# Suitability Assessment Questionnaire

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| *for* |  |
| *for* | *Project Title* |

**Document ID** **QW1**

Office of Government Procurement

Suitability Assessment Works Contractors

Restricted Procedure

Document Reference ID-QW1 v2.0

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| **PROJECT TITLE:**CA Entry | **DOCUMENT ID. QW1** |

**SUITABILITY ASSESSMENT FOR**

**RESTRICTED PROCEDURE**

**Introduction**

This questionnaire is issued in advance of a tender competition using a restricted procedure. Its purpose is to obtain information from applicants for a suitability assessment. The tender competition is for the award of the position of works contractor and where required other services and specialist works for the project as described in this document.

The term Applicant is used for an Individual (Sole) Trader, a Legal *Partnership*, a *Consortium* or any other type of *Joint Venture* that constitutes an acceptable entity for the purpose of this project.

**Note:** When a project supervisor role is required, the applicant for that role must be an individual or body corporate in compliance with Health and Safety regulations.

**Note:** An Applicant providing a significant part of the works with the remainder being outsourced to sub-contractors should include suitability evidence from those sub-contractors with the Applicant’s suitability evidence as part of the Applicant’s submission. The two sources of evidence should be treated as one from the Applicant and assessed accordingly.

The document is in three main parts:

* Section 1 gives details of the project and the requirements. The Contracting Authority completes it prior to issuing the questionnaire.
* Section 2 is used to collect basic information about the applicant. If the Contracting Authority requires details in addition to the standard details, the Contracting Authority must specify these requirements prior to issuing the questionnaire. The applicant must then use the form to provide the required details.
* Section 3 details the criteria that will be used to evaluate the applications. Prior to issuing this questionnaire, the Contracting Authority specifies the criteria that will be used; the applicant must then use the form to provide the required details and to confirm that other required information is appended or will be submitted on request as indicated by completing the checkbox associated with each criterion.

This document is a protected MS Word form (text other than form fields is protected). The applicant should use only those fields marked ‘Applicant Entry’. Other form fields containing project-specific information provided by the Contracting Authority must not be altered. Should an applicant alter any project-specific information in the questionnaire and submit it in its amended state as the applicant’s response, the applicant will be automatically disqualified. The applicant should provide only evidence that is current up to the date of submission indicated below. All signatures must be supplied in hardcopy.

**Time and date for return of Questionnaire:**

|  |  |
| --- | --- |
| Time and Date: | CA Entry |
| Return Name and Address (if different from *Contracting Authority* details in Section 1, below) | CA Entry |

**Glossary**

Acronyms or terms used throughout the questionnaire that are italicised are defined in this glossary.

|  |  |
| --- | --- |
| **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.  |
| **BC(A)R** | Building Control Regulations 1997 – 2015 |
| **CA**  | Contracting Authority |
| **CESMM 3** | 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 under Section 5.2 of guidance note [GN 1.5.3](http://constructionprocurement.gov.ie/wp-content/uploads/GN-1.5.3-v1.1-21-03-2016.pdf) under the CWMF |
| **Consortium** | An association or combination of businesses or individuals who combine with the purpose of delivering a single objective. They may be established on a formal or informal basis. Where established on an informal basis, particular arrangements will have to be put in place in order for a contracting authority to be satisfied as to the capacity of such a consortium to perform a contract. |
| **Construction Regulations** | Safety, Health and Welfare at Work (Construction) Regulations 2013 and any amendments thereto. |
| **CPV Code** | [Common Procurement Vocabulary](http://simap.ted.europa.eu/cpv) is a single classification system for public procurement aimed at standardising the references used by contracting authorities and entities to describe the subject of procurement contracts. |
| **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 contracts and generic template documents available for download at <http://constructionprocurement.gov.ie/>  |
| **ESPD** | European Single Procurement Document. Where the EU directives apply to the procurement, Contracting Authorities are obliged to accept a completed and signed ESPD from applicants that is submitted in accordance with [EU Regulation 2016/7](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0007&from=EN) declaring that the applicant meets the criteria and standards set out as applying to the procurement for which this QW1 has been prepared. |
| **FTS** | [Form of Tender and Schedule](http://constructionprocurement.gov.ie/forms-of-tender-and-schedules-works/) – a series which includes a dedicated form for each of the public works contracts and standard conditions of engagement is published under the Capital Works Management Framework. |
| **Joint Venture** | A joint venture is a contractual business undertaking involving two or more parties. |
| **OJEU** | Official Journal of the European Union |
| **Partnership** | A business that has two or more owners who are individually liable for the entity’s actions. There are different types of partnerships which range from unlimited liability of the individual partners to limited liability of the partners and/or the partnership. |
| **PSCS** | Project Supervisor Construction Stage appointed in accordance with the Construction Regulations |
| **PSDP** | Project Supervisor Design Process appointed in accordance with the Construction Regulations |
| **PW-CF1** | [Public Works Contract for Building Works designed by the Employer](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF2** | [Public Works Contract for Building Works designed by the Contractor](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF3** | [Public Works Contract for Civil Engineering Works designed by the Employer](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF4** | [Public Works Contract for Civil Engineering Works designed by the Contractor](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF5** | [Public Works Contract for Minor Building and Civil Engineering Works designed by the Employer](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF6** | [Short Public Works Contract](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF7** | [Investigation Contract](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF8** | [Short Investigation Contract](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF9** | [Framework Agreement for Construction Work](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF10** | [Public Works Contract for Early Collaboration](http://constructionprocurement.gov.ie/contracts/) |
| **PW-CF11** | [Term Maintenance and Refurbishment Contract](http://constructionprocurement.gov.ie/contracts/) |
| **QW1** | Suitability Assessment Questionnaire for works contractor using the restricted procedure.  |
| **QW2** | Suitability Assessment Questionnaire for works contractor using the open procedure. |
| **QW3** | Suitability Assessment Questionnaire for works specialist using the open or restricted procedure. |
| **QW4** | Suitability Assessment Questionnaire for Reserved Specialists using the restricted procedure. |
| **QC1** | Suitability Assessment Questionnaire for service provider using the restricted procedure. |
| **QC2** | Suitability Assessment Questionnaire for service provider using the open procedure. |
| **Reserved Specialist** | The term given to one of the two categories of named specialists [the other being novated specialists] that are to be appointed by the [main] Contractor under public works contracts PW-CF1, PW-CF3 or PW-CF5. The tender competition for reserved specialists is administered by the Contracting Authority and the successful tenderer for the reserved specialist works is identified by the Contracting Authority and named in the Schedule, part 3 of the public works contract (main contract). Upon award of the [main] contract, the Contractor appoints the named specialist in accordance with the Contract. |

