

**SECTION 1: PROJECT PARTICULARS:**

Project Title as EU/eTenders Contract Notice:	
Description as EU/eTenders Contract Notice:	
Address:	

Form of Contract: *As EU/eTenders Contract Notice*  
 Contractor's Role: *Works Contractor and Project Supervisor Construction Stage*  
 Project Category: *As EU/eTenders Contract Notice*  
 Areas of work involving particular risk: *As EU/eTenders Contract Notice*  
 Specialists: *Not applicable*

**SECTION 2: APPLICANT DETAILS**

**2.1 Main/Lead Applicant Details**

Name [Applicant/Consortium/Joint Venture]	
Address Registered Head Office:	
Company Telephone:	
Company Fax:	
Company Email Address:	
Name and address of parent company and interest parent has in applicant company:	
Name and address of other companies in the group involved in this contract:	

**2.2 Main/Lead Applicant's Authorised Representative**

Name of Authorised Representative:	
Address (if different from above):	
Representative's Telephone:	
Fax:	
Email Address:	

**2.3 Nature of Applicant**

Nature of Applicant (e.g. partnership, sole trader, private limited company, public limited company, Joint Venture):	
Names of all members in Consortium or Joint Venture company (If applicable):	

If Legal Partnership, Consortium or any other type of Joint Venture:

Name of JV/Consortium Member:	
Address of Registered Head Office:	
Company Telephone:	
Company Fax:	
Company Email Address:	

### SECTION 3: ASSESSMENT CRITERIA

This Suitability Assessment Declaration uses the same criteria as the Department of Public Expenditure and Reform Suitability Assessment Questionnaire for Service Providers QW2 with criteria not applicable to the DoES Open Procedure omitted. The same numbering system has been retained.

The minimum standards for participation in this competition (Suitability assessment Criteria) are set out below under each criterion. Evidence of compliance is not required at with this declaration.

By signing this Declaration, tenderers are declaring that they meet the relevant minimum standards in all respects. The Declaration must be signed in ink by a Director or Principal of the firm and dated.

The Contracting Authority will accept the Tenderer's Declaration that they meet the relevant minimum standards in all respects (subject to later verification) for the purposes of determining the apparently successful tenderer (Preferred Bidder). However once a Preferred Bidder has been selected the Preferred Bidder's Declaration will be checked to ensure that he/she meets these minimum standards for participation. If the Preferred Bidder does not meet those standards his/her tender will be excluded and the Contracting Authority will proceed to the next lowest tender.

**Prior to preparing and submitting a tender, potential tenderers should first check the criteria and minimum standards below and satisfy themselves that their firms meet those standards. No liability will be accepted by the Contracting Authority for the cost of tendering.**

If an applicant is an Individual (Sole) Trader, that applicant should sign the declaration. If an applicant is a Consortium or Joint Venture, it is sufficient for the lead member of that Consortium or Joint Venture to sign the declaration. Details in regard to the other Consortium or Joint Venture members can be clarified at preferred bidder stage.

If any individual or group of individuals is included in more than one application for the same contract, a statement should be provided to the effect that the applicant is aware of this multiple participation and that it has been brought to the attention of all the consortia of which that individual or group is a member.

**No evidence of compliance should be attached to or submitted with this declaration of suitability at this time.**

#### 3.1 Evidence of Applicant's Personal Situation

If any one of the grounds specified in Article 54 of Directive 2004/17/EC (and Regulation 56 of SI No. 50 of 2007) or in Article 45 and 51 of Directive 2004/18/EC (and Regulation 53 of SI No.329 of 2006) apply to the applicant or any member of the applicant Consortium or Joint Venture or their parent companies, the applicant may be excluded from this competition.

I/we confirm that none of the grounds specified in Article 54 of Directive 2004/17/EC (and Regulation 56 of SI No. 50 of 2007) or in Article 45 and 51 of Directive 2004/18/EC (and Regulation 53 of SI No.329 of 2006) apply, and if requested to do so will provide a DECLARATION FORM\* (in the standard format available at [www.constructionprocurement.gov.ie](http://www.constructionprocurement.gov.ie)), signed and witnessed within the past 12 months.

The declaration can be in the form of a certified copy signed by the applicant or a person authorised to sign on behalf of the applicant. It should be accompanied by a confirmation, signed by the applicant or on behalf of the applicant that since the making of the declaration the legal situation of the applicant regarding the circumstances in the declaration has not changed in any way that would prohibit the applicant from making a new declaration on oath on the same basis. In relation to a certified copy the Contracting Authority reserves the right to inspect the original at any time if considered necessary.

