
(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 Applicant) with regard to the making available the resources relied upon by the Applicant[3]. Note that where an Applicant relies on another entity for educational or professional qualifications, or, with regard to relevant professional experience (whether in Part 1, H&S Supplements or Specialist Questionnaires), 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.

[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.

Where Applicants are required to submit an ESPD, each entity relied upon by the Applicant (including Applicant Specialists who are not the Applicant themselves) must also submit an ESPD.

1.8. 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 Applicants 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 an Applicant, any member of the Applicant (where the Applicant is a Consortium, Joint Venture or Partnership), or any entity relied upon by the Applicant, from participation in this Competition are set out below.

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

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 Applicant 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 Applicant/member of the Applicant, 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 Applicant shall be excluded from the Competition;

(b) if the Applicant (or a member of the Applicant, where the Applicant 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 Applicant may be excluded from the Competition.

Any Applicant 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 Applicant. For example, where an Applicant is in one of the situations referred to above but has taken measures which it believes are sufficient to demonstrate its reliability, that Applicant may provide evidence of such measures to the Contracting Authority for consideration. Applicants 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 an Applicant are prescribed by law, and Applicants 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 Applicant 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 Applicant from the Competition.

Where grounds for exclusion apply in the Competition, the Applicant, each member of the Applicant and any entity being relied upon by the Applicant (or any member of the Applicant), 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 Particulars.

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

1.9. ADDITIONAL GROUNDS FOR EXCLUSION

The Contracting Authority reserves the right to exclude any Applicant from the Competition should the Contracting Authority be of the view that entry into the Contract with such Applicant (bearing in mind any Applicant members (where the Applicant 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, Applicants shall be required to disclose in their SAQ Response any issues giving rise to possible sanctions applications.

1.10. 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 contract[4], the scope of application of the IPI measure, or the date on which the IPI measure was made[5]), the IPI Annex issued by the Contracting Authority forms part of this Questionnaire.

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

The Employer may name Novated or Reserved Specialists (as described below) in the Contract for appointment by the Works Contractor as Specialist sub-contractors. Where the Employer intends to name Specialists in the Contract, further details will be provided at the next stage of the Competition.

1.11.1. Novated Specialists (PW-CF1 to PW-CF5)

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 2.7.1 (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 Scheule, part 3B, either in the tender documents or during the tendering period.

1.11.2. Reserved Specialists (PW-CF1, PW-CF3, PW-CF5)

Where Section 2.1 of the Project Particulars states that the Contracting Authority will reserve Specialists, the Contracting Authority will conduct separate tender competition(s) to identify successful tenderer/s as Reserved Specialists for the reserved specialist areas described in Section 2.7.2 (of the Project Particulars).

The Employer names the Reserved Specialists in the Form of Tender and Schedule, part 3B, upon the award of the Contract.

1.12. SPECIALISTS TO BE NAMED BY THE CONTRACTOR (PW-CF2 or PW-CF4 only)

Where Section 2.1 of of the Project Particulars states that the Contractor is required to name Specialists in the Contract, Applicants may be required

(a) to propose the Specialists to be named ("Applicant Specialists"); or,
(b) at the next stage of the Competition, select and name a Specialist from a Listed Panel of Specialists provided by the Contracting Authority, or alternatively, propose an Applicant Specialist, which is subject to evaluation by the Contracting Authority on the same basis as the Listed Panel Specialists.

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

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

The successful Tender will be required to name such Specialists in the Schedule, Part 3E at the next stage of the Competition.

1.12.1. Applicant Specialists

Where Section 2.1 of the Project Particulars state that Applicants are required to propose Specialists to undertake the areas of specialist works and/or services ("specialist areas") described in Section 2.6.1 of the Project Particulars, the following applies:

(a) Where an Applicant proposes that a specialist area is undertaken by specialists in the direct employ of an Applicant (e.g. directly by the Applicant or by any member of the Applicant), the Applicant Specialist must complete the relevant Specialist Questionnaire and the Specialist Questionnaire will be evaluated on the same basis as Applicants proposing to rely upon sub-contractors for the relevant specialist area(s) (see below).

(b) Where an Applicant proposes that a specialist area is undertaken by a sub-contractor, the Applicant Specialist must complete the relevant Specialist Questionnaire. Such an entity will be treated as an entity being relied upon by the Applicant and the requirements of Section 1.7 Reliance on Resources in relation to Applicant Specialists, apply to such an entity.

1.12.2. Listed Panel Specialists provided by the Contracting Authority

Where the Project Particulars state that the Contracting Authority will list a panel(s) of Specialists ("Listed Panel Specialists"), at the next stage of the Competition, the Contracting Authority will provide details of one or more panels of Specialists (for the avoidance of doubt the panel may comprise of one specialist) for the specialist areas described in Section 2.6.2 of the Project Particulars.

At the next stage of the Competition, short-listed Candidates may:

(a) select and name in their tender, a Specialist selected from the Listed Panel Specialists; or,

(b) subject always to acceptance by the Contracting Authority, propose an alternative Specialist to the Listed Panel Specialist(s) (i.e. propose an Applicant Specialist).

1.13. COMPETITIONS FOR RESERVED SPECIALISTS

Where Section 2.1 of the Project Particulars states that the suitability assessment is for a Reserved Specialist, the Contracting Authority intends to name the successful Tenderer in the Competition as a Reserved Specialist in a main works contract to be awarded under a separate competition. Under the main works contract, the main works contractor is required to appoint the Reserved Specialist as a Specialist sub-contractor using the NN form of sub-contract.

1.14. 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 contrator. A Novation Agreement will be required to be entered into by the Employer, the novated Specialist and the main works contractor.

1.15. QUALIFICATION CRITERIA

1.15.1. General

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

The Applicant 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 Applicant to complete the Declaration in Part 2 of the Questionnaire (and may also respond by selecting Yes in Part IVα (Selection Criteria) of the eESPD, where an ESPD is required). The Declaration in Part 2 of the Questionnaire will be required to be completed even if the Applicant is also submitting an eESPD. 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 Applicant meets the relevant Qualification Criterion as of the date of submission of the Applicant'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", Applicants must include the evidence required in their SAQ Response. Applicants 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 Applicant (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 Applicant's SAQ Response. Failure to submit the required evidence in the SAQ Response may result in exclusion from the Competition.

Under the 'Evaluation' heading, where the Contracting Authority has chosen "Pass/Fail", the requirements specified in the Qualification Criterion must be met in full in order to pass, and, if passed, have no further role in calculating the Applicant's overall score (where a pass/fail and qualitative assessment is being undertaken). Note that Qualification Criteria in Health & Safety Supplements are evaluated on a Pass/Fail basis only.

Where the Contracting Authority has chosen "Qualitative", such criteria are qualitatively evaluated but may also have minimum scores and/or Pass/Fail requirements; each such criterion is given an allocation of marks to be used to calculate the Applicant's total score. Where a qualitative assessment is to be applied, the qualitative marking scheme is set out in Table 23, Section 3 of this Questionnaire.

1.15.2. Evaluation of Applicant Specialists (applies to PW-CF2 or PW-CF4 only)

Where Applicants are required to propose Specialists to be named in the Contract, the following applies:

(a) Applicant Specialists for specialist works areas ("Works Specialists")

Where the Project Particulars state that Applicant Works Specialists are to be evaluated on a:

(i) "Pass/Fail" basis

Applicants may, for each specialist work area described in the Project Particulars, propose up to the maximum number of Works Specialists as stated in Section 2.2 of the Project Particulars.

Where an Applicant proposes only one Works Specialist, in order for the Applicant to pass overall (and subject always to the Applicant passing all Qualification Criteria), the Applicant's Work Specialist must pass the Qualification Criteria in the Specialist Questionnaire ("Specialist Qualification Criteria"). Where the Applicant's Works Specialist does not pass the Specialist Qualification Criteria, the Applicant will be eliminated from the Competition.