**SECTION 1: PROJECT PARTICULARS**

**1.1 Project Information**

|  |  |
| --- | --- |
| Project Title: | CA Entry |
| Approximate Size and General Description of the Works: | CA Entry: Give a brief description and scope of the project. |
| Main *CPV Code*: | CA Entry: State CPV code as in the OJEU Contract Notice/etenders Tender Notice. |
| Form of Contract[[1]](#footnote-1): |  |
| Anticipated Start of Works Date: | CA Entry |
| Contract Period (months):  | CA Entry: Dates should coincide with the period for construction work stated in the Standard Conditions of Engagement for Service Providers or any extension to that period; it must also comply with the Construction Regulations. |
| Bill of Quantities Method of Measurement: |  |
| Proposed Number of Contractors to be Short-listed: | CA Entry |

**1.2 Contracting Authority Information**

|  |  |
| --- | --- |
| Contracting Authority Name: | CA Entry |
| Contracting Authority Address: | CA Entry |
| Contact Name: | CA Entry |
| Contact Address (if different from Contracting Authority): | CA Entry |
| Contact Telephone No: | CA Entry |
| Contact Fax No: | CA Entry |
| Contact Mobile Phone No: | CA Entry |
| Contact Email Address: | CA Entry |

**1.3 Contractor’s Role**

The successful Applicant is to be appointed roles on the project as outlined in the tables below.

CA Note: Indicate whether the successful contractor will be appointed Works Contractor or Works Contractor and PSCS by using the drop-down list below.

|  |  |
| --- | --- |
| Works Contractor: | **The successful applicant will be appointed Works Contractor** on the project in accordance with the *Construction Regulations.*  |
| *PSCS*: |  ***PSCS*** on the project in accordance with the *Construction Regulations.* |

CA Note: In a traditional contract indicate by drop-down list the roles not required. In a design and build contract indicate the HSC, Designer and PSDP requirements.

|  |  |
| --- | --- |
| Health and Safety Coordinator (HSC): | for approval and appointment by the *PSDP* in accordance with the *Construction Regulations.* |
| Designer (H&S): |  **appointed Designer** on the project in accordance with the *Construction Regulations.* |
| PSDP: |  **appointed PSDP** on the project in accordance with the *Construction Regulations.* |
| Design Certificate *(BC(A)R)*: |  **required to sign the Design Certificate** in accordance with *BC(A)R.* |

* 1. **Project Category[[2]](#footnote-2)**

|  |  |
| --- | --- |
| Project categorisation for assessment of Works Contractor and proposed specialists where such specialists are required under section 1.6 below. |  |

* 1. **Health and Safety**

The successful Contractor 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 contractor 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*.

|  |
| --- |
| **Areas of work involving Particular Risks known to Contracting Authority at issue of questionnaire:** |
| CA Entry: Describe any areas of the works involving particular risks, as defined in the Construction Regulations |

* 1. **Specialists proposed by Applicant**

**Only for use with Public Works Contracts *PW-CF2, PW-CF4, PW-CF7, PW-CF8 & PW-CF11***

CA Note: In the table below give a brief description and percentage cost of each area for which the Applicant must propose a specialist. Prepare a separate Questionnaire as noted below for each of the specialist areas with relevant criteria in Section 3.

|  |
| --- |
| **Note:** It is proposed that the specialist areas listed below be provided by subcontractors such as Specialist Works contractors or Specialist Service providers (including designers). In the circumstances where the Specialist Areas identified in this questionnaire are provided by Specialists in the direct employ of an Applicant, the Applicant must complete the questionnaires set out below so their application may be evaluated on the same basis as those who will rely on subcontractors for the necessary expertise. |

Each Specialist that the Applicant proposes for the Specialist areas listed in this subsection is evaluated as follows:

1. Specialist Works: Pass/Fail basis.

2. Specialist Services: Pass/Fail & Qualitative basis.

Separate Questionnaires customised by the Contracting Authority are provided for the two categories of specialist areas listed above. ***QW3* is used for Specialist Works and *QC1* for Specialist Services.**

In relation to Category 1, Specialist Works, if more than one (maximum four) Specialist is named for a particular Specialist Work area, the Specialists whose submissions are above the minimum standard will be recorded as pre-qualified. Providing the Applicant pre-qualifies they will be permitted to name only one of those pre-qualified Specialists for each of the Specialist Work areas in the Form of Tender and Schedule Part 2E (*FTS 2* or *FTS 4* only).

In relation to Category 2, Specialist Services, only one specialist may be proposed for each Specialist area (where applicable).

|  |
| --- |
| The Applicant is required, as part of the application, to propose at least one and up toSpecialists (with details of subcontractors in response to the *QW3* questionnaire) who will be employed for each of the Specialist Areas listed below: |

|  |  |
| --- | --- |
| **Category 1 - Specialist Works** | **% of total project costs** |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |

|  |
| --- |
| The Applicant is required, as part of the application, to propose **one** Specialist (with details of subcontractors in response to the *QC1* questionnaire) who will be employed for each of the Specialist Service areas listed below: |

|  |
| --- |
| **Category 2 - Specialist Services** |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |

* 1. **Specialists selected by Contracting Authority**

**Only for use with Public Works Contracts *PW-CF2, PW-CF4, PW-CF7, PW-CF8 & PW-CF11***

CA Note: In the table below give a brief description and percentage cost of each area of work for which you intend to select a panel of Specialists (in some cases this may turn out to be only one Specialist) to propose to the Contractor.

|  |
| --- |
| The Contracting Authority will conduct a separate competition for Specialists and select, on the basis of suitability assessment, a Specialist or panel of Specialists for each Specialist Area listed below. The Contracting Authority will include the names of those Specialists in the main contract tender documents.  |

|  |  |
| --- | --- |
| **Specialist Area** | **% of total project costs** |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |

* 1. **Specialists to be novated by Contracting Authority**

**Contractor and Employer design (*PW-CF1 – PW-CF5* inclusive)**

CA Note: In the table below give a brief description and percentage cost of the specialist areas for which you intend to novate a specialist.

‘Novation' means the Works Contractor taking the place of the Contracting Authority by taking over a contract and finishing it under the terms of that contract resulting in the Specialist work being completed under the control of the Contractor. The names of the Specialists to be novated by the Contracting Authority, the applicable conditions of contract, the contract price and any other appropriate contract information will be disclosed in the tender documents or during the tendering period.

|  |
| --- |
| The Contracting Authority will conduct a separate competition for specialists, enter into a contract with them to start work (or be ready to start work) before the main contract is awarded and then novate those specialists to the main contractor for each specialist area listed below. |

|  |  |
| --- | --- |
| **Novated Specialist Area** | **% of total project costs** |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |

* 1. **Specialist works reserved by Contracting Authority**

**Employer design only (*PW-CF1, PW-CF3 & PW-CF5*)**

‘Specialist works reserved by the Contracting Authority’ are those Specialist works that will be directly tendered by the Contracting Authority separately to the main contract tender.

