

GUIDANCE NOTE

SUITABILITY CRITERIA FOR CONTRACTORS

SUBMISSION OF EVIDENCE AND PROCUREMENT THRESHOLD

[Suitability Questionnaires QW1/QW2 and QW3]

*Note: Compliance is mandatory in accordance with Section 7 of
Department of Finance Circular 6/10 (Ref: S9/03/10)*

Submission of Evidence
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DECLARATION/SELF CERTIFICATION/SUBMIT-ON-REQUEST, ETC – Suitability Criteria

Introduction

The small and medium enterprise (SME) sector is significant to the economy and public procurement can be a valuable source of business for SMEs. It is particularly important that small and medium sized businesses are not hindered in competing for contracts that they could perform effectively. In this context guidance¹ is now issuing which aims to have contracting authorities structure and run their competitive processes for public contracts in a manner that facilitates increased participation by SMEs, while they continue to ensure that all public sector purchasing is carried out in a manner that is legal, transparent, and secures optimal value for money for the taxpayer. The guidance is not designed to favour the SME sector over other sectors but rather to provide SMEs with a level playing field in competing for public contracts. This is in line with EU policy on increased SME participation in public procurement.²

Under the Capital Works Management Framework, there is a maximum of sixteen main criteria to be assessed in determining the suitability of a contractor for the award of a public works contract. In addition, there are up to seven sub-criteria for each of the four different roles relating to health and safety that a contractor may have to fulfil on a project. The criteria chosen for each project should be picked from the menu of the above referenced criteria and sub-criteria. **In order to reduce bureaucracy and simplify the tendering process, applicants are no longer to be asked to supply detailed evidence of capacity (e.g. bank references, audit accounts, company turnover, company balance sheets, professional indemnity insurance etc.) at suitability stage (open or restricted). Instead they are to self-certify³, provide third party certification certificates³ and use self-declaration certificates³ to confirm compliance with minimum standards for the relevant criteria in the suitability questionnaire. The only evidence that may be requested for qualitative assessment is that indicated in the table below.** The details that the certificates/ declarations cover can be verified at tender evaluation stage (open) or after short-listing⁴ (in a restricted procedure). **The key consideration in relation to suitability criteria, particularly turnover, is that the level chosen should be justified and proportionate to the needs of the contract.**

Continued on next page

¹ Department of Finance Circular 10/10, together with “Guidance for Public Contracting Authorities: Facilitating the Participation of SMEs in Public Procurement”, and this Guidance Note 2.3.1.2. The first two of these documents are available on http://www.etenders.gov.ie/guides/guides_list.aspx?Type=2 document 26.

² “European Code of best practices facilitating access by SMEs to public procurement contracts”, Brussels: 2008. Available on-line at: http://ec.europa.eu/internal_market/publicprocurement/docs/sme_code_of_best_practices_en.pdf

³ As indicated in this document.

⁴ Contracting authorities should consider increasing the number of candidates that they short-list to safeguard against a number subsequently not being able meet the commitment made in the declarations when checked resulting in those candidates being dropped from the competition before tenders are invited.

DECLARATION/SELF CERTIFICATION/SUBMIT-ON-REQUEST, ETC – Suitability Criteria, Continued

The use of “restricted” tendering procedures, which require potential tenderers to show that they meet certain requirements (viz. pre-qualification) before they are invited to submit tenders, is often cited as a barrier to SME participation, especially if contracting authorities set unnecessarily high capacity levels. **In order to address such concerns about pre-qualification criteria, the restricted procedure for tendering competitions should no longer be used for advertised contracts for works and related services with an estimated value up to €250,000.** This means that the open procedure of competitive tendering will be the norm for advertised contracts up to this level.

Note: The revised arrangements in this document are effective from 13 August 2010

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DECLARATION/SELF CERTIFICATION/SUBMIT-ON-REQUEST, ETC – Suitability Criteria, *Continued*

Main Criteria

In order to facilitate self certification, third party certification and the use of declaration certificates, the blue areas below indicates where these can be provided. The areas in green show where information in relation to scale and complexity can be requested at a later date. For the green areas, contracting authorities should consider selecting, as the norm, the **'Submit on Request'** option on the Suitability Questionnaire. **Furthermore, in order to address concerns about overly restrictive pre-qualification procedures, there is now a requirement to advertise contracts in an open procedure for works up to €250,000⁵ (excluding design-and-build contracts – where an independent design consultant is engaged).**

Criteria	Contract Value		
	€250,000 or Less Open Procedure	Over €250,000 Open/Restricted Procedure	
	<i>Evidence Pass/Fail</i>	<i>Evidence Pass/Fail</i>	<i>Qualitative</i>
1. Personal Situation	Appendices A and B	Appendices A and B	No
2. Suitability to Pursue the Professional Activity	Company Registration number	Company Registration number	No
Economic and Financial Standing			
3. Turnover	Appendix C	Appendix C	No
4. Balance Sheet or Extract from a Balance Sheet	Appendix C	Appendix C	No
5. Bankers Letter	Appendix C	Appendix C	No
6. Other Financial/Economic Information/References	Appendix C	Appendix C	No
7. Professional Indemnity Insurance	Appendix C	Appendix C	No
8. Public Liability Insurance	Appendix C	Appendix C	No
9. Employer Liability Insurance	Appendix C	Appendix C	No
10. Performance Bond	Appendix C	Appendix C	No

Continued on the next page

⁵ See Guidance Note GN 2.3 – *Procurement Process for Works Contractors*, Section 3.2 for the advertising rules in relation to contracts below €50,000. The open procedure is not mandatory for contracts below €50,000.