#### 3.3 Evidence of Economic and Financial Standing criteria

##### 3.3a Turnover

Before appointment, the preferred bidder (and, if the preferred bidder is a subsidiary relying on a parent company's turnover, that Parent Company as well) must provide evidence of turnover certified by the firm's Auditor/Accountant for the three previous financial years both for overall services and for construction services only

I/we meet the minimum standards for Turnover set out below and if requested to do so will provide the required evidence within 7 calendar days to support this declaration.

The minimum Turnover requirement is Average Annual Turnover for Construction Works equal to or greater than the amount tendered

If for any valid reason this evidence cannot be provided then alternative evidence considered appropriate by the Contracting Authority may be provided. Such evidence must demonstrate that the firm has been in existence for a minimum of 3 years and has an effective turnover over the last 3 years of not less than the required amount. (For example, where audited accounts are not available for the current year, a statement of estimated turnover for that year plus turnover for the previous years may be accepted)

**3.3f Public Liability Insurance**

Before appointment, the successful tenderer will be required to produce evidence from their Insurance Company in the form of a copy of the policy confirming that the tenderer has current Public Liability Insurance with a minimum level of cover of **€6,500,000** in accordance with the conditions stated in the Instructions to Tenderers.

**3.3g Employer's Liability Insurance**

Before appointment, the successful tenderer will be required to produce evidence from their Insurance Company in the form of a copy of the policy confirming that the tenderer has current Employer's Liability Insurance with a minimum level of cover of **€13,000,000** in accordance with the conditions stated in the Instructions to Tenderers.

I/we will provide evidence (in the form of a validated copy of the policies) confirming that we have current Public Liability Insurance with cover not less than **€6,500,000** and Employer's Liability Insurance with cover not less than **€13,000,000**, meeting the above insurance requirements and the conditions stated in the Instructions to Tenderers. If requested to do so we will provide the required evidence within 7 calendar days to support this declaration.

**3.3h Performance Bond**

Before appointment, the successful tenderer will be required to produce evidence in the form of the Performance Bond complying with the requirement set out below.

Contract sum(€ Millions)	Performance Bond as % of contract sum	Duration of Cover after Substantial Completion
Less than € 0.5 m	As stated in Tender Documents	As stated in Tender Documents
€0.5 m to €10.0 m	12.5%	450 Days
over €10.0 m	10.0%	450 Days

I/we confirm that we are in a position to obtain a Bond in accordance with the above requirements (within the time period and meeting the conditions specified in the Tender documents) and I/we accept that our tender may be excluded if we fail to provide a valid bond within the required time

**3.4 Evidence of Technical Capability Criteria****3.4a Educational and Professional Qualifications (Management)**

Before appointment, (**not required at Tender stage**) Applicants must provide:

- (1) An Organisation Chart showing the Company Structure (including the duty holders responsible for Health and Safety), **AND**
- (2) Curriculum Vitae for the **Contracts Manager** and **Health and Safety Manager** proposed for the project.

I/we confirm that we will appoint a **Contracts Manager** and a **Health and Safety Manager** meeting the requirements below. If requested to do so we will provide the above Organisation Chart and Curriculum Vitae (with references) within 7 calendar days to support this declaration.

The Curriculum Vitae above must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

The required standard for each individual is evidence of competency to fulfil the assigned role. Such competency may be demonstrated by examples of previous experience (in that role) of work of a similar nature and size satisfactorily completed, and training/ qualifications appropriate to that function.

Where a **Contracts manager** has no qualifications or formal training, he/she must have at least 7 years experience in the Building Trade including at least 3 years in a management role. Where the Contracts Manager has appropriate formal training/qualifications relevant to the role of Contracts Manager (In the judgement of the Contracting Authority), the level of experience can be reduced to 5 years of which at least 2 years must be in a management role.

The **Health and Safety Manager** (who may be the same person as the Contracts Manager and/or foreman) must have at least 5 years experience in the Building Trade **AND** must have appropriate H&S training (minimum 4 hours externally accredited CPD, or Degree/diploma or other equivalent. [For Type 1 projects, 3 years acting in the capacity of Health and Safety Manager on building construction projects will suffice instead of formal H&S training.]