CA Note: In the table below give a brief description and percentage cost of the works you intend to reserve for Specialists who will be appointed by the successful applicant.

|  |
| --- |
| The Contracting Authority will conduct a separate competition for Specialists, identify the successful tenderer for each Reserved Specialist Area and name those Reserved Specialists in the Form of Tender and Schedule, part 3B (*FTS 1, FTS 3 & FTS 5* only) for appointment by the main contractor upon the award of the main contract. |

|  |  |
| --- | --- |
| **Reserved Specialist Area** | **% of total project costs** |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |
| CA Entry | CA Entry |

* 1. **Other Works**

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

|  |
| --- |
| The following works will be undertaken on the site by independent contractors at the same time as the works that are the subject of this procurement. |

|  |
| --- |
| **Description of Other Works** |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |
| CA Entry |

**SECTION 2: APPLICANT DETAILS**

CA Note: 2.1, 2.2 and 2.3 are used to collect standard basic information from the applicant. If you require any additional details relating to the applicant's company structure, you should list these requirements in 2.4 or indicate 'not required'.

The Applicant must complete this section. An *ESPD*, completed in accordance with [EU Regulation 2016/7](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0007&from=EN) will suffice to meet this requirement.

Where an Applicant is a *Consortium* or *Joint Venture*, the main applicant’s questionnaire (complete with all common information) should be copied and filled out for each active member of that *Consortium* or *Joint Venture*. The questionnaires should then be submitted as a single application.

Separate questionnaires are available for each of the specialist areas, listed in subsection 1.6 above.

The specialist’s questionnaire is to be filled out by each specialist whom the Applicant proposes to undertake a specialist area of work or design. The completed specialists’ questionnaires should be submitted with the main Applicant’s questionnaire as a single application.

* 1. **Main/Lead Applicant**

|  |  |
| --- | --- |
| Name of Applicant[[3]](#footnote-3): | Applicant Entry |
| Address of Registered Head Office: | Applicant Entry |
| Address(es) of Other Relevant Office(s): | Applicant Entry or enter 'Not Applicable'  |
| Date Business Commenced Trading: | Applicant Entry |
| Applicants Most recent Business Accounting Period | From: DD/MM/YYYY To: DD/MM/YYYY  |
| Applicant’s Business Name | Applicant Entry or enter 'Not Applicable' |
| Applicant’s Business Address | Applicant Entry or enter 'Not Applicable' |
| Applicant’s Company Registration Number (CRO No. or equivalent) | Applicant Entry or enter 'Not Applicable' |
| Applicant’s Business Registration Number | Applicant Entry or enter 'Not Applicable' |
| Applicant’s Tax Reference Number | Applicant Entry |
| Applicant's Self-assessment tax returns Accounting Period for Revenue (or equivalent in other tax jurisdictions) | Applicant Entry |
| Business Telephone: | Applicant Entry |
| Business Fax: | Applicant Entry |
| Business Email Address: | Applicant Entry |

Fill in the details below if the company is a subsidiary, otherwise enter ‘Not Applicable’

|  |  |
| --- | --- |
| Name and address of parent company and interest parent has in applicant company (for example, wholly owned by single parent company): | Applicant Entry or enter 'Not Applicable' |
| Parent Company Registration No. | Applicant Entry or enter 'Not Applicable' |
| Parent Company Tax Reference No. | Applicant Entry or enter 'Not Applicable' |

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

|  |  |
| --- | --- |
| Name and address of other companies in the group involved in this contract including their CRO No. and Tax Reference No. or equivalent: | Applicant Entry or enter 'Not Applicable'  |
| Applicant Entry or Not Applicable | Applicant Entry or enter 'Not Applicable' |
| Applicant Entry or Not Applicable | Applicant Entry or enter 'Not Applicable' |
| Applicant Entry or Not Applicable | Applicant Entry or enter 'Not Applicable' |

* 1. **Applicant’s Authorised Representative**

There is no need to enter address, telephone, fax and email if identical to business details in 2.1.

|  |  |
| --- | --- |
| Name of Authorised Representative: | Applicant Entry |
| Representative’s Address: | Applicant Entry or enter 'Not Applicable' |
| Representative’s Telephone: | Applicant Entry or enter 'Not Applicable' |
| Representative’s Fax: | Applicant Entry or enter 'Not Applicable' |
| Representative’s Email Address: | Applicant Entry or enter 'Not Applicable'  |

* 1. **Nature of Applicant**

|  |  |
| --- | --- |
| Nature of Applicant (for example, sole trader, company, *Joint Venture*, *Partnership*): | Applicant Entry |

Complete the relevant box below.

|  |
| --- |
| **Company** |
| Company Type | Applicant Entry or enter 'Not Applicable' |
| Year established: | Applicant Entry or enter 'Not Applicable' |
| Number of years actively trading under present name: | Applicant Entry or enter 'Not Applicable' |
| Name of Chairman/CEO/MD: | Applicant Entry or enter 'Not Applicable' |
| Interest of Chairman/CEO/MD in other companies: | Applicant Entry or enter 'Not Applicable' |
| Changes to group structures or mergers over the past 5 years: | Applicant Entry or enter 'Not Applicable' |

This box to be filled in only by the Lead of a Legal *Partnership*, a *Consortium* or any type of *Joint Venture*.

|  |
| --- |
| **Legal *Partnership*, *Consortium* or a *Joint Venture* company** |
| Names of all members in *Partnership*, *Consortium* or *Joint Venture* company: | 1. Applicant Entry or enter 'Not Applicable'  |
| 2. Applicant Entry or enter 'Not Applicable'  |
| 3. Applicant Entry or enter 'Not Applicable'  |
| 4. Applicant Entry or enter 'Not Applicable'  |
| Was *Partnership*, *Consortium* or a *Joint Venture* company formed for this project?  | Applicant Entry: Yes/No/Not Applicable |
| If you answered ‘No’ above, state number of years actively trading under present name: | Applicant Entry or enter 'Not Applicable' |
| Method of financing *Partnership*, *Consortium* or *Joint Venture* company: | Applicant Entry or enter 'Not Applicable' |

* 1. **Additional Applicant Details**

Additional details of the Applicant’s business are requested below.

CA Note: if not in use enter 'Not Applicable' in each column

|  |  |
| --- | --- |
| CA Entry (optional)CA Entry (optional)CA Entry (optional) | Applicant entryApplicant entryApplicant entry |

**SECTION 3: ASSESSMENT CRITERIA**

The criteria that will be used in evaluating submissions are set out in this section.

* Some of these are simple Pass/Fail criteria – these are requirements that must be met in full, and, if passed, have no further role in calculating the applicant’s overall score. If failed, the applicant is eliminated from the competition.
* Others have minimum Pass/Fail requirements, beyond which they are qualitatively evaluated; each such criterion is given an allocation of marks to be used to calculate the applicant’s overall score, as indicated below.