DECLARATION/SELF CERTIFICATION/SUBMIT-ON-REQUEST, ETC – Suitability Criteria, *Continued*

Main criteria
Continued

Technical and/or Professional Ability			
11. Educational and Professional Qualifications (Managerial)	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No/Yes
12. Educational and Professional Qualifications (Personnel)	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No/Yes
13. List of Works carried out over the past 5 years	Self Certification Appendices D and E	Self Certification Appendices D and E	No/Yes
14. A statement of the Average Annual Number of Persons Employed by the contractor and those in a Managerial Position over the past 3 Years	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No/Yes
15. Technical Equipment Available	Appendix G	Appendix G	No
16. List of Technicians or Technical Bodies responsible for Quality Control and those upon whom the contractor can call in order to carry out the work.	Appendix H	Appendix H	No

Continued on the next page

Declaration etc – Suitability Criteria *Continued*

Sub-criteria continued

It is a requirement, under Section 17 of the Safety, Health & Welfare at Work Act 2005 and the Safety Health & Welfare at Work (Construction) Regulations 2006, to ensure that a works contractor is competent to discharge the health and safety roles allocated to him under a contract.

Role 1: Health and Safety Competence of Works Contractor

This role is always required.

Technical and/or Professional Ability	€250,000 or Less Open Procedure	Over €250,000 Open/Restricted Procedure	
	<i>Evidence Pass/Fail</i>	<i>Evidence Pass/Fail</i>	<i>Qualitative</i>
1 Educational and Professional Qualifications (Managerial)	Appendix O, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendix O, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No
2 Educational and Professional Qualifications (Personnel)	Appendix O, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendix O, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No
3. List of Works carried out over the past 5 years	Self Certification Appendices D and E	Self Certification Appendices D and E	No
4. A statement of the Average Annual Number of Persons Employed by the contractor and those in a Managerial Position over the past 3 Years	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No
5 Technical Equipment Available	Appendix G or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendix G or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No
6. List of Technicians or Technical Bodies responsible for Quality Control and those upon whom the contractor can call in order to carry out the work	Appendices I, J and H or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendices I, J and H or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No

Continued on the next page

Declaration etc – Suitability Criteria *Continued*

Sub-criteria
continued

Role 2: Project Supervisor for the Construction Stage (Health and Safety)

This role is not always required.

Technical and/or Professional Ability	€250,000 or Less Open Procedure	Over €250,000 Open/Restricted Procedure	
	<i>Evidence Pass/Fail</i>	<i>Evidence Pass/Fail</i>	<i>Qualitative</i>
1 Educational and Professional Qualifications (Managerial)	Appendix P, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendix P, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No
2 Educational and Professional Qualifications (Personnel)	Appendix P, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendix P, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No
3. List of PSCS Services provided over the past 3 years	Self Certification Appendices D and F	Self Certification Appendices D and F	No
4. A statement of the Average Annual Number of Persons Employed to provide PSCS Services over the past 3 Years	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No
5 Technical Equipment Available	Appendix G, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendix G. or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No
6. List of Technicians or Technical Bodies involved especially those responsible for Quality Control.	Appendices I, K and H, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendices I, K and H, or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No
7. Technical Facilities and Measures for ensuring Quality of Services and Study and Research Facilities	Appendices I, K and H or SafeTCert, or OHSAS 18001 system or independently certified equivalent	Appendices I, K and H or SafeTCert, or OHSAS 18001 system or independently certified equivalent	No

Continued on the next page

Declaration etc – Suitability Criteria Continued

Sub-criteria
continued

Role 3: Project Supervisor for the Design Process (Health and Safety)

This role is normally required for design-and-build projects

Technical and/or Professional Ability	€250,000 or Less Open Procedure	Over €250,000 Open/Restricted Procedure	
	<i>Evidence Pass/Fail</i>	<i>Evidence Pass/Fail</i>	<i>Qualitative</i>
1 Educational and Professional Qualifications (Managerial)	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No
2 Educational and Professional Qualifications (Personnel)	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No
3. List of PSDP Services provided over the past 3 years	Self Certification Appendices D and F	Self Certification Appendices D and F	No
4. A statement of the Average Annual Number of Persons Employed to provide PSDP Services over the past 3 Years	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No
5 Technical Equipment Available	Appendix G	Appendix G	No
6. List of Technicians or Technical Bodies involved especially those responsible for Quality Control.	Appendices L, M and H	Appendices L, M and H	No
7. Technical Facilities and Measures for ensuring Quality of Services and Study and Research Facilities	Appendices L, M and H	Appendices L, M and H	No

Role 4: Health and Safety Competence of Works Contractor as Designer.