Where in the combined judgement of the Contracting Authority [C.A.] and the references quoted (or otherwise checked by the C.A.) a project was not satisfactorily completed the relevant time period may be excluded from the total experience claimed

**3.4b Educational and Professional Qualifications (Personnel)**

Before appointment, the successful applicant must provide evidence of adequate educational and professional qualifications and experience of the **Foreman** [or equivalent site manager], and **Site Safety Officer** proposed for the project.

I/we confirm that we will appoint a **Foreman** [or equivalent site manager], and **Site Safety Officer** meeting the requirements below and if requested to do so we will provide the required evidence in the form of curriculum vitae and references within 7 calendar days to support this declaration.

This evidence (**not required at Tender stage**) should be in the form of Curriculum Vitae for those Personnel and should include references for all projects listed and the dates any qualifications were obtained.

The required standard for each individual is evidence of competency to fulfil the assigned role. Such competency may be demonstrated by examples of previous experience (in that role) of work of a similar nature and size satisfactorily completed, and training/ qualifications appropriate to that function.

Where a **Foreman** has no qualifications or formal training, he/she must have at least 7 years experience in the Building Trade including at least 3 years as a Foreman (Site Manager). Where the Foreman has appropriate formal training/qualifications relevant to the role (In the judgement of the Contracting Authority), the level of experience can be reduced to 5 years of which at least 3 years must be as a Foreman (Site Manager). For Type 2 and 3 projects, the **Foreman** must also have formal H&S training (minimum 4 hours externally accredited CPD)

The **Site Safety Officer** (who may be the same person as the foreman or PSCS) must have at least 5 years experience in the Building Trade **and** must have formal H&S training (minimum 4 hours externally accredited CPD). For Type 1 projects, 3 years acting in the capacity of Site Safety Officer on building construction projects will suffice instead of formal H&S training.

Where in the combined judgement of the Contracting Authority [C.A.] and the references quoted (or otherwise checked by the C.A.) a project was not satisfactorily completed, the relevant time period may be excluded from the total experience claimed.

**3.4c List of Services of Similar Nature provided over the past 7 Years**

Before appointment, the successful applicant will be required to provide details of **3 Building Construction Projects** similar in nature and complexity to the services required for this project and carried out in a satisfactory manner.

I/we confirm that if requested to do so we will provide details of **3 Building Construction Projects** meeting the requirements below, including start and finish dates, project details, contract sum and references all within 7 calendar days to support this declaration

All 3 projects must have been completed (i.e. at Substantial completion) within the last 7 years. The Contract value of each project must be between half and 5 times the Turnover requirements for this project.

**Projects of a similar nature** are defined as single building projects (**not necessarily educational**) with similar construction and service requirements.

For example a shop fit-out or an advance factory is not a similar project, whereas an extension and refurbishment to a Health Centre or Library is. If the project being tendered for is a re-roofing project, the experience needed may be either roofing contracts or complete building projects (It is not necessary that the roofing element is at least half the turnover requirement). Likewise if the project is a replacement of a heating installation, a mechanical contract (whether as main or sub-contractor) is adequate experience whereas an Electrical installation contract is not.

Where in the combined judgement of the Contracting Authority [C.A.] and the references quoted (or otherwise checked by the C.A.) a project was not satisfactorily completed and an alternative suitable project is not immediately identified, the Contracting Authority may exclude the tenderer from further consideration.

**3.4d Measures for ensuring quality**

Before appointment, the successful applicant will be required to provide evidence of adequate measures for ensuring Quality both in the administration of a project and in the delivery of a high Standard of Construction\* in accordance with the Tender documents.

I/we confirm that we will, if requested to do so, provide evidence of adequate **Measures for ensuring Quality** both in the administration of a project and in the delivery of a high Standard of Construction within 7 calendar days to support this declaration

The minimum standard is (a) Evidence of effective Quality Control procedures for the administration of a project (Both external "Quality Assured" and internal procedures are acceptable), and (b) Measures used by the applicant for ensuring a high standard of building construction quality in accordance with the Tender documents.

A “Quality Assured” administrative procedure without measures for ensuring a high standard of building construction is not adequate.

### 3.4e Average annual manpower

Before appointment, the successful applicant will be required to provide evidence of the number of staff employed by the firm or otherwise available to the firm for the roles of **Contracts Manager, Health and Safety Manager, Foreman, and Site Safety Officer.**

I/we confirm that we meet the minimum standard for manpower below, and will if requested to do so provide the required evidence within seven 7 calendar days to support this declaration

The minimum requirement is sufficient staff (considered in conjunction with Turnover and current workload) to carry out this project.

A Contractor may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them.