Where an Applicant proposes more than one Works Specialist, in order for the Applicant to pass overall (and subject always to the Applicant passing all Qualification Criteria), at least one of the Applicant's Works Specialists must pass the Specialist Qualification

Criteria. Where none of the Applicant's Works Specialists passes the Specialist Qualification Criteria, the Applicant will be eliminated from the Competition. Where more than one of the Applicant's Works Specialists passes the Specialist Qualification Criteria, and subject to the Applicant passing overall, and being invited to tender, the Applicant must name one of the Works Specialists that passed in the Form of Tender and Schedule Part 2E, at the next stage of the Competition.

(ii) "Pass/Fail and Qualitative" basis

For each specialist work area described in the Project Particulars, the Applicant must propose one and only one Works Specialist. In order for the Applicant to pass overall (and subject to the Applicant passing all other Qualification Criteria), the Applicant's Works Specialist must pass the pass/fail sub-criteria in the Specialist Qualification Criteria. Where the Applicant's Works Specialist does not pass the Specialist Qualification Criteria, the Applicant will be eliminated from the Competition. Those sub-criteria that the Contracting Authority has chosen to evaluate on a "Pass/Fail and Qualitative"basis, such criteria are qualitatively evaluated but may also have minimum scores and/or Pass/Fail requirements; each such criterion is given an allocation of marks to be used to calculate the Applicant's total score. Where a qualitative assessment is to be applied, the qualitative marking scheme is set out in Table 23, Section 3 of this Questionnaire.

(b) Applicant Specialists for specialist services ("Specialist Service Providers")

For each specialist service area described in the Project Particulars, Applicants may propose one and only one Specialist Service Provider. In order for an Applicant to pass overall (and subject to the Applicant passing all Qualification Criteria), the Applicant's Specialist Service Provider must pass the Specialist Qualification Criteria. Where the Applicant's Specialist Service Provider does not pass the Specialist Qualification Criteria, the Applicant will be eliminated from the Competition. Those sub-criteria that the Contracting Authority has chosen to evaluate on a "Pass/Fail and Qualitative"basis, such criteria are qualitatively evaluated but may also have minimum scores and/or Pass/Fail requirements; each such criterion is given an allocation of marks to be used to calculate the Applicant's total score. Where a qualitative assessment is to be applied, the qualitative marking scheme is set out in Table 23, Section 3 of this Questionnaire.

1.16. CHANGE IN APPLICANT CIRCUMSTANCES

Where any information provided by an Applicant in response to this Questionnaire becomes untrue, incomplete or misleading (for example as a result of a change in circumstance or structure of the Applicant), Applicants must inform the Contracting Authority of any such change in circumstances as soon as it becomes aware of this.

If it comes to the Contracting Authority's attention by any means that:

(a) there has been a change in circumstances concerning an Applicant that could affect the Contracting Authority's assessment of that Applicant's SAQ Response; or
(b) information submitted by an Applicant was untrue, incomplete or misleading when submitted or has become by reference to the facts as they then stand untrue, incomplete or misleading;

the Contracting Authority may clarify this with the Applicant and may seek further information and/or evidence from the Applicant. The Contracting Authority may take such steps as it considers necessary including revising its assessment of the Applicant on the basis of the information then available to the Contracting Authority and/or excluding the Applicant from further participation in the Competition.

1.17. COMPLIANCE

The Contracting Authority shall assess the Applicant's SAQ Response for compliance with these Instructions, including for the provision of all the information and evidence required. The Contracting Authority reserves the right to accept, clarify, or reject non-compliant submissions as set out in Section 1.19 below.

1.18. CLARIFICATIONS

Applicants may be asked to clarify aspects of their application after the closing date by written submission, by interview or by both.

1.19. NON-COMPLIANT SUBMISSIONS

If an Applicant fails to comply in any way with the requirements of this Questionnaire (including any clarification or supplementary information issued by the Contracting Authority in connection with this Competition), the Contracting Authority may (but is not obliged to) take such steps as it deems appropriate, including (but not limited to):

(a) rejecting the submission as non-compliant; and/or
(b) without prejudice to the Contracting Authority's right to reject the submission:
  (i) seeking clarification from the Applicant in respect of the relevant submission by way of a meeting or written submission;
  (ii) requesting the Applicant to provide information or items which has/have not been provided or has/have been provided in an incorrect form;
  (iii) waiving a requirement which, in the Contracting Authority's opinion is minor or procedural; and/or
  (iv) take any other step permitted by law;

in accordance with applicable law and principles.

1.20. REVIEW PROCEDURE

In the Project Particulars, the Contracting Authority may state a review procedure, whereby an Applicant who disputes a decision of the Contracting Authority about whether a SAQ Response complies with this Questionnaire may raise the matter with the Contracting Authority. The review procedure should include appropriate timelines for the submission of the query and response times.

Important Note to Applicants: Any such review process set out in the Project Particulars is not mandatory. Applicants should obtain legal advice as to the review procedures that may be available to them under law, as well as the timeframes in which such review procedures may be availed of.

1.21. DATA PROTECTION NOTICE

As part of this Competition, the Applicant may (at various stages) provide personal data relating to the Applicant or its organisation, employees or other third parties. In this Questionnaire, "Data Protection Laws" means all applicable data protection law including, with effect from 25 May 2018, the General Data Protection Regulation (Regulation (EU) 2016/679) and the Data Protection Act 2018; and the terms 'personal data', 'process', 'controller', 'processor' and 'data subject' shall have the meanings given to them under Data Protection Law.

Where the Applicant provides personal data relating to third parties, the Applicant must ensure that such third parties are made aware of the contents of this Data Protection Notice in full.

The Applicant, as controller in respect of any personal data provided by it as part of this competition, is required to confirm in the declaration required in the Part 2 of the Questionnaire that all data subjects whose personal data is provided by the Applicant have consented to the processing of such personal data by the Applicant, the Contracting Authority, the evaluation team and the supplier of the eTenders.gov.ie website, for the purposes of the participation of the Applicant in this Competition or that the Applicant otherwise has a legal basis for providing such personal data to the Contracting Authority for the purposes of its participation in this Competition.

Where such personal data is provided, the relevant controller is the Contracting Authority. If there are any questions about the Contracting Authority's use of such personal data, please contact the Contracting Authority's Data Protection Officer whose details are available upon request from the Contracting Authority.

The Contracting Authority may process the following personal data as part of this competition:

- name;
- contact details;

- CV details (including but not limited to qualifications, education, experience, previous roles and responsibilities);
- details of proposed role(s) and responsibilities on this contract;
- referee details; and
- any other data provided by the Applicant.

The Contracting Authority collects personal data from the Applicant directly, and from the following sources:

- Applicant's organisation;
- other members of the Applicant's consortium (if applicable); and
- Referees.

Any personal data provided will be processed for the purposes of the Competition, the administration of any contract awarded on foot of this Competition, reporting to any regulators or oversight bodies and/or any disputes relating to the Competition or the contract.

In connection with the above, the Contracting Authority may disclose personal data to various recipients including:

- the Applicant's organisation;
- other members of the Applicant's consortium (if applicable);
- the Contracting Authority's third party service providers, such as financial, legal and technical advisors; and
- regulators or oversight bodies.

If the Applicant is unsuccessful as part of the tender process, such personal data will be retained until three years after the conclusion of the tender process or the award of the Contract to the successful Tenderer, whichever is later. If the Applicant is successful, and a contract is awarded to the Applicant at the end of the tender process, such personal data will be retained in accordance with the Contracting Authority's record management and retention policy, a copy of which can be obtained from the Contracting Authority upon request.

Any data subjects in respect of which the Contracting Authority holds or processes personal data have rights in relation to their personal data, including the right to request access to their data and, in certain circumstances to request rectification, erasure or restriction of the processing of their personal data. All such data subjects have the right to lodge a complaint with the Irish supervisory authority, the Data Protection Commission.

1.22. APPLICATION OF THE FOREIGN SUBSIDIES REGULATION

Where the Project Particulars state that Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market applies to the Competition, (having regard to the estimated value of the Contract[6]), 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.