This role is normally required for design-and-build projects

Technical and/or Professional Ability	€250,000 or Less Open Procedure	Over €250,000 Open/Restricted Procedure	
	<i>Evidence Pass/Fail</i>	<i>Evidence Pass/Fail</i>	<i>Qualitative</i>
1 Educational and Professional Qualifications (Managerial)	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No

Continued on the next page

Declaration etc – Suitability Criteria Continued

Sub-criteria continued

2 Educational and Professional Qualifications (Personnel)	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No
3. List of Design Services provided over the past 3 years	Self Certification Appendices D and F	Self Certification Appendices D and F	No
4. A statement of the Average Annual Number of Persons Employed to provide PSDP Services over	Submit/Submit on request (may be required at tender evaluation)	Submit/Submit on request (may be required later)	No
5 Technical Equipment Available	Appendix G	Appendix G	No
6. List of Technicians or Technical Bodies involved especially those responsible for Quality Control.	Appendices L, N and H	Appendices L, N and H	No
7. Technical Facilities and Measures for ensuring Quality of Services and Study and Research Facilities	Appendices L, N and H	Appendices L, N and H	No

Appendices References

For the convenience of this Guidance Note the references to Appendices in questionnaires QW1, QW2 and QW3 have been changed to appear in alphabetical order. When the appendices are being used in a procurement situation the title of the template will be as shown with questionnaires QW1, QW2 and QW3 on the website. See GN 2.3.1.2.1 for reconciliation of Appendices in this guidance note and QW1, QW2 and QW3.

[END]

APPENDIX A: Letter of Confirmation that Declaration on Oath is still valid

On letter-headed paper of Contractor

To:	[Name and address of Contracting Authority]
Regarding:	[Title of contract]
Date:	

A Dhaoine Uaisle

We confirm that since making the declaration on oath in accordance with your standard declaration form⁶ that the legal situation regarding the circumstances stated in the declaration has not changed in any way that would prohibit this firm from making a new declaration on oath on exactly the same basis. We also confirm that in providing the declaration consent is given to you to check (as you consider necessary) the correctness of the statements made in the declaration with relevant third parties.

Is mise, le meas

Signed _____
On behalf of *[Name of Contractor]*

⁶ See Appendix B
G.N. 2.3.1.2 v1.0 03/09/2010

APPENDIX B: APPLICANT'S PERSONAL SITUATION Declaration

Text Entry: DECLARATION ON OATH/SOLEMN DECLARATION
in relation to the grounds specified in Article 54 of Directive 2004/17/EC (and Regulation 56 of SI 50 of 2007) or Article 45 and 51 of Directive 2004/18/EC (and Regulation 53 of SI 329 of 2006).

Name of Contractor/Service Provider:	Text Entry [block capitals Entry]
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1. On behalf of the above named Contractor/Services Provider I hereby declare that none of the circumstances specified in Directive 2004/17/EC Article 54 and Regulation 56 of SI No 50 of 2007 or Directive 2004/18/EC Article 45 and 51 and Regulation 53 of SI 329 of 2006 apply to the above named Contractor/ Service Provider. This means that no individual (i.e. principal or principals of a Sole Trader) or in the case of a Consortium Group or Joint Venture no member of the Contractor/Service Provider Consortium, Group or Joint Venture has been the subject of a conviction by final judgment for one or more of the following reasons:

- (a) participation in a criminal organisation, as defined in Article 2 of Council Joint Action 2008/841/JHA;
- (b) corruption, as defined in Article 3 of the Council Act of 26 May 1997 and Article 2(1) of Council Joint Action 2003/568/JHA respectively;
- (c) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
- (d) money laundering, as defined in Article 1 of Council Directive 2005/60/EC of 26 October 2005 on prevention of the use of the financial system for the purpose of money laundering.

2. And that no individual or in the case of a Consortium, Group or Joint Venture no member of the Contractor's/ Service Provider's Consortium, Group or Joint Venture:

- (a) is bankrupt or is being wound up in this or any other jurisdiction; or
- (b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up, or under administration by the court, or for an arrangement with creditors, or of any other similar proceedings under national laws or regulations in this or any other jurisdiction; or
- (c) has been convicted of an offence concerning its professional conduct by a judgment which had the force of *res judicata* (for this statement a health and safety offence is not deemed to be an offence concerning professional conduct); or
- (d) has supplied information that is inaccurate or false in relation to the submission.

3. And that each individual or in the case of a Consortium, Group or Joint Venture each member of the Contractor's/ Service Provider's Consortium, Group or Joint Venture:

- (a) has fulfilled its obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which it is established or with those of the country of the Contracting Authority, and
- (b) has fulfilled its obligations relating to the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the Contracting Authority.

This declaration has been made to the best of my knowledge and belief for and on behalf of Name of Contractor/ Service Provider.

Signed :	[Commissioner of Oaths]	Date:	
Name :			[block letters]

Witnessed in the presence of a Commissioner of Oaths; **OR**

Witnessed in the presence of a Judicial Authority/Administrative Authority/Notary/ Competent Profession or Trade Body in country of origin of Applicant or in the country whence that Applicant comes. [delete as appropriate]

Signed		Date:	
Name of Witness			[block letters]
Position/Capacity			[block letters]

APPENDIX C: Declaration that Applicant can meet Minimum Standard for Economic and Financial Criteria in Suitability Questionnaire.

On letter-headed paper of Contractor

To:	[Name and address of Contracting Authority]
Regarding:	[Title of contract]
Date:	

Suitability criteria: Financial and Economic Standing

A Dhaoine Uaisle

I declare that as an applicant interested in being assessed for suitability for *[insert name of project]* I have the financial capacity to meet the minimum standards set down for economic and financial standing in Suitability Questionnaire *[QW1/QW2/QW3]*.