All Health and Safety criteria are simple Pass/Fail criteria only; reference supplements 3.4.1 and 3.4.2 for Contractor and *PSCS* Health and Safety, *PSDP* and Designer Health and Safety (where applicable) is assessed under *QC1* forms.

The Applicant must complete this section by attaching (where requested) the required information numbered according to the criteria here and then ticking the relevant box to confirm the attachment.

The matrices at Tables 1, 2, and 3 indicate which criteria apply to the application. Where the matrices indicate that the criterion is applicable, the Applicant should have regard to the response required and the evaluation to be applied by the Contracting Authority to each criterion.

* For each criterion marked as **Response: Evidence Required**, applicants must provide the information specified in the corresponding section of the form no later than the date set for the return of the form, and, where appropriate, confirm in the box provided that it is included with the completed questionnaire. Failure to do so could invalidate the submission.
* For each criterion marked as **Response: Declaration Required**, applicants must initially provide the Appendices referenced under each criterion no later than the date set for the return of the forms, and, where appropriate, confirm in the box provided that it is included with the completed Questionnaire. Failure to do so could invalidate the submission.

Applicants may also satisfy this requirement by submitting an ***ESPD***completed in accordance with [EU Regulation 2016/7](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0007&from=EN). By completing **Part IV (α) of the *ESPD*** titled: Global Indication for all Selection Criteria,applicants will be taken to declare that they meet the standards set for all criteria where where the response is **Declaration Required.** Supporting documentation should be provided promptly upon request from the Contracting Authority.

* For criteria marked as **Response: Submit on Request**, applicants should provide the information if requested (that is if the Contracting Authority does not already have such up-to-date material on file) before the commencement of the evaluation exercise as notified by the Contracting Authority.
* For criteria marked as **Response: Not Required**, applicants should not provide the information.

If the Applicant is submitting multiple forms that require common information for any one project, it may be possible to submit such information just once, if clearance (in writing, for example, letter or email) to do so is obtained in advance from the Contracting Authority.

After the closing date, applicants may be asked to clarify aspects of their application, by written submission, by interview or by both, for any of the suitability assessment criteria specified as **Evidence** **Required** or **Declaration Required**. If such clarification is requested, any additional material supplied must be strictly to supplement material already provided in the original submission.

**Applications by *Consortium*, *Joint Venture* or *Partnership*:** Where an Applicant is a *Consortium,* *Joint Venture* or *Partnership*, the questionnaire is filled out for each member of that *Consortium,* *Joint Venture* or *Partnership* and all the completed questionnaires are submitted as a single application. These questionnaires are then evaluated and marked as a single application. All submissions are taken into account and evaluated initially on a pass/fail basis as if the information was submitted in one single questionnaire. Those Applicants that pass the initial evaluation stage will have their questionnaires qualitatively assessed, marked as a single application and may be successful in being short-listed.

For those who apply as a *Consortium*, are subsequently invited to tender as a *Consortium*, and the *Consortium* 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 in submitting the tender. The part of the contract that each member of the *Consortium* will perform should be identified as part of the tender submission. If a *Consortium* tender is successful, and the members do not wish to register as a company, a contract will be awarded to the lead member. Only the lead member will be paid for the performance of the contract. In such a circumstance the *Consortium* must provide details of the formal arrangements in place between the members prior to the award of the contract.

**Applications for Specialist Works / Specialist Services:** Where required at subsection 1.6 an Applicant must propose Specialists as follows:

1. Specialist Works*:* At least one specialist must be proposed for each area of work up to a maximum of four. A specialist’s Questionnaire (*QW3*) is provided by the Contracting Authority to be completed and evaluated for each specialist subcontractor proposed by the Applicant. **At least one specialist works contractor must pass for each area to enable the Applicant to pass**.

2. Specialist Services: Only one specialist is permitted for each area of service provision identified. A Specialist Service Provider Questionnaire (*QC1*) is provided by the Contracting Authority to be completed and evaluated for each area of service provision. **The Specialist Service Provider proposed by the Applicant for each area must pass to enable the Applicant to pass.**

**Alternative Specialists:** For each of the Specialist Work Areas listed at subsection 1.7 Tenderers will have the option to propose alternative specialists to those proposed by the Contracting Authority’s in the tender documents. Tenderers will be permitted to propose only one alternative specialist in each of the specialist work areas. A specialist’s Questionnaire will be provided by the Contracting Authority (with the tender documents) to be completed and evaluated for each specialist proposed by the Tenderer.

**Novated and Reserved Specialists:** Applicants are not required to make any submission where Specialists are idendified to be novated or where works are reserved for specialists. In both cases the Contracting Authority will tender such work directly. The successful tenderers for these specialist works will be identified prior to the award of the main contract.

**Table 1: contracting Authority’s Assessment Scheme and Applicant’s Summary**

CA Note: in the table below confirm which of the criteria are applicable by choosing from the options available under the column titled 'Applicable'. State the manner in which the criterion should be answered in the column titled 'Response'. Where the criterion is not applicable select 'Not Required' under the Response column. Select the type of evaluation from the column titled 'Evaluation' or N/A where the criterion is not applicable.

Applicants: The table below summarises the assessment criteria that will apply to your application, what you are required to submit in response to each criterion and how the criteria will be assessed – in a restricted procedure the Contracting Authority has the discretion to decide that certain criteria will be assessed on a pass/fail or pass/fail plus qualitative basis (Qualitative). Where a criterion requires documentary evidence to be submitted, the relevant criterion will set out the extent of documentation and how it should be submitted. Where the Contracting Authority has noted that they will accept a declaration in relation to the criterion, they will also note the documentary evidence required to satisfy the criterion. Following a request from the Contracting Authority, this evidence must be submitted promptly otherwise the Applicant risks elimination.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.[[4]](#footnote-4)** | **Requirement/Criterion** | **Applicable** | **Response** | **Evaluation** |
| **3.1** | **TENDERER’S PERSONAL SITUATION** |  |  |  |
| **3.2** | **PROFESSIONAL OR TRADE REGISTER** |  |   |  |
| **3.3** | **FINANCIAL & ECONOMIC STANDING** |
| 3.3a | Annual Turnover |  |  |  |
| 3.3b | Balance sheet or Extracts from a Balance Sheet |  |  |  |
| 3.3c | Banker’s Letter |  |  |  |
| 3.3d | Other Financial/Economic Information/References |  |  |  |
| 3.3e | Professional Indemnity Insurance |  |  |  |
| 3.3f | Public Liability Insurance |  |  |  |
| 3.3g | Employer’s Liability Insurance |  |  |  |
| 3.3h | Performance Bond |  |  |  |
| **3.4** | **TECHNICAL CAPABILITY (Contractor Competency)** |
| 3.4a | Educational and Professional Qualifications (Managerial) |  |  |  |
| 3.4b | Educational and Professional Qualifications (Personnel) |  |  |  |
| 3.4c | List Works carried out over the Past Years |  |  |  |
| 3.4d | List 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 |  |  |  |
| 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 |  |  |  |
| 3.4f | A statement of the Technical Equipment Available |  |  |  |