[6] Where the estimated value of the contract is above €250m [or the equivalent in Lots (€125m)

2. PROJECT PARTICULARS

2.1. PROJECT INFORMATION

TABLE 1: GENERAL		
1(i)	Project Title:	Multi-Party Framework Agreement for carrying out Roadworks in a City and Surburban Environment for Contracts greater than €1.0m and less than €8.0m (2027-2031) Initial Contract: To be confirmed during Stage 2 of the procurement / tender process
1(ii)	Suitability assessment for:	Works Contractor and as PSCS
1(iii)	Contracting Authority Name:	Dublin City Council
1(iv)	Contracting Authority Address:	Civic Offices, Wood Quay, Dublin 8
1(v)	Contracting Authority Contact Name:	Gerry Flaherty, Senior Executive Engineer
1(vi)	Contracting Authority Contact Email Address:	Please contact the Contracting Authority via the messaging facility on www.eTenders.gov.ie
1(vii)	Approximate Size and general description of the Works that are subject of this Competition: Dublin City Council wishes to establish a Multi-Party Framework Agreement for carrying out Roadworks in a City and Suburban Environment for Contracts greater than €1.0m and less than €8.0m (2027-2031). Works to be carried out under the Framework Agreement may include some or all of the following activities: • Public realm improvement works • Roadway construction & repairs (flexible, rigid & permeable paving) • Road and street improvements (including widening and narrowing) • Traffic Signal Improvements and the installation and upgrade of pedestrian crossings including zebra crossings • Construction of on-road and off-road cycle tracks and cycle lanes and enhancement works • Construction of cycleways and greenways • Road resurfacing and high friction antiskid surfacing and associated work including planing, • Footway construction, repairs & refurbishment (including concrete, bituminous, brick, flags etc.) • Traffic calming measures including ramps, build outs, chicanes etc. • Traffic management including development & implementation of Traffic Management Plans • Installation of kerbing and road channels • Installation of ducts and construction of chambers • Regulation course, geogrids etc. • Granite paving including antique granite flags • Construction of gully pots and manhole chambers • Pipelaying including foul sewers, surface/stormwater pipelines and filter drains	

- Diversion of services
- Installation of public lighting columns & associated works
- Installation of tactile paving and dishing's
- Road markings & signage
- Railing, iron works and associated works enabling works
- Installation of traffic islands / refuges including traffic signals.
- Installation of bollards, pedestrian barriers, street furniture, gates, cycle parking & shelters etc.
- Construction of walls, including retaining walls and parapets, and related works
- Trial Holes/Site Investigations/Service Investigations/Geo-Referencing /Noise & Vibration Control
- Construction & upgrade of bus stops
- Road and footpath reinstatement work
- Landscaping including spreading of topsoil, tree planting, construction of tree pits etc.
- Site investigation, Saverys incl condition surveys for structures or buildings
- Sewer relining & rehabilitation works
- CCTV survey work and other surface water / drainage works
- Watermains upgrading works
- Replacement of defective manhole covers, valve boxes, hydrant covers etc.
- Nature Based Solutions including SuDs attenuation work and other SUDSs measures
- Role of Project Supervisor Construction Stage (PSCS)
- Public relations and engagement
- Liaison with local residents, businesses, service utilities, statutory bodies etc.
- Work to existing cellars including infilling, waterproofing, resetting and replacement of covers & hatches etc.

This list of works is non-exhaustive and will include other works as required under the scope of the Multi-Party Framework or works of a similar nature within the expertise of the chosen contractors. The Framework will be used for works across the entire administrative area of Dublin City Council including city and sub-urban settings.

All works on city and sub-urban public roads are to be carried out in in accordance with the following requirements:

(a) Safety, Health and Welfare at Work (Construction) Regulations 2013 and any amendments thereto;

(b) Safety, Health & Welfare at Work (General Applications) Regulations (SI No. 299 of 2007), and any amendments thereto;

(c) Safety, Health and Welfare at Work Act 2005 and any amendments thereto;

(d) Department of Transport, Tourism and Sport (DTTAS), Traffic Signs Manual and Temporary Traffic Management Design & Operations Guidance at www.trafficsigns.ie

(e) Department of Transport, Tourism and Sport (DTTAS), Guidelines for Managing Openings on Public Road, April 2017 and updates

(f) All works must be carried out in accordance to the Luas Code of Practice, 'For works on, near or adjacent to the Luas Tramway'. The contractor will contact all utility owners in advance of commencing the works.

All works must be carried out in accordance with Dublin City Council, Directions for the Control and Management of Roadworks in Dublin City. Dublin City Council will shortly commence using the Map Road Licensing (MRL).

The Specification referred to in general in any Contract under the Framework must be the 'Specification for Road Works', published by the TII as including all amendments to the Standards prior to and including the latest revision.

In addition other Specifications include 'Guidelines for Managing Openings in Public Roads Guidelines for the Opening, Backfilling and Reinstatement of Openings in Public Roads' (Department Of Transport, Tourism and Sport) and 'Construction Standards for Road and Street Works in Dublin City Council' may be utilised.

City and sub-urban environment are defined as areas with the following characteristics:

1. High volumes of vehicular traffic, cyclists & pedestrians
2. Buildings spaced close together and located adjacent to the roadway with little or no setback, with footways adjacent to existing roadways and buildings and on street parking and/or shared general purpose multi-storey parking which are located behind or to the side of buildings
3. A well-developed parallel and interconnected road network
4. Street designed for ease of crossing by pedestrians e.g. traffic lights, pedestrian lights etc.
5. Well- developed public transport, bicycle & pedestrian facilities.
6. Speed Limits less than or equal to 50km per hour with some works on roads with 60km/hr and 80km/hr speed limits.
7. Working and living population of in excess of 50,000 people.

Dublin City Council reserves the right to:

- Terminate this procurement process (or any part of it) at any time
- Procure the works by alternative means where it is deemed more advantageous
- Not accept the most economically advantageous tender or any tender

1(viii)	Anticipated Start of Works Date:	Anticipated starting date will be identified when the 2nd Stage commences. The initial project call-off start date is estimated to be in Q2 2027	
1(ix)	Contract Period (months):	The term of the Framework will be for 48 months	
1(x)	Form of public works contract to be used:	PW-CF5	**Note**: If any of PW-CF1 to PW-CF5, see Tables 2 to 4
1(xi)	The Bill of Quantities Method of Measurement to be used is (where applicable):	TII's Requirements for Measuring and Pricing (RMP)	
1(xii)	Is the Contract to be novated as a Specialist contract?	N/A	**Note:** If Yes, see Tables 5 and 6

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

TABLE 2: (NOT USED)			

TABLE 3: SPECIALISTS TO BE NAMED BY THE EMPLOYER IN THE SCHEDULE PART 3B			
3(i)	Novated Specialists Are Specialists contracts to be novated to the Works Contractor?	NO	**Note:** If "YES", see Section 2.7.1
3(ii)	Reserved Specialists Are Specialists to be reserved by the Employer?	NO	**Note:** If "YES", see Section 2.7.2

TABLE 4: SPECIALISTS TO BE NAMED BY THE CONTRACTOR (PW-CF2 or PW-CF4 only) IN THE SCHEDULE PART 2E			
4(i)	Applicant Specialists Is the Applicant required to propose Specialist(s) to name in the Contract?	N/A	**Note:** If "YES", see Section 2.6.1
OR (but not both)			
4 (ii)	Listed Panel Specialists Will the Contracting Authority provide Listed Panel Specialists?	N/A	**Note:** If "YES", see Section 2.6.2

ADDITIONAL INFORMATION TO BE PROVIDED ONLY WHERE THE CONTRACT IS TO BE NOVATED OR THE COMPETITION IS FOR A RESERVED SPECIALIST.

TABLE 5: MAIN WORKS CONTRACT DESCRIPTION		
5(i)	Contract Notice Reference for the main works contract	N/A
5(ii)	Approximate size and general description of the main works contract: N/A	
5(iii)	Approximate value of the main works contract, where known:	N/A
5(iv)	Anticipated start of the main works contract:	N/A
5(v)	The form of contract to be used for the main works contract:	N/A

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TABLE 6: WHERE THE CONTRACT IS TO BE NOVATED AS A SPECIALIST CONTRACT	
6(i)	Where other contracts are to be novated as specialist contracts, provide a brief description below of the other specialist areas to be novated, otherwise enter “N/A”below. N/A.