Furthermore, I will provide the required evidence within seven calendar days to support this declaration when requested to do so *[during tender evaluation stage/ after short-listing]*⁷.

Is sinne, le meas

Financial Director
[Name of Contractor]

⁷ Delete as appropriate
G.N. 2.3.1.2 v1.0 03/09/2010

APPENDIX D: LIST OF PREVIOUS WORKS/WORKS AND SERVICES FOR WHICH THERE IS A CERTIFICATE OF SATISFACTORY EXECUTION/SERVICE DELIVERY

Name of Firm:	Date:
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List of projects for which works/works and services of a similar nature were provided.

Contractor/ Service Provider must organise Certificates in order of precedence and list them below in that order.

Project No.	Title of Works/Works and Services (Must match Certificate)	Certificate
1	Contractor/Service Provider Entry	Attached
2	Contractor/Service Provider Entry	Attached
3	Contractor/Service Provider Entry	Attached
4	Contractor/Service Provider Entry	Attached
5	Contractor/Service Provider Entry	Attached
6	Contractor/Service Provider Entry	Attached
7	Contractor/Service Provider Entry	Attached
8	Contractor/Service Provider Entry	Attached
9	Contractor/Service Provider Entry	Attached
10	Contractor/Service Provider Entry	Attached
11	Contractor/Service Provider Entry	Attached
12	Contractor/Service Provider Entry	Attached
13	Contractor/Service Provider Entry	Attached
14	Contractor/Service Provider Entry	Attached
15	Contractor/Service Provider Entry	Attached
16	Contractor/Service Provider Entry	Attached
17	Contractor/Service Provider Entry	Attached
18	Contractor/Service Provider Entry	Attached
19	Contractor/Service Provider Entry	Attached
20	Contractor/Service Provider Entry	Attached
21	Contractor/Service Provider Entry	Attached
22	Contractor/Service Provider Entry	Attached
23	Contractor/Service Provider Entry	Attached
24	Contractor/Service Provider Entry	Attached
25	Contractor/Service Provider Entry	Attached
26	Contractor/Service Provider Entry	Attached

APPENDIX E: CERTIFICATE OF SATISFACTORY EXECUTION – WORKS ONLY

ACTIVITY <i>(Title of Applicant Activity)</i>	Contractor Entry: Works Contractor/Works Contractor and PSCS/Works Contractor, PSCS, Designer and PSDP/Works Contractor, Designer and PSDP/Works Contractor, Designer and PSCS/Specialist/Specialist and Designer		
SITE Construction contract: <i>(Title & brief description)</i>	Contractor Entry		
Site location:	Contractor Entry		
Proportion of Project undertaken by Applicant:	Contractor Entry	Tender entity (<i>Sole trader/ Joint Venture</i>):	Contractor Entry
VALUE Construction contract value at award stage:	Contractor Entry	Construction contract value at completion:	Contractor Entry
DATES Start Date:	Contractor Entry	Date of Substantial Completion of the Works:	Contractor Entry
Date of issue of Defects Cert for Works contract:	Contractor Entry	Handover Date:	Contractor Entry
GENERAL INFO Role of Company in delivery of Project:	Contractor Entry		
Name & address of Contracting Authority responsible for the project:	Contractor Entry		
Contracting Authority contact name:	Contractor Entry	Phone no.:	Contractor Entry
OTHER INFORMATION Other information required is listed below (where applicable)			
CA Entry / NA	Contractor Entry / NA		
CA Entry / NA	Contractor Entry / NA		
CA Entry / NA	Contractor Entry / NA		
Note: It is deemed that in submitting this certificate consent is given for the Contracting Authority to check the reference project with the relevant Contracting Authority to see that the project was satisfactorily completed and delivered within the time agreed.			
CONTRACTOR'S NAME:		DATE:	

APPENDIX F: CERTIFICATE OF SATISFACTORY DELIVERY OF SERVICES

ACTIVITY <i>(Title of Applicant Activity)</i>	Service Provider Entry: Works Contractor as PSCS/Works Contractor as PSCS, Designer and PSDP/Works Contractor as Designer and PSDP/Works Contractor as Designer and PSCS		
Main Service provided <i>(Title & brief description)</i>	Service Provider Entry		
VALUE Value of commission (excluding VAT) Construction at award stage.	Service Provider Entry	Value of commission at completion	Service Provider Entry
DATES Start Date:	Service Provider Entry	Date at Completion:	Service Provider Entry
Name & address of Contracting Authority responsible for awarding the Commission:	Service Provider Entry		
Contracting Authority contact name:	Service Provider Entry	Phone no.:	Service Provider Entry
OTHER INFORMATION Other information required is listed below (where applicable)			
CA Entry / NA	Service Provider Entry / NA		
CA Entry / NA	Service Provider Entry / NA		
CA Entry / NA	Service Provider Entry / NA		
CA Entry / NA	Service Provider Entry / NA		
CA Entry / NA	Service Provider Entry / NA		
Note: It is deemed that in submitting this certificate consent is given for the Contracting Authority to check the reference with the relevant Contracting Authority to see that the services were satisfactorily carried out within the time agreed.			
SERVICE PROVIDER'S NAME:		DATE:	

APPENDIX G: Declaration that Applicant can meet the Minimum Standard for the Technical Equipment Criterion in Suitability Questionnaire.

