Health and Safety Competence of a Contractor[1]

3.4.1 (HS) EVIDENCE OF TECHNICAL CAPABILITY CRITERIA

It is a statutory requirement that the competence and satisfactory allocation of resources of the Contractor are established in compliance with the Safety Health and Welfare at Work (Construction) Regulations 2013. **Applicants[2] must always complete the relevant sections of this Health and Safety Supplement 3.4.1.**

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

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

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

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

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

The Minimum Standard required to pass this criterion is evidence of management staff with appropriate educational/professional qualifications and experience and with Health and Safety qualifications, training and experience relevant to the Works

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

CORK COUNTY COUNCIL ENTERED INFORMATION:

The minimum standards for Health & Safety competency of an applicant and / or its managerial staff should be demonstrated by way of providing the following information;

[1] Select as appropriate

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

1 (a) The applicant shall / have an outside or 3rd party certification of their Health & Safety Management system, (e.g. Safe-T-Cert, or OHSAS 18001 or equivalent, independently certified), and has / have previous experience of carrying out the Health & Safety Management function on contracts of a similar type, size and complexity satisfactorily completed over the past 7 years, and / or,

1 (b) The applicant and / or its management staff (at least one member) shall have a Health & Safety Certificate received from a 3rd level college or institution after successfully completing a full time course of not less than 1 year's duration and is a member of I.O.S.H. and has / have successfully completed an I.O.S.H. Management Safety & Construction course and has / have previous experience of carrying out the health and safety management function on contracts of a similar type, size and complexity, satisfactorily completed over the past 7 years and have at least 3 to 4 hours certified annual (i.e. in house or C.P.D. course) Heath & Safety training in relation to works projects, and / or,

1 (c) The applicant shall have retained the services of a 3rd party who has / have a Health & Safety Certificate received from a 3rd level college or institution after successfully completing a full time course of not less than 1 year's duration and is a member of I.O.S.H. and has / have successfully completed an I.O.S.H. Management Safety & Construction course and has / have previous experience of carrying out the health and safety management function on contracts of a similar type, size and complexity, satisfactorily completed over the past 7 years, and / or,

1 (d) The applicant or its managerial staff (at least one member) shall have previous experience of carrying out the health and safety management function on contracts of a similar type, size and complexity satisfactorily completed over the past 7 years and have at least 3 to 4 hours certified annual (i.e. in house or C.P.D. course) Heath & Safety training in relation to works projects.

Before appointment the successful applicant will again be required to provide the following information reflecting the above minimum requirements necessary to pass this criterion;

Evidence to be Submitted;

(2) Organisational Charts

(2 a) Detailed organisational structure chart showing the overall management structure of the organisation as a whole and the position held by each person within that structure outlining Health & Safety aspects.

(2 b) Project Specific Organisation Chart showing the overall project team structure and the positions held by each person named under this section 3.4a and those in 3.4b outlining Health & Safety aspects.

(3) Individual Curriculum Vitae of Management Staff,

Health & Safety Manger

(i) Relevant experience on similar projects (of a similar scale and complexity)

(ii) Educational, professional qualifications and project management skills

(iii) Safety and health qualifications and training (e.g. degree, diploma, certificate, managing safety in construction, continual professional development)

(iv) 3 (three) year experience as Health & Safety Manager

(v) A minimum of 10 (ten) years experience or greater in construction

(vi) Experience in working in the role of Health & Safety Manager working with other contractors/sub contractors - Provide details of 3 No. (three) completed relevant projects in the role of Health & Safety Manager

NOTE:

- For this assessment a relevant projects shall be of a similar size, scale, nature & complexity with a minimum final account value in excess of € 2,500,000.00 excluding V.A.T.

NOTE;

- The required minimum standard for each individual in a particular role is evidence of competency to fulfil the assigned role. Such competency may be demonstrated by examples of previous experience (in that role) of works of a similar nature and complexity satisfactorily completed, and training/qualifications appropriate to that function. Where an individual has no qualifications or training, he/she must demonstrate the relevant skills by other means, for example a higher level of experience at that (or lower) levels. Training/Qualifications without any experience will not be deemed adequate. Details of health & safety training (with dates) are required.