#### CA Note: Tick the boxes below to remind the Applicant which H&S supplements require response.

The applicant should check that all Health and Safety criteria in Section 3 have been completed according to the type of Health and Safety competency required as indicated at 1.3 and 1.4. Note the boxes ticked below and then fill in the supplements to the main table as required.

|  |  |  |  |
| --- | --- | --- | --- |
| **Contractor (3.4.1)** | [x]  | **PSCS (3.4.2)** | [ ]  |
| **Designer (QC1)** | [ ]  | **PSDP/HSC (QC1)** | [ ]  |

**TABLE 2: CONTRACTOR H&S SUPPLEMENT**

The following supplement to the main table must **always** be filled in by the Contractor

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Requirement/Criterion** | **Applicable** | **Response** | **Evaluation** |
| **3.4.1** | **TECHNICAL CAPABILITY (Health and Safety competence of Contractor)** |
| 3.4.1a | Educational and Professional Qualifications (Managerial) |  |  |  |
| 3.4.1b | Educational and Professional Qualifications (Personnel) |  |  |  |
| 3.4.1c | List Works carried out over the Past Years |  |  |  |
| 3.4.1d | Measures for Ensuring Quality |  |  |  |
| 3.4.1e | A statement of the Average Annual Numbers of Persons Employed by the Contractor and those in a Managerial Position over the Past 3 Years |  |  |  |

**TABLE 3:**

When the PSCS role is required at subsection 1.3, the following supplement must be filled in.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Requirement/Criterion** | **Applicable** | **Type of Evaluation** | **Evaluation** |
| **3.4.2** | **TECHNICAL CAPABILITY (Health and Safety competence of Project Supervisor for the Construction Stage)** |
| 3.4.2a | Educational and Professional Qualifications (Managerial) |  |  |  |
| 3.4.2b | Educational and Professional Qualifications (Personnel) |  |  |  |
| 3.4.2c | List of Technical Services provided for Works over the Past Years |  |  |  |
| 3.4.2d | Measures for Ensuring Quality |  |  |  |
| 3.4.2e | 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 |  |  |  |

Only when the Specialist Services roles (e.g. designer services) are required at subsection 1.3, the health and safety competence of the Specialist Service Provider is assessed in a separate *QC1* form for each Service Provider which must be completed and returned with this completed *QW1*.

Only when the Project Supervisor for the Design Process and Health and Safety Coordinator (*PSDP*/HSC) role is required at subsection 1.3, the competencies of both roles is assessed in form *QC1* which must be completed and returned with this completed *QW1*.

**TABLE 4: QUALITATIVE ASSESSMENT – MARKING**

CA Note: If Qualitative Assessment is to be used and markings have been decided enter the appropriate marking in the appropriate column. If Qualitative Assessment is not to be used enter Not Applicable.

The Contracting Authority’s Qualitative Assessment scheme is outlined in the table below if available.

NOTE: Markings for Qualitative Assessment criteria may not have been decided at the time of issue of this Questionnaire; they will be available before the latest date for receipt of submissions.

**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).**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **1** | **2** | **3** | **4** | **5** |
| **No.[[5]](#footnote-5)** | **Requirement/Criterion** | **Marking****Works Contractor** | **Marking****Specialist Services[[6]](#footnote-6)** | **Marking****Specialist Works[[7]](#footnote-7)** |
| **3.3** | **FINANCIAL & ECONOMIC STANDING** |  |
| 3.3b | Balance Sheet or Extracts from a Balance Sheet | CA Entry |  |  |
| 3.3d | Other Financial/Economic Information/References | CA Entry |  |  |
| **3.4** | **TECHNICAL CAPABILITY** |  |
| 3.4a | Qualifications (Managerial) | CA Entry | CA Entry | CA Entry |
| 3.4b | Qualifications (Personnel) | CA Entry | CA Entry | CA Entry |
| 3.4c | List of Works carried out over the Past **5/7** Years, and/orList of Services carried out over the past **3/5/7** Years (applicable to service contracts only). | CA Entry | CA Entry | CA Entry |
| 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 | CA Entry | CA Entry | CA Entry |
|  | **Total** | CA Entry | CA Entry | CA Entry |

**Total Score = Total of column 3 + Total of column 4 + Total of column 5**

**CA Note: If there are more than one Specialist Services or Specialist Works categories additional tables in the same format as the one above should be prepared and referenced here**

**Whilst the criteria that follow are taken from Directive 2004/18/EC and SI Number 329 of 2006 they can equally be applied to procurements below the EU thresholds.**

**3.1 EVIDENCE OF APPLICANT’S PERSONAL SITUATION**

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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If any one of the grounds specified in Article 54 of Directive 2004/17/EC (and Regulation 56 of S1 No 50 of 2007) or Articles 45 of Directive 2004/18/EC (and Regulation 53 of SI No 329 of 2006) apply to the applicant[[8]](#footnote-8), the applicant will be excluded from this competition[[9]](#footnote-9) (subject to footnote).

The evidence required to confirm that none of these grounds apply is the declaration form[[10]](#footnote-10) at APPENDIX A (or a certified copy[[11]](#footnote-11) thereof). It must be accompanied by the confirmation at Appendix A1, signed by the applicant or on behalf of the applicant.

Prior to the award of any contract, the successful tenderer will be required to produce a current tax clearance certificate or demonstrate a satisfactory level of subcontractor tax compliance from the Revenue Commissioners[[12]](#footnote-12).

|  |
| --- |
| **Applicant Entry:** Check the corresponding box to confirm that the evidence required: |
| (a) is attached with your response under Criterion 3.1 (if Response is EVIDENCE REQUIRED), or | *[ ]*  |
| (b) will be submitted at the appropriate time if requested (if Response is SUBMIT ON REQUEST). | *[ ]*  |

**3.2 ENROLMENT ON PROFESSIONAL OR TRADE REGISTER**

|  |  |  |  |
| --- | --- | --- | --- |
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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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Provide evidence of enrolment on a relevant Professional or Trade Register (e.g. company registration number) in accordance with **Article 54 of Directive 2004/17/EC (and Regulation 56 of SI No 50 of 2007) and Article 46 of 2004/18/EC (and Regulation 54 is SI No 329 of 2006)** and supplementaryrequirements (if any) as identified by the Contracting Authority below.