On letter-headed paper of Contractor

To:	<i>[Name and address of Contracting Authority]</i>	
Re. Tender for:	<i>[Title of Project]</i>	
Date:		

A Dhaoine Uaisle

I declare as an applicant interested in being assessed for suitability for *[insert name of project]* I confirm that I meet the minimum standards in regard to Technical Equipment as one of the main criteria and also the health and safety sub-criterion in Suitability Questionnaire *[QW1/QW2/QW3]*

Furthermore, I will provide the required evidence within seven calendar days to support this declaration when requested to do so *[during tender evaluation stage/ after short-listing]*⁸.

Is mise, le meas

Signed _____
On behalf of *[Name of Contractor]*

⁸ Delete as appropriate
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APPENDIX H: Declaration that Applicant can meet the Minimum Standard set in the Suitability Questionnaire for Technicians or Technical Bodies responsible for Quality Control and those upon whom the contractor can call in order to carry out the work.

On letter-headed paper of Contractor

To:	<i>[Name and address of Contracting Authority]</i>	
Re. Tender for:	<i>[Title of Project]</i>	
Date:		

A Dhaoine Uaisle

I declare as an applicant interested in being assessed for suitability for *[insert name of project]* I confirm that I meet the minimum standards set in regard to *[Technicians or Technical Bodies responsible for Quality Control and those upon whom I can call on to carry out work]*⁹. *[Furthermore, I confirm that I meet the minimum standard in regard to Technicians or Technical Bodies responsible for Quality Control in regard to providing a service and also that I **have/ have not** study and research facilities in place to improve quality of the output]*¹⁰. The minimum standards are those in Suitability Questionnaire *[QW1/QW2/QW3]* for the main criteria and health and safety sub-criterion.

Furthermore, I will provide the required evidence within seven calendar days to support this declaration when requested to do so during tender evaluation stage

Is mise, le meas

Signed _____
On behalf of *[Name of Contractor]*

⁹ Include only if Contractor is not to be PSCS.

¹⁰ Include this additional statement if the Contractor is to be PSCS and/or Designer and PSDP

APPENDIX I: HEALTH AND SAFETY DECLARATION – Contractor or PSCS Appointment

[All sections to be completed in BLOCK CAPITALS]

In relation to	Contractor/PSCS Entry [Project Title]
We	Contractor/PSCS Entry [Name of Applicant Company]
Proposing to act as	Contractor/PSCS Entry [Required role: Contractor or Contractor and PSCS]

on the above project hereby declare the following:

1. Health and Safety management within the practice is the responsibility of:

Contractor/PSCS Entry [Name of person responsible]
--

2. We confirm that each member of staff is aware of his/her responsibilities under the Safety, Health and Welfare at Work Act 2005 and the Safety Health & Welfare at Work (Construction) Regulations 2006.

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 2006*; also with the specific duties enumerated in Parts 4-14, Regulations 30-105 of those Regulations and Schedules 1-6 of those Regulations. We are aware of and will take into account the general principles of prevention as enumerated below when carrying out design construction work associated with the project and undertake to liaise with, communicate and cooperate with the PSDP and the PSCS in their roles.

Where the appointment includes the role of PSCS we are familiar with our duties as outlined in Part 2 Regulations 16-23 of the *Safety Health & Welfare at Work (Construction) Regulations 2006*. We are aware of and will take into account and communicate to all contractors (including specialists) the general principles of prevention as enumerated below when coordinating organisational of technical aspects of the project or the programme and undertake to liaise with, communicate and facilitate cooperation amongst the other duty holders under those Regulations, specifically Regulations 16 and 17 of the *Safety Health & Welfare at Work (Construction) Regulations 2006*.

GENERAL PRINCIPLES OF PREVENTION APPLICABLE TO CONTRACTOR AND PSCS

The purpose of the General Principles of Prevention is to provide a framework within which account is taken when identifying hazards in the risk assessment required under *section 19* of the Safety, Health and Welfare at Work Act 2005.

- i) The avoidance of risks
- ii) The evaluation of unavoidable risks
- iii) The combating of risks at source
- iv) The adaptation of work to the individual, especially as regards the design of places of work, the choice of work equipment and systems of work, with a view to alleviating monotonous work and work at a predetermined rate and to reduce their effect on health
- v) The adaptation of the workplace to technical progress
- vi) The replacement of dangerous articles, substances or systems of work by non dangerous articles, substances or systems of work.
- vii) The giving to collective protective measures priority over individual protective measure
- viii) The development of an adequate prevention policy in relation to safety, health and welfare at work, which takes account of technology, organisation of work, working conditions, social factors and the influence of factors related to the working environment.
- ix) The provision of appropriate training and instruction to employees.

4. 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'.

Where the appointment includes the role of PSCS we are aware as PSCS of our obligations under Section 17 (3) of the *Safety Health & Welfare at Work Act 2005* to ensure so far as is reasonably practicable that the project 'is constructed to be safe and without risk to health and that it complies in all respects, as appropriate, with the relevant statutory provisions'.

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

Where the role required is Contractor risk assessments will be carried out and maintained on the job file.

Where the appointment includes the role of PSCS risk assessments will be sought and collected from contractors for inclusion in a Preliminary Safety & Health Plan which we as PSCS will prepare and update as appropriate.