The Contractor must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the execution of the contract, for example, by producing an undertaking by those entities to place the necessary resources at the disposal of the Contractor e.g. an agreement (subject to the award of the Contract) with a foreman of suitable qualifications and experience.

## HEALTH AND SAFETY COMPETENCE

It is a statutory requirement that the competence and satisfactory allocation of resources of the Contractor are established in compliance with the Safety Health and Welfare at Work (Construction) Regulations 2006.

It is also a statutory requirement that the competence of the person or persons to be appointed as Project Supervisor for the Construction Stage (PSCS) is established pursuant to section 6(1)(a) of the Safety, Health and Welfare at Work Construction Regulations 2006.

**The minimum standard required is stated under the relevant criterion based on the category of project identified in the EU/eTenders Contract Notice (i.e. Type 1/Type 2/Type 3). If none stated the default is Type 1 up to €500,000, Type 2 between €500,000 and €5,000,000, and Type 3 > €5,000,000.**

The Applicant must meet the relevant minimum standard(s) stated under each criterion. **This information is not required at Tender stage.**

**No evidence of compliance should be attached to or submitted with this declaration of suitability at this time.**

### 3.4.(1) HEALTH AND SAFETY COMPETENCE as Contractor

I/we confirm that we meet the minimum standards for **Health and Safety Competence as a Contractor** below and will if requested to do so provide the required evidence within seven calendar days to support this declaration.

For **all projects** as 3.4 Evidence of Technical Capability Criteria above

**AND**

a completed, signed H&S Declaration form C1 (available at [www.constructionprocurement.gov.ie](http://www.constructionprocurement.gov.ie))

Where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded, evidence that adequate measures have been put in place by the Applicant to address any deficiencies in their Health and Safety procedures including measures for project administration, design quality control, contract monitoring and a procedure for taking corrective measures for all stages

**AND,**

For **Type 2 and 3 projects only** evidence of adequate structured H&S Procedures relevant to medium/ large School projects.

This should include an organizational structure indicating the duty holders responsible for Health and Safety, risk assessment procedures and forms (relevant to projects of a similar size, and complexity) covering all stages of the project life cycle from early design stage to project completion, arrangements for the co-ordination and dissemination of information both internally and externally, and CPD/training arrangements (which may or may not include specific H&S training).

It is recommended that the format at [www.hsa.ie](http://www.hsa.ie) is used. (If in the view of the Contracting Authority, the applicant fails (on request) to provide an adequate response to any one of the above H&S headings, the applicant will be deemed not to have met the necessary standard.)

Evidence of current third party certification (e.g. Safe-T-Cert, or OHSAS 18001, or approved equivalent) will be deemed to meet the requirements of this section.

### 3.4.(2) HEALTH AND SAFETY COMPETENCE as PSCS

I/we confirm that we will appoint a competent person to act as **Project Supervisor Construction Stage [PSCS]** who meets the minimum standards for **Health and Safety Competence as Project Supervisor Construction Stage** below and will if requested to do so provide the required evidence within seven calendar days to support this declaration.

#### 3.4(2)a Educational and Professional Qualifications (Management)

If the PSCS is an **external company** providing the service for the tenderer an **Organisation Chart** showing that external Company's Structure and indicating the duty holders responsible for Health and Safety

If the PSCS is provided internally by the firm, the evidence provided at 3.4a Educational and Professional Qualifications (Management) is sufficient.

#### 3.4.(2)b Educational and professional qualifications (Personnel)

Before appointment, the successful applicant must provide evidence of adequate educational and professional qualifications and experience of the **Project Supervisor Construction Stage** proposed for the project.

This evidence (not required at Tender stage) should be in the form of a Curriculum Vita for that person and should include references for all projects listed and the dates any qualifications were obtained.

The required standard is evidence of competency to fulfil the assigned role. Such competency may be demonstrated by examples of previous experience (in that role) of work of a similar nature and size satisfactorily completed, and training/ qualifications appropriate to that function.

The **Project Supervisor Construction Stage [PSCS]** (who may be the same person as the foreman or Site Safety Officer) must have at least 5 years experience in the Building Trade and must have formal externally accredited training in Health and Safety (relevant to the role of PSCS) within the last 5 years.

Where in the combined judgement of the Contracting Authority [C.A.] and the references quoted (or otherwise checked by the C.A.) a project was not satisfactorily completed, the relevant time period may be excluded from the total experience claimed.