Statement of number of years experience must be backed by project details (start/finish date, contract value, project description etc). Dates of qualification/training are required. Where management has no qualifications or formal training, he/she must have at least 10 (ten) years experience in the building trade including at least 3 (three) years in a management role.

NOTE:

Health & Safety evidence in relation to supplement 3.4.2 should not be provided here. It should only be included in supplement 3.4.2 itself.

APPLICANT NOTE:
Where response type above is marked “Evidence Required”; and the response type to sub-criterion 3.4a is also” Evidence Required”, the Applicant **<u>may</u>** include the evidence required above with the evidence required for sub-criterion 3.4a. Where an Applicant includes evidence for this sub-criterion with the evidence required for sub-criterion 3.4a, the Applicant must clearly identify the relevant sub-criterion to which the evidence relates.

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

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

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

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

CORK COUNTY COUNCIL ENTERED INFORMATION:

INITIALLY THE COMPLETED DECLARATION AT SECTION 2.7 OF PART 2 OF THE SUITABILITY ASSESSMENT QUESTIONNAIRE IS TO BE PROVIDED IN RESPONSE TO THIS CRITERION.

The minimum standards for Health & Safety competency of the person or persons responsible for managing the works should be demonstrated by way of providing the following information when required;

1 (a) The applicant shall have an outside or 3rd party certification of their Health & Safety Management system, (e.g. Safe-T-Cert, or OHSAS 18001 or equivalent, independently certified), and has / have previous experience of carrying out the Health & Safety Management function on contracts of a similar type, size and complexity satisfactorily completed over the past 5 years, and / or,

1 (b) The applicant and / or its personnel staff (at least one member) shall have a Health & Safety Certificate received from a 3rd level college or institution after successfully completing a full time course of not less than 1 year's duration and is a member of I.O.S.H. and has / have successfully completed an I.O.S.H. Management Safety & Construction course and has / have previous experience of carrying out the health and safety management function on contracts of a similar type, size and complexity, satisfactorily completed over the past 5 years and have at least 3 – 4 hours certified annual (i.e. in-house or C.P.D. course) health and safety training in relation to works projects, and / or,

1 (c) The applicant shall have retained the services of a 3rd party who has / have a Health & Safety Certificate received from a 3rd level college or institution after successfully completing a full time course of not less than 1 year's duration and is a member of I.O.S.H. and has / have successfully completed an I.O.S.H. Management Safety & Construction course and has / have previous experience of carrying out the health and safety management function on contracts of a similar type, size and complexity, satisfactorily completed over the past 5 years, and / or,

1 (d) The applicant and / or its personnel (at least one member) shall have previous experience of carrying out the health and safety management function on contracts of a similar type, size and complexity satisfactorily completed over the past 10 years and have at least 3 – 4 hours certificate annual (i.e. in-house or C.P.D. course) health and safety training in relation to works projects.

1 (e) All other site personnel shall have the necessary health and safety training and experience that is required for their respective trade / profession under the relevant heath and safety legislation.

(2) Individual Curriculum Vitae of Foreman/Site Safety Officer

Before appointment the successful applicant will be required to provide the following information reflecting the above minimum requirements necessary for a pass;

The Foreman/Site Officershall have the following;

(i) Relevant experience on simialr projects (of a similar scale and complexity)

(ii) Educational, professional qualifications and project management skills

(iii) Safety and health qualifications and training (e.g. degree, diploma, certificate, managing safety in construction, continual professional development externally accredited)

(iv) 3 (three) year experience as Safety Officer

(v) A minimum of 10 (ten) years experience or greater in the construction.

(vi) Experience in working in the role of Safety Officer working with other contractors/sub contractors - Provide details of 3 (three) number completed relevant projects in the role of Safety Officer

NOTE:

- For this assessment a relevant projects shall be of a similar size, scale, nature & complexity with a minimum final account value in excess of € 2,500,000.00 excluding V.A.T.