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.

5. In relation to 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

Contractor/PSCS Entry: There have been none. / See attached

6. 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 or PSCS as stated above.

CONTRACTOR/PSCS SIGNATURE:		DATE:	
CONTRACTOR/PSCS NAME:	Contractor/PSCS Entry [block letters]		
TITLE:	Contractor/PSCS Entry [block letters]		

APPENDIX J: HEALTH AND SAFETY COMPLIANCE DECLARATION – CONTRACTOR/SPECIALIST

I hereby declare that the that the applicant has a Safety Statement in the format outlined at http://www.hsa.ie/eng/Publications_Forms/Publications/Safety_and_Health_Management/Guidelines%20on%20Risk%20Assessments%20and%20Safety%20Statements.pdf which will be provided on request and that all of the requirements listed 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.

Requirements		Minimum Standards
<ul style="list-style-type: none"> a copy of our current general health and safety policy; 		<ul style="list-style-type: none"> a general Health and Safety policy document appropriate to a Health and Safety led Construction Management role;
<ul style="list-style-type: none"> an outline of our management organisational structure with regard to allocation of duties, delegation of responsibilities, etc., in relation to Health and Safety; 		<ul style="list-style-type: none"> the relevant management organisational structure document indicating the duty holders responsible for Health and Safety;
<ul style="list-style-type: none"> 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; 		<ul style="list-style-type: none"> 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;
<ul style="list-style-type: none"> details of arrangements for continuing training of personnel in Health and Safety, including personnel who would be employed on the project; 		<ul style="list-style-type: none"> evidence of training arrangements in place appropriate to the size and complexity of the work. (This must include specific Health and Safety training);
<ul style="list-style-type: none"> details of the company’s procedures for disseminating up-to-date developments on health and safety issues; 		<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> details of the company’s arrangements for the co-ordination of information between the different contractors, suppliers and designers involved in a project; 		<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> details of the methodology for the dissemination of health and safety information for the construction stage on this or equivalent projects; 		

CONTRACTOR'S SIGNATURE:		DATE:	
CONTRACTOR'S NAME:	Contractor Entry [block letters]		
TITLE:	Contractor Entry [block letters]		

APPENDIX K: HEALTH AND SAFETY COMPLIANCE DECLARATION –PROJECT SUPERVISOR FOR THE CONSTRUCTION STAGE

I hereby declare that the applicant has a Safety Statement in the format outlined at http://www.hsa.ie/eng/Publications_Forms/Publications/Safety_and_Health_Management/Guidelines%20on%20Risk%20Assessments%20and%20Safety%20Statements.pdf which will be provided on request and that all of the requirements listed 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.

The following evidence is to be provided at the appropriate time.....	.and.the minimum standard is
<ul style="list-style-type: none"> a copy of our current general health and safety policy; 		<ul style="list-style-type: none"> a general Health and Safety policy document appropriate to a Health and Safety led Construction Management function;
<ul style="list-style-type: none"> an outline of our management organisational structure with regard to allocation of duties, delegation of responsibilities, etc., in relation to Health and Safety; 		<ul style="list-style-type: none"> the relevant management organisational structure document indicating the duty holders responsible for Health and Safety;
<ul style="list-style-type: none"> 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; 		<ul style="list-style-type: none"> standard method statements (relevant to projects of a similar size, nature and complexity) covering all stages of the life cycle from early design stage to project completion;
<ul style="list-style-type: none"> details of arrangements for continuing Health and Safety training of PSCS personnel, including personnel who would be employed on the project; 		<ul style="list-style-type: none"> evidence of training arrangements in place appropriate to the size and complexity of the work. (This must include specific Health and Safety training);
<ul style="list-style-type: none"> details of the company’s procedures for disseminating up-to-date developments on health and safety issues; 		<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> details of the company’s arrangements for the co-ordination of information between the different contractors, suppliers and designers involved in a project; 		<ul style="list-style-type: none"> evidence that there are adequate arrangements in place for the coordination of information between Contractors with adequate mechanism in place that tracks and records delivery and receipt of information distributed.
<ul style="list-style-type: none"> details of the methodology for the dissemination of health and safety information for the design and construction stage on this or equivalent projects; 		<ul style="list-style-type: none"> evidence of adequate structured procedures relevant to the size and complexity of the project to ensure that PSCS role in coordinating Construction Safety Management is clearly demonstrated.

PSCS’S SIGNATURE:		DATE:	
PSCS’S NAME:	PSCS Entry [block letters]		
TITLE:	PSCS Entry [block letters]		

APPENDIX L: HEALTH AND SAFETY COMPLIANCE DECLARATION by Contractor as Designer/PSDP/SC Appointment

[All sections to be completed in BLOCK CAPITALS]

In relation to	Contractor as Designer/PSDP/SC Entry [Project Title]
We	Contractor as Designer/PSDP/SC Entry [Name of Applicant Company]
Proposing to act as	Contractor as Designer/PSDP/SC Entry [Required role: Designer or Designer and PSDP/HSC]

on the above project hereby declare the following:

1. We (the above stated company) are members of, or eligible to be a member of the

<p>Contractor as Designer/PSDP/SC Entry</p> <p>[Recognised professional body for required role, i.e. RIAI / ACEI / SCS / IEI / NISO or OSH (PSDP/HSC only) / (Other)]</p>

being the relevant professional institution for the above stated role.