CA Entry: Specify any other requirements here.

|  |
| --- |
| **Applicant Entry:** Check the corresponding box to confirm that the evidence required: |
| (a) is attached with your response under Criterion 3.2 (if Response is EVIDENCE REQUIRED), or | *[ ]*  |
| (b) will be submitted at the appropriate time if requested (if Response is SUBMIT ON REQUEST). | *[ ]*  |

**3.3 EVIDENCE OF ECONOMIC AND FINANCIAL STANDING CRITERIA [ARTICLE 54 OF DIRECTIVE 2004/17/EC (and Regulation 56 of SI No. 50 of 2007) OR ARTICLE 47 OF DIRECTIVE 2004/18/EC (and Regulation 55 of SI No. 329 of 2006)]**

Information in 3.3 must be provided by the applicant, and by the applicant’s parent company where the applicant is a subsidiary and is relying on it’s parent company to meet the requirements of criterion 3.3.

**3.3a EVIDENCE OF TURNOVER**

CA Note: You may change the requirement for the response to this criterion (in text fields below) and create an equivalent requirement in its place as long as it is appropriate and relevant to the criterion. You may not change the objective or title.

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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The evidence required to pass this criterion is certified statements of yearly turnover for the 3 most recently completed financial years in accordance with the specific requirements set out below. 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:** |  **Yearly Turnover arising from the area of work specified:** |
| **General Construction/Civil Engineering**[[13]](#footnote-13) | **€ CA Entry** |

CA Entry: Specify any other requirements here.

CA Note: If stating a minimum yearly turnover threshold, take care the standard is not set at a level that discriminates against otherwise suitable applicants.

The aggregated turnover for all members of a *consortium* or *joint venture* must meet the turnover requirement set above. 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 as set out below.

CA Entry: In relation to consortia or similar, a percentage of the overall turnover requirement appropriate to each of the roles deemed critical may be specified here. Where used, the CA should set percentages that are proportionate to those roles.

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3a (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.3b BALANCE SHEET OR EXTRACTS FROM A BALANCE SHEET**

CA Note: You may change the requirement for the response to this criterion (in text fields below) and create an equivalent requirement in its place as long as it is appropriate and relevant to the criterion. You may not change the objective or title.

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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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 Entry

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3b (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.3c BANKER’S LETTER**

CA Note: You may change the requirement for the response to this criterion (in text fields below) and create an equivalent requirement in its place as long as it is appropriate and relevant to the criterion. You may not change the objective or title. **For contract values in excess of €5m Contracting Authorities should consider whether the basic requirements set for the banker's letter should be increased to provide more detailed information. If so the drop down menu below should be changed to say (in the format set out at Appendix J) and the text in the subsequent form field deleted entirely.**

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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The evidence required to pass this criterion is a 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 it’s knowledge, this is the applicant’s principal account and it is currently in good standing.

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3c (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.3d** **OTHER FINANCIAL/ECONOMIC INFORMATION/ REFERENCES**

CA Note:You may create a financial criterion in the blank field below. The title should be changed to reflect the requirement(s). The criterion should be appropriate and relevant so that the evidence sought can demonstrate economic and financial standing. Please refer to guidance note GN 2.3.4 Financial Appraisal of Works Contractors for details of the information to be sought under this criterion.

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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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 Entry

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3d (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.3e PROFESSIONAL INDEMNITY INSURANCE**

CA Note: You may change the requirement for the response to this criterion (in text fields below) and create an equivalent requirement in its place as long as it is appropriate and relevant to the criterion. You may not change the objective or title.

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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The evidence required to pass this criterion may be either;

(i) evidence from an insurance provider authorised[[14]](#footnote-14) to issue non-life insurance or from an authorised insurance advisor confirming that Professional Indemnity Insurance (PII) meeting the requirements set out below is in place, or

(ii) the Letter of Undertaking at Appendix K which may be provided where the applicant does not have PII or does not have PII at the levels required below.

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

Prior to appointment (where there is a requirement for PII), the successful tenderer will be required to produce evidence in the form set out a (i) above and that it will be maintained for **[[15]](#footnote-15)** years after completion of the construction works. (If for any valid reason this evidence cannot be provided then alternative evidence that is considered appropriate by the Contracting Authority may be provided).

1. The level of cover as stated here:

|  |  |
| --- | --- |
| Minimum level of Professional Indemnity Insurance required for Works Contractor | € CA Entry[[16]](#footnote-16) |

CA Note: State the minimum cover proportionate to the size of the project (default level is €1.5m)

1. The excess as stated here:

|  |  |
| --- | --- |
| Maximum permissible excess on Professional Indemnity Insurance in any one claim below which the Contractorwill bear the cost: | € CA Entry[[17]](#footnote-17) |

CA Note: State the maximum permissible excess for which the Contractor (including acting as Designer, PSDP, or PSCS, if indicated above) will bear cost of claims.

1. Cover provided on an  basis;

CA Note: In the present insurance market contractors are normally not able to obtain cover on an ‘each and every claim’ basis. If cover on an ‘each and every claim' basis is required the availability of it should be ascertained before requesting it.

1. Cover is provided for legal defence costs in excess of the minimum level of cover
2. The conditions provide for claims for breach of professional duty or civil liability as well as negligence;
3. Cover extends to include claims arising out of the sub-contracting of professional services by the applicant;
4. Cover is provided in respect of Joint & Several liability where the Applicant is operating in a *Joint Venture* or a *Consortium*;
5. The level of excess is capped at €150,000[[18]](#footnote-18) in any one year regardless of the number of claims;
6. The jurisdiction in which claims can be lodged and settled is IRELAND.

CA Entry: Specify any other requirements here.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3e (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.3f PUBLIC LIABILITY INSURANCE**

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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Before appointment, the applicant will be required to produce evidence from an insurance provider authorised[[19]](#footnote-19) to issue non-life insurance or from an authorised insurance advisor confirming that the applicant has current Public Liability insurance cover complying with the requirement(s) set out below.

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

|  |  |
| --- | --- |
| Minimum level of Public Liability Insurance required in respect of any one accident: | € CA Entry[[20]](#footnote-20) |
| Maximum level of excess for property only\* for any one incident below which the will bear the cost: | € 10,000 |

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

CA Note: Specify any other requirements here.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3f (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.3g EMPLOYER’S LIABILITY INSURANCE**

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| --- | --- | --- |
| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

 |

Before appointment, the applicant will be required to produce evidence from an insurance provider authorised[[21]](#footnote-21) to issue non-life insurance or from an authorised insurance advisor confirming that the applicant has current Employer’s Liability insurance cover complying with the requirement(s) set out below.

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

|  |  |
| --- | --- |
| Minimum level of Employer’s Liability Insurance required in respect of any one accident: | € CA Entry[[22]](#footnote-22) |

CA Note: Specify any other requirements here.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3g (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.3h PERFORMANCE BOND**

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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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The evidence required to pass this criterion is the Letter of Undertaking at Appendix I provided by a surety authorised[[23]](#footnote-23) to do guarantee business in Ireland stating that they are in a position to provide a performance bond to meet the requirements listed below.