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

3.4.1c (HS) LIST OF WORKS CARRIED OUT OVER THE PAST 7 YEARS

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

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

A Contracting Authority may only require Applicants to submit a list of works projects provided over a maximum period of the past 5 years. However, where necessary in order to ensure an adequate level of competition, the Contracting Authority may take into account works delivered over the previous 7 year period. The period specified in the sub-criterion title above is the period within which the Applicant may submit evidence of the works contracts it has delivered; it is not mandatory that projects be evidenced for the whole period. If a firm cannot provide evidence for the entire period (e.g. a firm has not been trading for the whole period) this will not be used as a reason to reject its application.

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

A list of projects must be provided by completing Appendix B1 List of Previous Projects for which there are certificates of Satisfactory Execution. The Certificates of Satisfactory Execution required in relation to these projects must be provided by completing Appendix B2 Certificate of Satisfactory Execution. Supplementary requirements (if any) will be stated by the Contracting Authority below.

CORK COUNTY COUNCIL ENTERED INFORMATION:

NOTES:

- The seven year reference period shall be defined as October 2019 - up to and including October 2026

- The project details in Appendix B2 should include details on the tender sum and the agreed final account sum (and a clear explanation of the difference between these figures if one exists). Details should also be provided in relation to the programme period for the works, both the expected time period at contract award stage and the actual period at Substantial/Practical Completion (and a clear explanation as to the reasons behind the difference in these time periods if one exists).

- Projects listed may be visited and assessed for the purpose of verifying the scores provisionally awarded under this criterion based on the application information submitted.

-The information should be included in Appendices B1 & B2 and provided with the suitability assessment submission. The information provided within Appendix B2 must be concise, relevant and in each case include the name and contact details of the Employers Representative / Project Architect

- Applicants must describe the relevance of the project to the proposed project in Appendix B2.

- Large amounts of generic irrelevant information will not be considered.

As a minimum requirement, applicants must demonstrate that within the past 7 years, they have successfully completed the following:

(a) 3 (three) number completed housing projects each with a final account value of at least € 2,500,000.00 each (excluding VAT), evidence must demonstrate satisfactory experience of projects of similar nature, size, scale and complexity to this proposed development.

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

3.4.1d (HS) MEASURES FOR ENSURING QUALITY

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

CORK COUNTY COUNCIL ENTERED INFORMATION:

INITIALLY THE COMPLETED DECLARATION AT SECTION 2.7 OF PART 2 OF THE SUITABILITY ASSESSMENT QUESTIONNAIRE IS TO BE PROVIDED IN RESPONSE TO THIS CRITERION.

The Minimum Standard required is adequate knowledge, training and resources to carry out the duties of Contractor in compliance with the Safety Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (Construction) Regulations 2013. The Applicant's responses to Criteria 3.4.1a (HS) to 3.4.1e (HS) may be taken into account in response to this criterion.

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

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

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

3.4.1e (HS) A STATEMENT OF THE AVERAGE ANNUAL NUMBERS OF PERSONS EMPLOYED BY THE CONTRACTOR AND THOSE IN A MANAGERIAL POSITION OVER THE LAST 3 YEARS

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

The Minimum Standard is submission of the relevant details set out below.

Applicants must provide evidence covering the previous three years of average annual manpower and managerial staff involved in Health and Safety in relation to Works.

CORK COUNTY COUNCIL ENTERED INFORMATION:

(a) Average annual manpower directly employed by the applicant during the immediatley preceding three years (2023, 2024 & 2025).

b) The current manpower (directly employed) by the tenderer in 2026.
In the response to both (a) and (b) the Applicants must demonstrate they possess sufficient current manpower and sufficient suitably experienced managerial and project staff to undertake this

particular project. The information provided in response to this requirement must include a categorised manpower table detailing the firm's annual manpower for the last 3 years. The minimum standard for a Pass is adequate manpower for the successful delivery of this project taking due cogniscance of the specific requirements for both management as outlined in Section 3.4.1a of this questionnaire. In demonstrating this, applicants are also requested to explain how taking cognisance of their current and projected overall workload for the proposed period of the works, their overall capacity as presented and their proposed project personnel and management as outlined in 3.4.1a an applicant would have adequate capacity to properly resource and deliver this project within the required timeframe as part of their overall anticipated workload. Applicants are reminded that particular roles require specific experience and that the personnel being put forward now in response to 3.4.1a must be made available to the project as required unless the Contracting Authority subsequently accepts alternative personnel put forward for consideration by the Applicant who the Contracting Authority and its advisors deem to have as a minimum equal training and experience to the original personnel proposed in the pre qualification submission.