2. Health and Safety management within the practice is the responsibility of:

<p>Contractor as Designer/PSDP/SC Entry [Name of person responsible]</p>
--

3. We confirm that each member of staff is aware of his/her responsibilities under the Safety, Health and Welfare at Work Act 2005 and the *Safety Health & Welfare at Work (Construction) Regulations 2006*.

In particular we are aware of the general principles of prevention as enumerated below, and where the professional service required is a Designer will take those principles into account when carrying out design work associated with the project and undertake to liaise with, communicate and cooperate with the PSDP/HSC in his/her role.

Where the appointment includes the role of PSDP/HSC we will take into account and communicate to all designers those principles when coordinating design work associated with the project and undertake to liaise with, communicate and facilitate cooperation amongst the other duty holders under those Regulations specifically Regulations 11-14 of the *Safety Health & Welfare at Work (Construction) Regulations 2006*.

GENERAL PRINCIPLES OF PREVENTION APPLICABLE TO DESIGNER AND PSDP/HSC

The purpose of the General Principles of Prevention is to provide a framework within which design and detailing issues can be assessed.

- i) The avoidance of risks
- ii) The evaluation of unavoidable risks
- iii) The combating of risks at source
- iv) The adaptation of work to the individual, especially as regards the design of places of work, the choice of work equipment and systems of work, with a view to alleviating monotonous work and work at a predetermined rate and to reduce their effect on health
- v) The adaptation of the workplace to technical progress
- vi) The replacement of dangerous articles, substances or systems of work by non-dangerous articles, substances or systems of work.
- vii) The giving to collective protective measures priority over individual protective measure
- viii) The development of an adequate prevention policy in relation to safety, health and welfare at work, which takes account of technology, organisation of work, working conditions, social factors and the influence of factors related to the working environment.

ix) The provision of appropriate training and instruction to employees.

4. We are aware of the obligations of all Designers under Section 17 (2) of the Safety Health & Welfare at Work Act 2005 to ensure so far as is reasonably practicable that the project:

- (a) is designed and is capable of being constructed to be safe and without risk to health,
- (b) can be maintained safely and without risk to health during use, and
- (c) complies in all respects, as appropriate, with the relevant statutory provisions.

And, where the appointment includes the role of PSDP/HSC we will communicate to those designers their duties under Section 17 (2) of the above Act.

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

Where the role required is Designer risk assessments will be carried out and maintained on the job file.

Where the appointment includes the role of PSDP/HSC risk assessments will be sought and collected from Designers for inclusion in a Preliminary Safety & Health Plan which we as PSDP will prepare and update as appropriate.

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.

5. In relation to enforcement actions, legal proceedings accidents, fatalities or incidents associated with the discharge of our duties as Designers and/or PSDP (whether the relevant discipline is the subject of this declaration or not) over the last three years.

Contractor as Designer/PSDP/SC Entry: There have been none. / See details attached
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6. 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 Designer or PSDP/HSC as stated above.

CONTRACTOR AS DESIGNER/PSDP/SC SIGNATURE:		DATE:	
CONTRACTOR AS DESIGNER/PSDP/SC NAME:	Contractor as Designer/PSDP/SC Entry [block letters]		
TITLE:	Contractor as Designer/PSDP/SC Entry [block letters]		

APPENDIX M: HEALTH AND SAFETY COMPLIANCE DECLARATION –PROJECT SUPERVISOR FOR THE DESIGN PROCESS/HEALTH AND SAFETY COORDINATOR Appointment

I hereby declare that the applicant has a Safety Statement in the format outlined at http://www.hsa.ie/eng/Publications_Forms/Publications/Safety_and_Health_Management/Guidelines%20on%20Risk%20Assessments%20and%20Safety%20Statements.pdf which will be provided on request and that all of the requirements listed 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.

The following evidence is to be provided at the appropriate time.....	.and.the minimum standard is
<ul style="list-style-type: none"> a copy of our current general health and safety policy; 		<ul style="list-style-type: none"> a general Health and Safety policy document appropriate to the relevant discipline
<ul style="list-style-type: none"> an outline of our management organisational structure with regard to allocation of duties, delegation of responsibilities, etc., in relation to Health and Safety; 		<ul style="list-style-type: none"> the relevant management organisational structure document indicating the duty holders responsible for Health and Safety;
<ul style="list-style-type: none"> copies of standard forms used for risk assessments as part of our duties under the Safety, Health and Welfare at Work Act 2005; 		<ul style="list-style-type: none"> standard risk assessment forms (relevant to projects of a similar size, nature and complexity) covering all stages of a project life cycle from early design stage to project completion;
<ul style="list-style-type: none"> details of arrangements for continuing Professional Development of PSDP/SC personnel, including personnel who would be employed on the project; 		<ul style="list-style-type: none"> evidence of CPD training arrangements in place (for PSDP/SC) appropriate to the size and complexity of the work;
<ul style="list-style-type: none"> details of the company’s procedures for disseminating up-to-date developments on health and safety issues; 		<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> details of the company’s arrangements for the co-ordination of information between the different designers and technical disciplines involved in a project; 		<ul style="list-style-type: none"> evidence that there are adequate arrangements in place for the coordination of information between Contractor’s Designers with adequate mechanism in place that tracks and records delivery and receipt of information distributed.
<ul style="list-style-type: none"> details of the methodology for the dissemination of health and safety information for the design and construction stage on this or equivalent projects; 		<ul style="list-style-type: none"> evidence of adequate structured procedures relevant to the size and complexity of the project to ensure that health and safety information is disseminated to the relevant parties and appropriate action taken.