The Contracting Authority may seek details of the projects on which the PSCS fulfilled the role of PSCS, and where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded, evidence that adequate measures have been put in place by the tenderer to address any deficiencies in their Health and Safety procedures including the inter-relationship between the PSCS and the contractor, how the role of PSCS is implemented, and a procedure for taking corrective measures for all stages

Where (as above) the role of PSCS was not satisfactorily completed on a project and effective corrective measures have not been put in place, the Contracting Authority may exclude that person and if an alternative suitably qualified person is not immediately available, may also exclude the tenderer from further consideration.

#### 3.4(2)c List services of similar nature provided over the past 7 years

Before appointment, **the firm fulfilling the role of PSCS** will be required to provide details of **3 Building Construction Projects** (similar in nature and complexity to this project) on which that firm fulfilled the role of PSCS in a satisfactory manner.

The minimum standard is at least 3 examples of projects (of a similar size and nature) on which **the firm acting as PSCS** fulfilled the role of PSCS completed satisfactorily

If Main Contractor will be **fulfilling the role of PSCS** and the above details have already been provided at 3.4.c, no further information is necessary

The Contracting Authority may also seek details of other projects on which the tenderer (or firm providing the service) fulfilled the role of PSCS and take those projects into account. All 3 projects must have been completed (i.e. at Substantial completion) within the last 7 years. The Contract value of each project must be between a half and 5 times the Turnover requirements for this project. Projects of a similar nature are defined as in 3.4c

Where enforcement actions, legal proceedings, accidents, fatalities or incidents have been recorded for any of those projects, evidence that adequate measures have been put in place by the tenderer (or firm providing the service) to address any deficiencies in their Health and Safety procedures including the inter-relationship between the PSCS and the tenderer, how the role of PSCS is implemented, and a procedure for taking corrective measures for all stages.

Where in the combined judgement of the Contracting Authority [C.A.] and the references quoted (or otherwise checked by the C.A.) a project was not satisfactorily completed and an alternative suitable project is not immediately identified, the Contracting Authority may exclude the tenderer from further consideration

**3.4(2)d Measures for ensuring quality**

For **all projects** a completed, H&S Declaration form C1 (available at [www.constructionprocurement.gov.ie](http://www.constructionprocurement.gov.ie)) **signed by the firm fulfilling the role of PSCS**

Where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded by that firm, evidence that adequate measures have been put in place by the firm in question to address any deficiencies in their Health and Safety procedures including measures for project administration, design quality control, contract monitoring and a procedure for taking corrective measures for all stages

**AND,**

For **Type 2 and 3 projects only** evidence of adequate structured H&S Procedures **for the firm fulfilling the role of PSCS** relevant to medium/ large School projects.

This should include an organizational structure indicating the duty holders responsible for Health and Safety (as above), risk assessment procedures and forms (relevant to projects of a similar size, and complexity) covering all stages of the project life cycle from early design stage to project completion, arrangements for the co-ordination and dissemination of information both internally and externally, and CPD/training arrangements (which may or may not include specific H&S training).

It is recommended that the format at [www.hsa.ie](http://www.hsa.ie) is used. (If in the view of the Contracting Authority, the applicant fails (on request) to provide an adequate response to any one of the above H&S headings, the applicant will be deemed not to have met the necessary standard.)

Evidence of current third party certification (e.g. Safe-T-Cert, or OHSAS 18001, or approved equivalent) **for the firm fulfilling the role of PSCS** will be deemed to meet the requirements of this section.

**3.4(2)e Average annual manpower**

Applicants must provide evidence of the number of staff (competent to act as PSCS) employed by the **firm fulfilling the role of PSCS** or otherwise available to that firm.

The minimum requirement is adequate resources (available to the tenderer) within the firm providing the PSCS service to fulfil the role of PSCS on this project in accordance with the Safety Health and Welfare at Work (Construction) Regulations 2006 to 2010 (in conjunction with the firm's current workload)

**I/We note that this information is not required now but will be provided within 7 calendar days on foot of a written request (during tender evaluation) by the Contracting Authority.**

We further acknowledge and accept that in the event that our firm cannot or does not provide all of the above evidence and information in the required format, within the time period required, to demonstrate to the satisfaction of the Contracting Authority compliance with the stated standards the firm's submission will be deemed to be invalid and will be excluded from further consideration.

Signed :  Date:   
For and on behalf of Applicant (signature must be that of a Director/Principal with date in hardcopy)

Name :  BLOCK LETTERS  
Title :  BLOCK LETTERS