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TABLE 7: WHERE THE COMPETITION IS FOR A RESERVED SPECIALIST	
7(i)	Where other Specialists are to be reserved by the Contracting Authority, provide a description below, otherwise enter “N/A”below: N/A.

2.2. COMPETITION DETAILS

TABLE 8 – COMPETITION DETAILS	
8(i)	Latest time and date for submission of queries in relation to the Competition: As per advertisement on E- tenders.
8(ii)	The means of communication (in writing) in connection with the Competition is by: the eTenders platform All queries in relation to this competition must be submitted through the Irish Government Procurement Opportunities Portal www.etenders.gov.ie (CfT Resource ID: 9044862) as a specific question. Responses will be circulated to those Applicants that have registered an interest in this notice on www.etenders.gov.ie. The details of the party making the query will not be disclosed when circulating the response. All queries must be submitted via eTenders before the time indicated by eTenders to enable issue of responses to all interested parties
8(iii)	Deadline for receipt of SAQ Responses is (local Irish time): As per advertisement on E-tenders
8(iv)	The means of submission of SAQ Responses is by: the eTenders platform Applications must be submitted electronically via the eTenders electronic tender facility on www.etenders.gov.ie only. Only Tenders submitted through the electronic tender facility will be accepted. Tenders submitted by any other means (including but not limited to by email, post or hand delivery) will not be accepted. Please note that the eTenders electronic tender facility closes at the stated date and time precisely. It is the responsibility of Applicants/Tenderers to use the tender facility correctly, which includes taking responsibility for the safe and timely delivery of the tender. Please ensure that you allow adequate time for uploading your documentation onto the eTenders electronic tender facility. Applicants/Tenderers must ensure that they give themselves enough time to upload and submit all required documentation before the closing date/time. Applicants/Tenderers should consider the fact that upload speeds vary. In order to submit a response to the electronic tender facility, please note that you must ensure you have submitted the response completely. It is advisable to familiarise yourself with the new eTenders platform prior to the closing date. Should you experience difficulty when uploading documents or have any queries regarding the tender submission, please contact eTenders directly via phone +353 818 001 459. Email irish-eproc-helpdesk@eurodyn.com or select 'Contact Us' on the home page.

	The Contracting Authority will not be responsible if an economic operator fails to upload their documentation or if the uploaded file(s) is/are corrupted and cannot be read by Dublin City Council. In order to facilitate assessment, Applicants/Tenderers are kindly requested to submit a single attachment inclusive of the completed questionnaire(s)/ tender(s) and all related appendices. Please zip your attachment to protect the integrity of file names. Economic Operators should note the following when making their submission: • In order to submit a document to the electronic tender facility you must first accept the agreement for a Call for Tender and confirm the validity of your user details. • This will launch the online Tender Preparation Tool where you can create your tender online and prepare your tender response for submission. • There is a maximum upload limit of 100MB per submission. • After submitting a response, the response may be modified and re-submitted as many times as may be necessary until the CfT deadline has expired. • The 'Submit' button will be disabled automatically upon the expiration of the response deadline. Please refer to the documents 'Additional Information for eTenders Notices' for further information.	
8(v)	Where the means of submission is electronic or by the eTenders platform, the required format for electronic files is: PDF readable. Please upload your response as a ZIP FILE to protect the integrity of the file names.	
8(vi)	Where the means of submission is not electronic, provide details of the place where SAQ Responses must be received at: N/A	
Regulation 57 (Exclusion Grounds) of SI 284/2016		
8(vii)	Applicants (and any members of the Applicant and entities relied upon) are required to provide a declaration in relation to Regulation 57 (Exclusion Grounds) of SI 284/2016 the form of:	Appendix A (Self Declaration re Regulation 57)
Regulation (EU) No 833/2014 as amended by Council Regulation (EU) 2022/576 - Sanctions Against Russia		
8(viii)	Applicants are required to declare (by completing the Applicant Declaration in Part 2) that the Applicant, any members of the Applicant 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	Yes

	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		
8(ix)A	. Does an IPI measure(s) made pursuant to Regulation (EU) 2022/1031 – the IPI Instrument - apply to this Competition?	N/A
Application of the Foreign Subsidies Regulation - Regulation 2022/2560 of the European Parliament and of the Council of 10 July 2023 – on foreign subsidies distorting the internal market – ("the FSR") to the Competition		
8(ix)B	Does the Foreign Subsidies Regulation apply to this Competition?	N/A
Evaluation		
8(x)	Means of evaluation of Qualification Criteria and forming the short-list of Candidates to be invited to participate in the next stage of the Competition: Pass/Fail + Qualitative and selection by ranking	
8(xi)	Not used.	
8(xii)	Where "Pass/Fail + selection by random selection" is selected above, the procedure to be used to form the short-list is: N/A	
8(xiii)	The minimum number of Candidates to be selected to tender (provided always that there are sufficient numbers) is: Ten (10) to be shortlisted at Stage 1 (provided that there are ten (10) such applicants that meet the minimum criteria and rules for selection set out in the SAQ) and invited to participate in Stage 2 (Invitation to Tender) of the competition. At Stage 2 a minimum of three (3) and a maximum of eight (8) (provided sufficient tenderers qualify) will be admitted to the Multi Party Framework Agreement	
8(xiv)	The maximum number of Candidates selected to tender (if applicable) is: Ten (10) to be shortlisted at Stage 1 (provided that there are ten (10) such applicants that meet the minimum criteria and rules for selection set out in the SAQ) and invited to participate in Stage 2 (Invitation to Tender) of the competition. At Stage 2 a minimum of three (3) and a maximum of eight (8) (provided sufficient tenderers qualify) will be admitted to the Multi Party Framework Agreement	
Evaluation of Applicant's Specialists (PW-CF2 or PW-CF4 only, where applicable)		
8(xv)	Means of evaluation of Applicant's Works Specialists:	

	N/A	
8(xvi)	Where "Pass/Fail only" is selected above, the maximum number of permissible Works Specialists that may be proposed by the Applicant is: N/A	
8(xvii)	The means of evaluation of Applicant's Specialist Service Providers (where required): N/A	
Review Procedure In Competition		
8(xviii)	Is the Contracting Authority providing a review procedure (other than legal proceedings under Order 84A of the Rules of Superior Courts)?	No
8(xix)	Where "Yes" is selected the review procedure is: **Note to Applicants**: Any review process set out above is not mandatory. Applicants should obtain legal advice as to the review procedures that may be available to them under law, as well as the timeframes in which such review procedures may be availed of.	

2.3. CONTRACTOR/RESERVED SPECIALIST ROLE(S)

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

TABLE 9: COMPETITIONS FOR WORKS CONTRACTORS		
Ref	Role	Requirement
9(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). **Note:**Applicants **must always** complete H&S Supplement 3.4.1.
9(ii)	PSCS	**The successful Tenderer WILL BE appointed as the PSCS on** the project in accordance with the Construction Regulations. **Note:**Where the response is "will be", Applicants must also complete H&S Supplement 3.4.2.
PW-CF2 or PW-CF4 ONLY		
9(iii)	Not Used	Not Used
9(iv)	Designer (H&S):	**The successful Tenderer N/A be the appointed Designer** on the project for the purpose of the Construction Regulations and BC (A) R (where BC (A) R applies). **Note:** Where the successful Tenderer will be the appointed Designer, Applicants must also respond to the appropriate Specialist Services Provider QC1 Questionnaire provided by the Contracting Authority. **The Tenderer assumes the duties of the client under the Safety, Health and Welfare at Work (Construction) Regulations 2013 for the tender stage design and must formally assess the competence of their proposed tender stage designer and appoint them.**
9(v)	PSDP	**The successful Tenderer N/A appointed as the PSDP** on the project in accordance with the Construction Regulations. **Note:** Where the successful Tenderer will be appointed the PSDP, Applicants must also respond to the appropriate Specialist Services Provider QC2 Questionnaire provided by the Contracting Authority. **The Tenderer assumes the duties of the client under the Safety, Health and Welfare at Work (Construction) Regulations 2013 for the tender stage design and must formally assess the competence of their proposed tender stage PSDP and appoint them.**
9(vi)	Design Certificate (BC(A)R):	**The successful Tenderer N/A required to sign the Design Certificate** in accordance with BC (A) R, where BC (A) R applies.