PROJECT SUPERVISOR FOR THE DESIGN PROCESS/HEALTH AND SAFETY COORDINATOR SIGNATURE:		DATE:	
PROJECT SUPERVISOR FOR THE DESIGN PROCESS/HEALTH AND SAFETY COORDINATOR NAME:	Project Supervisor for the Design Process/ Health and Safety Coordinator Entry [block letters]		

APPENDIX N: HEALTH AND SAFETY COMPLIANCE DECLARATION – Contractor/Specialist as DESIGNER

I hereby declare that the applicant has a Safety Statement in the format outlined at http://www.hsa.ie/eng/Publications_Forms/Publications/Safety_and_Health_Management/Guidelines%20on%20Risk%20Assessments%20and%20Safety%20Statements.pdf which will be provided on request and that all of the requirements listed 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.

The following evidence is to be provided at the appropriate time.....	.and.the minimum standard is
<ul style="list-style-type: none"> a copy of our current general health and safety policy; 		<ul style="list-style-type: none"> a general Health and Safety policy document appropriate to the relevant design discipline
<ul style="list-style-type: none"> an outline of our management organisational structure with regard to allocation of duties, delegation of responsibilities, etc., in relation to Health and Safety; 		<ul style="list-style-type: none"> the relevant management organisational structure document indicating the duty holders responsible for Health and Safety;
<ul style="list-style-type: none"> copies of standard forms used for risk assessments as part of our duties under the Safety, Health and Welfare at Work Act 2005; 		<ul style="list-style-type: none"> standard risk assessment forms (relevant to projects of a similar size, nature and complexity) covering all stages of a project life cycle from early design stage to project completion;
<ul style="list-style-type: none"> details of arrangements for Continuing Professional Development (both relevant to the design discipline and health and safety) of personnel, including personnel who would be employed on the project; 		<ul style="list-style-type: none"> evidence of CPD training arrangements in place (for Designers) appropriate to the size and complexity of the work;
<ul style="list-style-type: none"> details of the company’s procedures for disseminating up-to-date developments on health and safety issues; 		<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> details of the company’s arrangements for the co-ordination of information between the different designers and technical disciplines involved in a project; 		<ul style="list-style-type: none"> evidence that there are adequate arrangements in place for the coordination of information between Contractor’s designer team members with adequate mechanism in place that tracks and records delivery and receipt of information distributed.
<ul style="list-style-type: none"> details of the methodology for the dissemination of health and safety information for the design and construction stage on this or equivalent projects; 		<ul style="list-style-type: none"> evidence of adequate structured procedures relevant to the size and complexity of the project to ensure that the Contractor’s role as Designer is clearly demonstrated and that health and safety information is disseminated to the relevant parties and appropriate action taken.

SIGNATURE OF CONTRACTOR AS DESIGNER:		DATE:	
NAME OF CONTRACTOR AS DESIGNER:	Contractor as Designer Entry [block letters]		

APPENDIX O: Declaration that Applicant can meet Minimum Health and Safety Standards in regard to Educational and Professional Qualifications in Supplement 3.4.1 to Suitability Questionnaire

On letter-headed paper of Contractor

To:	[Name and address of Contracting Authority]
Regarding:	[Title of contract]
Date:	

Minimum health and safety standards in Supplement 3.4.1 for criteria 3.4.1a and 3.4.1b

A Dhaoine Uaisle

I declare that as an applicant interested in being assessed for suitability for *[insert name of project]* I declare that I can meet the minimum health and safety standard for the Educational and Professional Qualifications criteria in Supplement 3.4.1 attached to Suitability Questionnaire *[QW1/QW2/QW3]*. Furthermore, I will provide the required evidence within seven calendar days to support this declaration when requested to do so *[during tender evaluation stage/ after short-listing]*¹¹.

Is mise, le meas

Signed _____
On behalf of *[Name of Contractor]*

¹¹ Delete text in italics as appropriate
G.N. 2.3.1.2 v1.0 03/09/2010

APPENDIX P: Declaration that Applicant can meet Minimum Health and Safety Standards in regard to Educational and Professional Qualifications in Supplement 3.4.2 to Suitability Questionnaire

On letter-headed paper of Contractor

To:	[Name and address of Contracting Authority]
Regarding:	[Title of contract]
Date:	

Minimum health and safety standards in Supplement 3.4.2 for criteria 3.4.2a and 3.4.2b

A Dhaoine Uaisle

I declare that as an applicant interested in being assessed for suitability for *[insert name of project]* I declare that I can meet the minimum health and safety standard for the Educational and Professional Qualifications criteria in Supplement 3.4.2 attached to Suitability Questionnaire *[QW1/QW2/QW3]*. Furthermore, I will provide the required evidence within seven calendar days to support this declaration when requested to do so *[during tender evaluation stage/ after short-listing]*¹².

Is mise, le meas

Signed _____
On behalf of *[Name of Contractor]*

¹² Delete text in italics as appropriate
G.N. 2.3.1.2 v1.0 03/09/2010