Where the response above is ‘Declaration Required’ the declaration at Appendix D should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

Before the Starting Date of the Contract, the Contractor is required to give the Contracting Authority a Performance Bond in accordance with the Works Requirements and the particular requirements set out below.

|  |  |
| --- | --- |
| The amount of the Performance Bond required (expressed as a percentage of the eventual Contract Sum): | CA Entry %[[24]](#footnote-24) |
| Period after Substantial Completion where the surety is released of their total liability: | CA Entry Months[[25]](#footnote-25) |

CA Entry: Specify the Performance Bond requirements in the box above followed by supplementary requirements here (if any).

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix D (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.3h (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**3.4 EVIDENCE OF TECHNICAL CAPABILITY CRITERIA [ARTICLE 54 OF DIRECTIVE 2004/17/EC (AND REGULATION 56 OF SI No. 50 OF 2007) OR ARTICLE 48 OF DIRECTIVE 2004/18/EC (AND REGULATIONS 57 OF SI No. 329 OF 2006)**

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

* Where the role of *PSCS* is required under section 1.3, supplement 3.4.2(HS) must be prepared by the Contracting Authority and completed by the Applicant.
* Where the roles required include Designer and/or *PSDP*, separate supplements referenced *QC1* should be prepared by the Contracting Authority and completed by the Applicant.

**3.4a EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Management)**

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| --- | --- | --- | --- |
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| --- | --- | --- |
| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

 |

The evidence required for assessment purposes under this criterion is the educational and professional qualifications (with dates obtained) and experience (on similar projects) of their managerial staff, and include the curricula vitae of the managerial staff and the organization structure in accordance with the requirements (if any) identified below.

If Health and Safety evidence of the Applicant’s managerial staff’s educational and professional qualifications and experience in relation to Works, Design, *PSDP*, *PSCS* or Health and Safety Coordinator is included here it should then be cross-referenced in the specific supplements for those areas e.g. *QW1* Supplement 3.4.1a(HS). Such evidence will always be assessed under those sections.

CA Entry: List here supplementary requirements (if any) in relation to this criterion.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that the information required: |
| 1. is attached with your response under Criterion 3.4a (if response is EVIDENCE REQUIRED), or
 | *[ ]*  |
| 1. will be submitted at the appropriate time if requested (if response is SUBMIT ON REQUEST)
 | *[ ]*  |

**3.4b EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS (Personnel)**

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| --- | --- | --- | --- |
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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

 |

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, including the curricula vitae of the personnel in compliance with the specific requirements (if any) identified below.

If Health and Safety evidence of the educational and professional qualifications and experience of the applicant’s personnel for the project on projects of a similar size and complexity in relation to Works, Design, *PSDP*, *PSCS* or Health and Safety Coordinator is included here it should then be cross-referenced in the specific supplements for those areas e.g. *QW1* Supplement 3.4.1b(HS). Such evidence will be assessed under those sections.

CA Entry: List here supplementary requirements (if any) in relation to this criterion.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that the information required: |
| 1. is attached with your response under Criterion 3.4b (if response is EVIDENCE REQUIRED), or
 | *[ ]*  |
| 1. will be submitted at the appropriate time if requested (if response is SUBMIT ON REQUEST)
 | *[ ]*  |

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

|  |  |  |  |
| --- | --- | --- | --- |
|

|  |  |  |
| --- | --- | --- |
| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

 |

A Contracting Authority may only require an Applicant to submit a list of works projects provided over a maximum period of 5 years. However a Contracting Authority may take into account works delivered over a longer period if appropriate. The period specified in the 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 that are similar in nature and complexity to the Works required for this project. The evidence must be provided in the format specified below. (Note that the request is not necessarily for projects that are identical to the project that is the subject of this Questionnaire).

A list of projects should be provided in the standard form at Appendix B1 in accordance with the particular requirements set out below (if any). The references (i.e. Certificates of Satisfactory Execution) required in relation to these projects should be submitted using the standard form provided at Appendix B2. Supplementary requirements (if any) will be stated by the Contracting Authority below.

If Health and Safety evidence in relation to Works, is included here it should then be cross-referenced in *QW1* Supplement 3.4.1c(HS), such evidence will be assessed under that section. Health and Safety evidence in relation to Design, *PSDP*, *PSCS* or Health and Safety Coordinator should NOT be supplied here – it must be dealt with separately in Supplements provided as appropriate.

CA Entry: List here supplementary requirements (if any) in relation to this criterion.

|  |
| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix B1, B2 and any additional evidence set out by the Contracting Authority are attached with your response (if response is EVIDENCE REQUIRED), or
 | *[ ]*  |
| 1. The evidence required will be submitted at the appropriate time if requested (if response is SUBMIT ON REQUEST)
 | *[ ]*  |

**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**

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| --- | --- | --- | --- |
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| --- | --- | --- |
| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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The evidence required to pass this criterion is a list of the relevant technicians or technical bodies (other than in-house specialists, or specialist subcontractors identified for specialist work listed at subsection 1.6) upon whom the Applicant can call on in order to carry out the work or whom the Applicant can use in regard to quality control[[26]](#footnote-26), particularly in the context of ensuring quality both in the administration of a project and the delivery of a high quality end-product.

CA Entry: List here supplementary requirements (if any) in relation to this criterion.

Where the response above is ‘Declaration Required’ the declaration at Appendix E should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

Health and Safety evidence in relation to Works, Design, PSDP, PSCS or Health and Safety Coordinator should not be supplied here – it must be dealt with in the relevant Supplements as appropriate.

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| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix E (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.4d (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

**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**

|  |  |  |  |
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| --- | --- | --- |
| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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

CA Entry: List here supplementary requirements (if any) in relation to this criterion.

If Health and Safety evidence in relation to Works, Design, *PSDP*, *PSCS* or Health and Safety Coordinator over the past 3 years is included here it should then be cross-referenced in the specific supplements for those areas e.g. *QW1* Supplement 3.4.1e(HS). Such evidence will be assessed under those sections.

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| **Applicant Entry:** Check the appropriate box to confirm that the evidence required: |
| 1. is attached with your response under Criterion 3.4e (if response is EVIDENCE REQUIRED), or
 | *[ ]*  |
| 1. will be submitted at the appropriate time if requested (if response is SUBMIT ON REQUEST)
 | *[ ]*  |

**3.4f A STATEMENT OF THE TECHNICAL EQUIPMENT AVAILABLE**

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| --- | --- | --- | --- |
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| **Criterion Applicable:** | **Response:** | **Type of Evaluation:** |

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

CA Entry: List here supplementary requirements (if any) in relation to this criterion.

Where the response above is ‘Declaration Required’ the declaration at Appendix F should be provided initially. Evidence will be sought from successful applicants prior to shortlisting.