OR

TABLE 10: COMPETITIONS FOR RESERVED SPECIALISTS OR RESERVED SPECIALIST WITH DESIGN INPUT ONLY		
Ref	Role	Requirement
10(i)	Reserved Specialist	Applicants **N/A** complete H&S Supplement 3.4.1.
OR		
10(ii)	Reserved Specialist with Design Input	Applicants **N/A** complete H&S Supplements 3.4.1 **and** 3.4.3.

2.4. PROJECT CATEGORISATION FOR HEALTH AND SAFETY COMPETENCE ASSESSMENT[7]

TABLE 11: 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 12: Areas of work involving particular risks known to Contracting Authority at issue of Questionnaire:

[7] The Contracting Authority must select the category of project, in general:
• Type 1 project has a value < €1M (Exclusive of VAT);
• Type 2 project has a value €1M to €10M (Exclusive of VAT); or
• Type 3 project has a value > €10M (Exclusive of 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.

Particular Risks known to the Contracting Authority includes but is not limited to the following:

- Work in or adjacent to a live area where contact and interaction with users, staff, public (pedestrians or cyclists), animals or traffic is possible

- Work in proximity to live existing services which could harm workers or of which the continuity of service is critical to the operation of the facility. E.g. Work near high voltage power line and high pressure gas and water mains, overhead electrical services and/or underground electrical, gas and water services.

Works on a live carriageway.

- Burial under earth falls, the use of machinery and equipment on steep embankments or on unstable ground.

-working along roads, in heavily trafficed areas including weekends and outside daylight hours.

- conflict between equipment, machinery and vehicles and cyclists accessing or exiting sites, including vehicles or trailers extending into live carraigeway while entering or leaving sites.

- handling and application of chemicals, hot water, gas or other materials or means in the treatment of weeds, invasives species. Exposure during the collection of grass, woodchip, compost or other specific site maintenance requirements.

The successful tenderer must manage their activities so as to comply with the Safety, Health and Welfare at Work Act, 2005, the Safety, Health and Welfare at Work (General Application) Regulations 2007, the Safety, Health and Welfare at Work (Construction) Regulations, 2013 and all other applicable National and European Legislation.

The successful tenderer will be appointed as Contractor and Project Supervisor Construction Stage (PSCS) for the project. They must have at their disposal the competence and the resources to fulfil the duties attached to the roles of Contractor and PSCS. They will be appointed, in writing, as a competent person in compliance with the Safety Health and Work Act, 2005 Section 17 and they must fulfil their role as PSCS by complying with their responsibilities under the relevant Safety, Health and Welfare at Work (Construction) Regulations, 2013 Part 2, Design and Management. As Contractor they must fulfil their responsibilities under the relevant Safety, Health and Welfare at Work (Construction) Regulations, 2013 Part 3, General Duties of Contractors and Others and other relevant regulations.

It is the responsibility of the successful tenderer to keep themselves up to date with changes to any relevant health and safety legislation and to comply with such changes.

2.6. SPECIALISTS TO BE NAMED BY THE CONTRACTOR (PW-CF2 or PW-CF4 only)

2.6.1. APPLICANT SPECIALISTS

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TABLE 13: APPLICANT SPECIALIST AREAS	% of total project costs
(i) Specialist Works	
N/A	N/A
(ii) Specialist Services	
N/A	N/A

2.6.2. SPECIALISTS LISTED BY THE EMPLOYER

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TABLE 14: LISTED PANEL SPECIALIST AREAS	% of total project costs
N/A	

2.7. SPECIALISTS NAMED BY THE EMPLOYER (PW-CF1 to PW-CF5 only)

2.7.1. NOVATED SPECIALISTS

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TABLE 15: NOVATED SPECIALIST CONTRACT AREA(S)	% of total project costs
N/A	

2.7.2. RESERVED SPECIALISTS (PW-CF1, PW-CF3 or PW-CF5 only)

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TABLE 16: RESERVED SPECIALIST AREA(S)	% of total project costs
Reserved Specialist Area(s)	
N/A	
Reserved Specialist with Design Area(s)	
N/A	

2.8. OTHER WORKS

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 17: DESCRIPTION OF OTHER WORKS
Applicants are advised that other contractors may be working within the Dublin City Council area during works which may need to be co-ordinated and co-operated with. This may include some of the following Traffic signal works and ITS contractor works
Public lighting works
Road markings and road signing works
Uisce Eireann works Utility works by various operators (Eir, ESB, Gas Networks, Virgin Media etc)
Specialist contractors by Dublin City Council Departments (tree installation, landscaping works, minor non-routine road works etc)

2.9. ADDITIONAL APPLICANT INFORMATION

TABLE 18: OTHER INFORMATION REQUIRED
CONFLICT OF INTEREST The Tenderer must disclose any potential conflicts of interest or potential perceived conflicts of interest which it might have with any aspect of this procurement process, or its Suitability Assessment Questionnaire, or with any other Tenderer. In particular, the Tenderer must disclose if it, its management, or any of its proposed personnel, have or have had any other interest in or involvement in relation to the proposed contract and/or the Project. Applicants must complete a Conflict of Interest declaration in Part 2 of the QW2.

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 19 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 3.4.1,3.4.2 and 3.4.3 (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 19: CONTRACTING AUTHORITY'S ASSESSMENT SCHEME SUMMARY[8]				
No.[9]	**Requirement/Criterion**	**Qualification Criterion**	**Response Type**	**Evaluation**
3.1	**(NOT USED[10])**			
3.2	**PROFESSIONAL OR TRADE REGISTER**	No	N/A	N/A
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	No	N/A	N/A
3.3e	Professional Indemnity Insurance	No	N/A	N/A
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	Qualitative see Table 23
3.4b	Educational and Professional Qualifications (Personnel)	No	N/A	N/A
3.4c	List Works carried out over the Past **5** Years	Yes	Evidence Required	Qualitative-see Table 23
3.4d	List Technicians or Technical Bodies involved especially those responsible for Quality	No	N/A	N/A

[8] Where Applicants are required to propose Specialists, Qualification Criteria are also contained in the Specialist Questionnaires.
[9] The numbers in this column reference the subsection numbers of the criteria in this Questionnaire.
[10] 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.

TABLE 19: CONTRACTING AUTHORITY'S ASSESSMENT SCHEME SUMMARY[8]				
No.[9]	Requirement/Criterion	Qualification Criterion	Response Type	Evaluation
	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	No	N/A	N/A
3.4f	A statement of the Technical Equipment Available	No	N/A	N/A
3.4g	Environmental Management Measures	Yes	Evidence Required	Qualitative see Table 23
3.4h	Supply Chain Management & Tracking Systems	Yes	Evidence Required	Qualitative see Table 23

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TABLE 20: 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	Evidence Required	Pass/Fail
3.4.1b	(HS) Educational and Professional Qualifications (Personnel)	No	N/A	N/A
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	Declaration 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	Declaration Required	Pass/Fail

TABLE 21: H&S SUPPLEMENT 3.4.2: HEALTH AND SAFETY COMPETENCE OF A PSCS

CA Note: Complete the Table 21 ONLY where the Project Particulars state that the role of PSCS is required, otherwise select N/A in the drop-down fields below

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	Evidence Required	Pass/Fail
3.4.2b	(HS) Educational and Professional Qualifications (Personnel)	No	N/A	N/A
3.4.2c	(HS) List of Technical Services provided for Works over the Past **5** Years	Yes	Evidence Required	Pass/Fail
3.4.2d	(HS) Measures for Ensuring Quality	Yes	Declaration 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

TABLE 22: H&S Supplement 3.4.3: Health and Safety Competence of a Specialist with Design Input (including a Reserved Specialist with Design or an Applicant Specialist with Design)

No.	Requirement/Criterion	Qualification Criterion	Response Type	Type of Evaluation
3.4.3	**TECHNICAL CAPABILITY CRITERIA in SUPPLEMENT 3.4.3 (Health and Safety competence of either Novated or Reserved Specialist with Design) (where required in section 1.3)**			
3.4.3a	(HS) Educational and Professional Qualifications (Management)	N/A	N/A	N/A
3.4.3b	(HS) Educational and Professional Qualifications (Personnel)	N/A	N/A	N/A
3.4.3c	(HS) List Specialist Works with design input carried out over the Past **5** Years	N/A	N/A	N/A
3.4.3d	(HS) Measures for Ensuring Quality	N/A	N/A	N/A
3.4.3e	(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	N/A	N/A	N/A

The Contracting Authority's Qualitative Assessment scheme is outlined in Table 23 below.