Where the assessment indicates that the Applicant may not have sufficient manpower and managerial staff to undertake this specific project in accordance with the Contracting Authorities requirements or to deliver it within the required timeframe the Applicant will be deemed to have failed this section.

The information must be in the form of a table & categorised into the following headings e.g. Directors/Contract Managers/Site Agents/Site Senior Engineers/ Site Health & Safety Officers/Site General Foreman/Site Finishing Foreman/Senior Surveyors/Clerical Staff/Other Qualified Professionals /Technicians/Tradesmen/Apprentices /General Operatives/Unqualified personnel etc. Tenderers must clearly deomonstrate they possess sufficeint managerial staff, technical staff, qualified site personnel and unqualified site personnel.

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

APPENDIX 1: REQUIREMENTS FOR 3.4.1d (HS).

The Applicant declares that:

1. Each member of its staff is aware of his/her responsibilities under the Safety, Health and Welfare at Work Act 2005 and the Safety Health & Welfare at Work (Construction) Regulations 2013.
2. In particular we are familiar with our general duties as Contractors as outlined in Part 3 Regulations 24-29 of the *Safety, Health & Welfare at Work (Construction) Regulations 2013*; also with the specific duties enumerated in Parts 4-14, Regulations 30-105 of those Regulations and Schedules 1-6 of those Regulations. We are aware of and will take into account the General Principles of Prevention in Schedule when carrying out design construction work associated with the project and undertake to liaise with, communicate and cooperate with the PSDP and the PSCS in their roles.
3. We are aware as Contractors of our obligations under Section 17 (3) of the Safety, Health & Welfare at Work Act 2005 to ensure, so far as is reasonably practicable, that the project "is constructed to be safe and without risk to health and that it complies in all respects, as appropriate, with the relevant statutory provisions".
4. We confirm that all staff have received, read and will apply the Safety, Health and Welfare at Work (General Application) Regulations 2007, the Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007, and the HSA "frequently asked questions" on risk assessments[3].
5. Where the role required is Contractor, risk assessments will be carried out and maintained on the job file.
6. We confirm that in our opinion this declaration is deemed to satisfy our obligations in relation to the following areas given the scope and nature of the proposed works:
    - Health and Safety Policy and Organisation;
    - Arrangements;
    - Competent Advice;
    - Training and Information;
    - Individual Qualifications and Experience;
    - Monitoring, Audit and Review;
    - Workforce Involvement;
    - Accident/Incident Reporting, Review;
    - Sub-consulting Procedures;
    - Hazard Management and Risk Assessment; and
    - Health and Welfare.

7. Were there have been enforcement actions, legal proceedings accidents, fatalities or incidents associated with the discharge of our duties as Contractor or PSCS (whether the relevant discipline is the subject of this declaration or not) over the last three years, we have included details in our SAQ Response.
8. We confirm that, in our opinion, our organisation is competent and adequately resourced to fulfil its obligations under the Safety, Health and Welfare at Work Act 2005 and that our organisation has adequate resources to fulfil the role of Contractor as stated above.

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

9. We have a Safety Statement in the format outlined by the Health and Safety Authority[4] (which will be provided on request) and that all of the requirements listed in Table 1 below are addressed in the Safety Statement, as is the evidence relating to the minimum standards (also listed below), which have been met. If the requirements and minimum standards have not been addressed in the Safety Statement, separate evidence is to be provided on request which demonstrates that such requirements and minimum standards have been met.

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

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

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

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