If Health and Safety evidence in relation to Works, Design, *PSDP*, *PSCS* or Health and Safety Coordinator is included here it should then be cross-referenced in the specific supplements for those areas e.g. *QW1* Supplement 3.4.1f(HS). Such evidence will be assessed under those sections.

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| --- |
| **Applicant Entry:** Check the appropriate box to confirm that: |
| 1. Appendix F (or a completed *ESPD*) is attached with your response (if response is DECLARATION REQUIRED), or
 | *[ ]*  |
| 1. The evidence required is attached with your response under Criterion 3.4f (if response is EVIDENCE REQUIRED)
 | *[ ]*  |

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| --- |
| On behalf of the Applicant, I certify that the Applicant is not guilty of misrepresentation in supplying or failing to supply the information requested in response to the questionnaire above, including: CA Note: Amend the declaration and evidence requirements below to match the requirements in the completed QW1.a) The following completed declarations attached:* 1. Self Declarations at Appendices A1, D, E & F or *ESPD* (where applicable)
	2. Template evidence documents at Appendices B1 & B2
	3. Third Party Certification in the form of declarations at Appendices A, I, J & K

b) CA Entry: list here any other documents that are requiredc) Health and Safety Supplement 3.4.1 with declarations:a. Self Declarations at Appendices C1, C3, E & G or *ESPD* (where applicable)b. Template evidence documents at Appendices B1 & B2c. Third Party Certification to OHSAS 18001, SafeTCert or equivalentd) Health and Safety Supplement 3.4.2 with declarations:a. Self Declarations at Appendices C1, C4, E & H or ESPD (where applicable) b. Template evidence documents at Appendices B1 & B3c. Third Party Certification to OHSAS 18001, SafeTCert or equivalente) Suitability Assessment forms for each Specialist Services area outlined at section 1.6 - form QC1 and any declarations required therein or ESPD (where applicable)so as to demonstrate/confirm compliance with the relevant criteria.**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_****Name:** Applicant Entry [block letters]**Title:** Applicant Entry [block letters]For and on behalf of the Applicant (signature must be that of a Director/Principal with date in hardcopy) |

1. Delete as appropriate [↑](#footnote-ref-1)
2. The Contracting Authority must select the category of project, in general:

• Type 1 project has a value < €500,000;

• Type 2 project has a value €500,000 to €5,000,000; or

• Type 3 project has a value > €5,000,000.

However 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 above. The category of project chosen then governs decisions to be made about criteria and requirements in section 3 of the form. [↑](#footnote-ref-2)
3. State the full name of a Company as it is registered with the Companies Registration Office (CRO) or equivalent in country of establishment.

State the full name of a Business as registered with the CRO or equivalent in country of establishment where the applicant is an individual or partnership (whether composed of individuals or bodies corporate or any combination of both) or any body corporate carries on business under a name other than their own true names. [↑](#footnote-ref-3)
4. The numbers in this column reference the subsection numbers of the criteria in this questionnaire. [↑](#footnote-ref-4)
5. The numbers in this column reference the subsection numbers of the criteria in this questionnaire, QC1 & QW3. [↑](#footnote-ref-5)
6. 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. [↑](#footnote-ref-6)
7. 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. [↑](#footnote-ref-7)
8. For the purposes of this competition the term applicant includes all members of a *Consortium* or *Joint Venture* or their parent companies. [↑](#footnote-ref-8)
9. Before an applicant, in relation to a breach under 2(a)-(d) in form at Appendix A, is excluded the applicant may make a case and provide supporting evidence as to why it should not to be excluded. The Contracting Authority must consider this evidence before making a decision whether to exclude or include the applicant. [↑](#footnote-ref-9)
10. In Ireland and the UK this must always be witnessed in the presence of a Commissioner for Oaths. In other jurisdictions where there is no provision for a declaration on oath one of the alternative arrangements appropriate to the jurisdiction can be provided. [↑](#footnote-ref-10)
11. The Contracting Authority reserves the right to inspect the original at any time if considered necessary. [↑](#footnote-ref-11)
12. As a result of the introduction of the new electronic Relevant Contracts Tax (e-RCT) system by the Revenue Commissioners in January 2012 the C2 certificate is no longer in use by subcontractors. This change will require to be reflected in the Department of Finance procedures for tax clearance in relation to public sector contracts. Accordingly Circular 43/2006 is being revised and a replacement will issue shortly. In the interim, more details are available at <http://www.revenue.ie/en/tax/rct/subcontractor.html> Note that the changes relate to use of the C2 only. [↑](#footnote-ref-12)
13. 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. This may apply where the subject of the main contract is itself specialist works. If the subject of the tender is for specialist sub-contract works then QW3 or QW4 should be used. [↑](#footnote-ref-13)
14. Authorised means that the insurance provider meets the requirements set down in SI 359 of 1994 European Communities (Non-Life Insurance) Framework Regulations, 1994. [↑](#footnote-ref-14)
15. Where the contract is to be executed under hand then a period of 6 years should be sought for the Professional Indemnity Insurance, where the contract is to be executed under seal then a period of 12 years should be sought. [↑](#footnote-ref-15)
16. If no Minimum is specified, €1.5m (One million and five hundred thousand Euros) applies. [↑](#footnote-ref-16)
17. If no Maximum is specified, it shall read as €45,000 (Forty five thousand Euros) or 1.5% of turnover whichever is greater. [↑](#footnote-ref-17)
18. Where the Applicant is a multi-national organisation and its level of excess for insurance purposes is based upon the turnover of the multi-national organisation, a higher level of excess may be accepted providing a parent company guarantee is provided to cover the level of excess. [↑](#footnote-ref-18)
19. Authorised means that the insurance provider meets the requirements set down in SI 359 of 1994 European Communities (Non-Life Insurance) Framework Regulations, 1994. [↑](#footnote-ref-19)
20. If no value is entered it shall read as €6,500,000 (six million five hundred thousand euro) [↑](#footnote-ref-20)
21. Authorised means that the insurance provider meets the requirements set down in SI 359 of 1994 European Communities (Non-Life Insurance) Framework Regulations, 1994. [↑](#footnote-ref-21)
22. If no value entered it shall read €13,000,000 (Thirteen million Euro) – No excess is permitted on Employer’s Liability Insurance [↑](#footnote-ref-22)
23. See the Authorised Bonding Business guidance on the Construction Procurement Reform website <http://constructionprocurement.gov.ie/authorised-bonding-businesses/> [↑](#footnote-ref-23)
24. If no value entered it shall read 10% of the eventual Contract Sum [↑](#footnote-ref-24)
25. If no value entered it shall read 15 months [↑](#footnote-ref-25)
26. Article 48.2(b) of Directive 2004/18/EC and Regulation 57 of SI No 329 of 2006 [↑](#footnote-ref-26)