Markings are only to be used (where required) in relation to the following criteria (or others identified in any table that may be referenced below) in the main area of the Questionnaire(s).

TABLE 23: QUALITATIVE ASSESSMENT – MARKING SCHEME				
			(PW-CF2 or PW-CF4 Only) **Applicant Specialist Marking Scheme, where applicable**	
1	**2**	**3**	**4**	**5**
No.	**Requirement/Criterion**	**Marking** **For Applicant**	**Marking** **Applicant Specialist Services Provider[11]**	**Marking** **Applicant Specialist Works Contractors[12]**
3.3	**FINANCIAL & ECONOMIC STANDING CRITERIA**			
3.3b	Balance Sheet or Extracts from a Balance Sheet	Pass/Fail only	N/A	N/A
3.3d	Financial Statements or extracts from Financial Statements	N/A	N/A	N/A
3.4	**TECHNICAL CAPABILITY CRITERIA**			
3.4a	Qualifications (Managerial)	1000	N/A	N/A
3.4b	Qualifications (Personnel)	N/A	N/A	N/A
3.4c	List of Works carried out over the Past **5/7** Years, and/or List of Services carried out over the past **3/5/7** Years (applicable to service contracts only).	8000 marks for list of works carried out over 5 years	N/A	N/A
3.4e	A statement of the Average Annual Numbers of Persons Employed by the Contractor and/or Service Provider and those in a Managerial Position over the Past 3 Years	N/A	N/A	N/A
3.4g	Environmental Management Measures	500 marks	N/A	N/A
3.4h	Supply Chain Management and Tracking Systems	500 marks	N/A	N/A
	Total	10000 marks		

** This criterion may only be evaluated on this basis where the criterion is a Qualification Criteria in the relevant Specialist Questionnaire(s).

Total Score = Total of column 3 + [Total of column 4 + Total of column 5] (where the specialist marking scheme is applicable).

[11] Note to CA: where a specialist service provision is required and a qualitative assessment is to be carried out on those service providers ensure that the weightings in QC1 match the weightings in this column.

[12] Note to CA: where a specialist works provision is required and a qualitative assessment is to be carried out on those specialist works contractors ensure that the weightings in QW3 match the weightings in this column.

Any Applicant who;:-

(i) Not Passing on a 'pass/fail' criterion; or

(ii) achieving less than 50% of the maximum marks available for an Individual Technical Capability criterion (that is less than 50% of the total marks available for either 3.4a, 3.4c and 3.4g)

will be EXCLUDED from further consideration.

SAQ Submission Scoring Table for relevant sections:

90 - 100% Outstanding - A very comprehensive response demonstrating extensive understanding offering full assurance to client – fully supported with no reservations.

80 - <90% Excellent - An excellent response demonstrating excellent understanding offering assurance to client – strongly supported.

70 - <80% Very Good - A very good response demonstrating very good understanding offering assurance to client – fully supported.

60 - <70% Good - A good response demonstrating good understanding offering assurance to client – well supported.

50 - <60% Acceptable - An acceptable response demonstrating a minimum understanding offering assurance to client - satisfactorily supported.

<50% Unacceptable

In the event of a tie between the total score awarded to different Applicants, the Applicants will be ranked on the basis of the total marks achieved for criterion 3.4c, with the applicant achieving the highest score being awarded the highest available ranking position, the Applicant with the second highest score will be awarded the second highest available ranking position and so on for each subsequent applicant.

When Applicants achieve the same total score and same total marks for criterion 3.4c, the Applicants will be ranked on the basis of the total marks achieved for criterion 3.4a, with the Applicant achieving the highest score being awarded the highest available ranking position, the Applicant with the second highest score will be awarded the second highest available ranking position and so on for each subsequent Applicant.

When Applicants achieve the same total score and the same total marks for criteria 3.4c & 3.4a, the Applicants will be ranked on the basis of the total marks achieved for criterion 3.4g and then 3.4h, with the Applicant achieving the highest score being awarded the highest available ranking position, the Applicant with the second highest score will be awarded the second highest available ranking position and so on for each subsequent Applicant.

When Applicants achieve the same total score and the same total marks for criteria 3.4c , 3.4a, 3.4g & 3.4h, all tied Applicants may be shotlisted.

3.1. (NOT USED)[13]

3.2. ENROLMENT ON PROFESSIONAL OR TRADE REGISTER

[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 1.8.

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

Applicants 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:

3.3. ECONOMIC AND FINANCIAL STANDING SELECTION CRITERIA

Information in this Section 3.3 must be provided by the Applicant, or, where the Applicant is a Joint Venture, Consortium or Partnership, each member of the Applicant. If the Applicant (or any member of the Applicant) 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

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

The evidence required to pass this criterion is statements of yearly turnover for the 3 most recently completed financial years which demonstrate that the Applicant meets or exceeds the Turnover Requirement set out below. If the date of establishment of the Applicant means the Applicant cannot provide yearly turnover for 3 years, the Applicant must submit statements of yearly turnover for each year the Applicant (or member of the Applicant, or entity being relied upon) has been established to demonstrate they have the necessary financial standing. Applicants may be required to demonstrate the 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 Yearly Turnover arising from the area of work specified:
Roadworks as decribed in Section 1 [14]	€ 4,000,000 per annum (excl V.A.T) directly related to roadworks or public realm works on public roads

[14] Delete one or include a description of the specialist work only where the works that are the subject of the contract are of a specialist nature.

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CA SUPPLEMENTARY REQUIREMENTS: The minimum requirement at this stage is the declaration contained within Section 2.7 of the QW1 (Applicant Details and Declaration) document.

However, if requested the Applicant must provide evidence as outlined below, to confirm compliance with the declaration noted above as part of the SAQ. Should this evidence be requested, it must be provided within 7 business days of the request being made (and such a request may be made at any time during the procurement process). Failure to return the required evidence within the advised timescale, may result in the applicant being eliminated from the competition.

CERTIFIED evidence by way of a letter from their auditor or accountant or equivalent) of turnover for the previous three (3) financial years (2023, 2024 & 2025) within 7 calendar days. The minimum requirement for this project is a minimum average yearly turnover of €4,000,000 excluding VAT, based on the previous three (3) years for the Works Contractor. Evidence will be requested from applicants being considered for shortlisting. Failure to return the required evidence within the advised timescale may result in the applicant being eliminated from the competition. However, where a multi-disciplinary firm is applying, evidence of the overall turnover of the firm should also be provided.

The evidence should be objective and from an appropriate source (e.g., auditor's statement) but if for any valid reason this evidence cannot be provided then alternative evidence which is considered appropriate by the Contracting Authority may be provided.

Where the Applicant is a Consortium or Joint Venture the aggregated turnover for all members of the Applicant 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 Applicant to avoid elimination. The relevant minimum requirements are as follows:

CA SUPPLEMENTARY REQUIREMENTS in relation to Consortia etc: 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

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: The minimum requirement at this stage is the declaration contained within Section 2.7 of the QW1 (Applicant Details and Declaration) document.

However, if requested the Applicant must provide evidence as outlined below, to confirm compliance with the declaration noted above as part of the SAQ. Should this evidence be requested, it must be

[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.

provided within 7 business days of the request being made (and such a request may be made at any time during the procurement process). Failure to return the required evidence within the advised timescale, may result in the applicant being eliminated from the competition.

- Provide extracts from balance sheets from each the past three financial years showing a positive balance. The minimum requirement is a positive balance in the past three years. This can be in the form of a written statement from a certified auditor or accountant.

3.3c BANKER'S LETTER

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

The evidence required to pass this criterion is a letter in the form of Appendix C Bankers Letter from the Applicant'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 Applicant'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:
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 REQUIREMENTS:

3.3e PROFESSIONAL INDEMNITY INSURANCE

.

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

At the shortlisting stage (where there is a requirement to provide professional indemnity insurance "PII"), the Applicant 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 and as PSCS	€ 1,500,000[16]

The excess as stated here:

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

Cover provided on an annual aggregate claim basis[17].

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

CA SUPPLEMENTARY REQUIREMENTS:

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 Applicant 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

At the shortlisting stage, the Applicant will be required to produce evidence in the form of (i) or (ii) below confirming that the Applicant has, or can obtain 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 and as PSCS will bear the cost:	€ 10,000

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

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

[17] Where an Applicant 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).

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: All insurance must be permitted and /or authorised in the Republic of Ireland, with specific indemnity to Dublin City Council.

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 of 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 Applicant 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

.

At the shortlisting stage, the Applicant will be required to produce evidence in the form of (i) or (ii) below confirming that the Applicant has, or can obtain, 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]

Entitles 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: All insurance must be permitted and /or authorised in the Republic of Ireland, with specific indemnity to Dublin City Council.

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 Applicant 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

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

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

The minimum requirement at this stage is the declaration contained within Section 2.7 of the QW1 (Applicant Details and Declaration) document.

However, if requested the Applicant must provide evidence as outlined below, to confirm compliance with the declaration noted above as part of the SAQ. Should this evidence be requested, it must be provided within 7 business days of the request being made (and such a request may be made at any time during the procurement process). Failure to return the required evidence within the advised timescale, may result in the applicant being eliminated from the competition.

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: Appendix_D1_QW1_Letter_of_Undertaking_Bond

The evidence required to pass this criterion is the completed Letter of Undertaking re Bond in Appendix D1 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.

3.4. TECHNICAL CAPABILITY CRITERIA[22]

In the context of technical capability, the Applicant 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 Applicant, any member of the Applicant, 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 Applicant, any member of the Applicant, or an entity being relied upon).

If the Applicant (or any member of the Applicant) 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	QUALITATIVE

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 an Applicant 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 Applicant/entity relied upon (as may be applicable).

CA SUPPLEMENTARY REQUIREMENTS:

There is a maximum of 1000 marks available for this criterion. Applicants must achieve a minimum score of 50% (500 marks). Failure to meet this minimum will result in elimination from the pre-qualification process.

Applicants must demonstrate that they have suitably qualified and experienced Management Staff to undertake the road and street works in a city environment of a similar nature, scale, and complexity to those envisaged under this Framework (Type 2). The experience requirement, for the 2 roles below, does not preclude the inclusion of experience gained on projects greater than €8 million (excl. VAT). The minimum number of years' experience is detailed below for each role.

In the event of an Applicant submitting the same person for more than one role, only the first role as it appears in the submission will be considered in the qualitative assessment.

No additional marks will be awarded for submitting additional CVs.

[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).

Section 3: Suitability Assessment Questionnaire

A. Organisational Chart. The Applicant must submit a company organisational chart and must demonstrate that it has an adequate organisational business structure to successfully deliver multiple call-off roadworks contracts (of the nature proposed under this competition and as described in Section 1) valued between €1 million and €8 million in a live city and suburban environment. The submitted organisational chart shall demonstrate the following:

Minimum Requirements:

a Management structure must contain a minimum of two levels of managerial oversight, above the level of Site Agent. The chart should identify key management personnel and reporting lines)

b Organisational structure must include a separate quality management unit that are implementing and overseeing approved ISO or equivalent Quality Management System.

The information requested for this section cannot exceed 4 pages (portrait only) and the font shall be Arial, size 10. Only the first 4 pages will be assessed.

B. Key Managerial Personal

Each management personnel must be a full member of a recognised professional body relevant to their discipline (i.e.) Chartered or Equivalent, (e.g.) CIOB, RIAI, RIBA, Engineers Ireland, SCSI, CIBSE, PMI, IOSH, Institution of Construction Safety or an equivalent. Where a management personnel is not a member of a professional body the Contracting Authority may consider equivalent relevant experience

The Applicant shall submit Curriculum Vitae (CVs) for the key management personnel listed below. Each CV must include:

- Qualifications (educational and professional)
- Relevant project experience
- Specific responsibilities and roles in previous projects
- Two (2) completed relevant projects similar in scale, nature, and complexity
- Any health & safety training, certifications, or CPD undertaken

Role 1 – Contracts Manager

The Contracts Manager is the contractor's senior management representative responsible for the overall delivery of framework contracts, commercial control, resource management, client relationship management and contractual compliance across multiple concurrent projects. The Minimum Educational and Professional Qualifications and Experience of the Contracts Manager shall be demonstrated as follows:

a) QQI recognised or equivalent Level 8 degree in Civil Engineering or an equivalent professional qualification.

b) Chartered Engineer accreditation by Engineers Ireland or on equivalent body.

c) Minimum of 10 years' experience delivering public realm, roads, highways, urban infrastructure or civil engineering projects.

d) Carried out similar role for 2no. roadworks contracts within the past 5 YEARS of similar nature, scale, complexity and value as described in Section 1, including at least one contract involving a public realm improvement scheme in a city centre area with a contract value greater than €3.0 million excluding VAT. The projects listed shall be presented in a format to clearly identify the projects the person has worked on, the contract value (excl. VAT), the completion date and indicate the role performed,

The information requested for this section cannot exceed 4 pages (portrait only) and the font shall be Arial, size 10. Only the first 4 pages will be assessed.

Role 2 – Health and Safety Manager

The Health and Safety Manager is responsible on behalf of the Applicant for the overall health and safety on the project and to undertake the role of Health & Safety Coordinator for the Construction Stage to assist in undertaking the duties of the PSCS specified in Regulations 16 to 19 inclusive of the Safety Health and Welfare at Work (Construction) Regulations 2006.

The following Minimum Educational and Professional Qualifications and Experience of the Applicant's Health and Safety Manager shall be demonstrated

Applicants must provide evidence that of the Contractor's Managerial Staff (at least one management individual) who will have direct involvement in the management of the PSCS role during the project has the following:

(i) QQI recognised level 8 (or equivalent) professional qualification in health and safety

(ii) Minimum of 8 years post graduate experience in providing health and safety services in Civil Engineering Works including roadworks contracts.

(iii) At least 16 hours annual health and safety training (in-house or CPD course) including up-to-date training in construction site safety and traffic management for Type 2 Projects

The information requested for this section shall be on a maximum of 4 pages (portrait only) and the font shall be Arial, size 10. Only the first 4 pages will be assessed.

Other information

• The Contracting Authority reserves the right to seek evidence of qualifications, professional memberships, project references and curriculum vitae for all nominated personnel.

• The qualifications referenced refer to the National Framework of Qualifications (NFQ) as specified on the Quality and Qualifications Ireland (QQI) website http://QQI.ie. Equivalent Level qualifications will be accepted

• The Evaluation Team will only assess information within the permitted page limits. Content exceeding these limits will not be considered.

APPLICANT 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 Applicant **may** include the evidence required for the (HS) sub-criteria stated above, with the evidence required above. Where the Applicant 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 Applicant 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:
NO	NOT REQUIRED	N/A

The evidence required for assessment purposes under this criterion is the educational and professional qualifications (with the dates obtained) of the Applicant'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:

APPLICANT 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 Applicant may include the evidence required for the (HS) sub-criteria stated above, with the evidence required above. Where the Applicant 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, Applicants 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	QUALITATIVE

CA Note: 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 an Applicant cannot provide evidence for the entire period (e.g. an Applicant 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 projects that the Applicant (or an a member of the Applicant or the entity being relied upon who is proposed in respect of the carrying out of the relevant works if the Applicant 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 Authority will conduct an assessment to the criteria below.

There is a maximum of 8,000 marks available for this criterion. Applicants must achieve an overall minimum score of 50% (4000 marks) to pass this criterion. Failure to achieve this minimum score will result in elimination from the pre-qualification process.

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The Applicant must submit 2 Type 2 Reference Projects on public roads in a 'city' environment from the past 5 years, each where the Applicant acted as main contractor whether as the sole main contractor or as part of a joint venture in construction of road projects, using only the forms provided. Projects shall have an outurn value of more than €1,000,000 (Ex. VAT). One project must have an outturn value exceeding €3,000,000 (Ex VAT).

Applicants must submit Appendix B1 and Appendix B2 and must demonstrate how their experience is similar in nature and complexity to some or all of the following features. Detailed descriptions must be provided as part of Appendix B2. If submitting additional information over and above Appendices B1 and B2, the information cannot exceed 6 pages (incl drawings and photos) (portrait only) and the font shall be Arial, size 10. If more than 6 pages are submitted only the first 6 will be assessed.

Applicants should note that only two reference projects are required. No additional marks will be awarded for the submission of additional projects. Where more than two projects are submitted, only the first two projects listed in Appendix B1 will be considered for qualitative assessment.

Each project will be assessed individually against the criteria specified below. A maximum score of 4,000 marks is available for each project.

Project 1: Major Public Realm and Urban Street Upgrade Project

The first project submitted must provide evidence of the following:

1. A contract undertaken in a city environment, with an outurn value exceeding €3,000,000 (excluding VAT), involving the upgrading and improvement of existing city streets, within public realm areas subject to high volumes of vehicular traffic, pedestrians and cyclists. Evidence shall be provided demonstrating the contract value, project scope and location.

2.Demonstration of the approach adopted for:

- o Waste management;
- o Programme management; and
- o Overall contract management.

3. Experience in Contractor-designed Traffic Management (TM), including evidence of the management and control of Traffic Management design changes during the execution of the Works.

4. Experience of undertaking works outside normal working hours, including night-time and weekend working. Evidence shall be provided, including quantities or extent of such works.

5. Demonstration of quality management procedures, particularly in relation to the installation and finishing of granite or other high-quality paving materials. Evidence of testing and quality assurance measures shall be provided. Applicants shall also provide details of any hand excavation undertaken in proximity to existing utility services, building entrances, boundary walls, basements or cellars within the public realm.

6. Details of stakeholder engagement and day-to-day coordination with:

- o Residents;
- o Existing businesses;
- o Regulatory and statutory bodies;
- o Utility providers; and
- o Local Authority departments.

7. Details of innovations implemented by the Applicant to promote environmental sustainability and minimise adverse environmental impacts during the delivery of the contract.

Project 2: Urban Paving and Streetscape Project

The second project submitted must provide evidence of the following:

1. A contract undertaken in a city environment, with an outurn value exceeding €1,000,000 (excluding VAT) involving the installation of modular paving, natural stone paving, or similar high-quality streetscape materials within a public roadway or footway, where the completed area exceeded 500m². The project shall include the installation of high-quality materials such as granite flags, granite setts, concrete flags, concrete blocks or equivalent. Evidence shall be provided demonstrating the contract value, project scope and location.

2. Demonstration of the approach adopted for:

   o Waste management;

   o Programme management; and

   o Overall contract management.

3. Experience in Contractor-designed Traffic Management (TM), including evidence of the management and control of Traffic Management design changes during the execution of the Works.

4. Experience of undertaking works outside normal working hours, including night-time and weekend working. Evidence shall be provided, including quantities or extent of such works.

5. Demonstration of quality management procedures, particularly in relation to the installation and finishing of granite or other high-quality paving materials. Evidence of testing and quality assurance measures shall be provided. Applicants shall also provide details of any hand excavation undertaken in proximity to existing utility services, building entrances, boundary walls, basements or cellars within the public realm.

6. Demonstration of how the Contractor managed public interface requirements on a day-to-day basis, including coordination with businesses, servicing operations and deliveries, where access was required to be maintained throughout construction within a busy urban environment.

7. Details of innovations implemented by the Applicant to promote environmental sustainability and minimise adverse environmental impacts during the delivery of the contract.

Applicants should note experience as a sub-contractor on a reference project will not be acceptable.

APPLICANT 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 Applicant **may** include evidence for those HS sub-criteria stated above with the evidence required above.

Where the Applicant includes evidence in relation to 3.4.1c (HS) and/or 3.4.3c (HS) with the evidence required above, Applicants 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:
NO	NOT REQUIRED	N/A

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 Applicant can call in order to carry out the work, or whom the Applicant can use in regard to quality control[23], 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:

APPLICANT 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:
NO	NOT REQUIRED	N/A

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: A statement of the average annual numbers of persons employed by the contractor and those in a managerial position over the past 3 years.

APPLICANT 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 to sub-criterion 3.4.2e (HS) is "Evidence Required"; and/or

the response to sub-criterion 3.4.3e (HS) is "Evidence Required";

the Applicant **may** include evidence required for those HS sub-criteria stated above with the evidence required above. Where Applicants 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, Applicants 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:
NO	NOT REQUIRED	N/A

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

CA SUPPLEMENTARY REQUIREMENTS:

APPLICANT NOTE:

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

[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)

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

the Applicant may include evidence required for those HS sub-criteria stated above with the evidence required above. Where Applicants 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, Applicants 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	QUALITATIVE

There is a maximum of 500 marks available for this criterion. Applicants must achieve a minimum score of 50% (250 marks) to pass. Failure to achieve the minimum score will result in elimination from the pre-qualification process.

Minimum Requirement:

Environmental Management and Sustainability Competence

The Applicant shall demonstrate its capability to manage environmental aspects associated with the execution of roadworks and public realm projects in a city and suburban environments. The Applicant shall provide:

• Details of any Environmental Management Policy and Environmental Management Procedures, including ISO 14001 certification or equivalent accreditation where applicable;

• Details of up to three projects completed within the last five years demonstrating successful implementation of environmental management measures.

• Procedures for environmental auditing, incident reporting, corrective actions and continuous improvement

• Procedures for identifying, managing and monitoring environmental risks associated with construction works, including as applicable waste management and recycling, pollution prevention, protection of watercourses and drainage systems, noise and air management, energy efficiency and carbon management.

Submission Guidelines:

• The information requested for this section shall be on a maximum of 3 pages (portrait only) and the font shall be Arial, size 10. Only the first 3 pages will be assessed

• The Evaluation Team will not consider information provided outside the maximum page limit.

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:

3.4h SUPPLY CHAIN MANAGEMENT AND TRACKING SYSTEMS

Qualification Criterion:	Response Type:	Type of Evaluation:
YES	EVIDENCE REQUIRED	QUALITATIVE

Section 3: Suitability Assessment Questionnaire

There is a maximum of 500 marks available for this criterion. Applicants must achieve a minimum score of 50% (250 marks) to pass. Failure to achieve the minimum score will result in elimination from the pre-qualification process.

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: The Applicant shall demonstrate its capability to effectively manage, monitor and control its supply chain and subcontractor network in the delivery of city and suburban roadworks contracts with values between €1 million and €8 million.

- Established procedures for managing subcontractors and suppliers.
- Systems for tracking procurement, resources, programme and performance across the supply chain.
- Processes for monitoring quality, health and safety, and environmental compliance.
- Procedures for managing supply chain risks and resolving performance issues.
- Demonstrated experience of applying these arrangements on comparable road infrastructure projects

Submission Guidelines:

- The information requested for this section shall be on a maximum of 3 pages (portrait only) and the font shall be Arial, size 10. Only the first 3 pages will be assessed.
- The Evaluation Team will not consider information provided outside the maximum page limit.

APPENDIX 1

FORMS OF LETTERS OF UNDERTAKING/DECLARATIONS

(A): Letter of Undertaking from an entity being relied upon – Refer to Section 1.7

[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 Applicant]

We confirm that, if the above contract is awarded to the above-named Applicant, we will make the capacities relied upon available to the Applicant. We also confirm that, if the Applicant 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 Guarantee[24]; or
b) where we are 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 Warranty[25] or Collateral Warranty[26] (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 Sub-Consultants or MF 1.12 Collateral Warranty (Specialists)

(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 Applicant]
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 tye 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 insurances[27].

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).