



A N R O I N N | DEPARTMENT OF  
OIDEACHAIS | EDUCATION  
AGUS SCILEANNA | AND SKILLS

Planning and Building Unit

Web: <http://www.education.ie>

# DTP-2012 Procurement of Contractors

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## 1. Introduction

### 1.1 Application

This document sets out the procedure for the Procurement of Construction Contractors, and gives advice on suitability assessment, de-briefing and related issues. It forms part of the **Design Team Procedures [4th Edition 2012]** and should be read in conjunction with **DTP2012 – Detailed Design (Stage 2b)**.

Where a conflict exists between this guidance and either National legislation or the EU directives the latter take precedence.

The **Design Team Procedures [4th Edition 2012]** and any associated Practice Notes (published at [www.education.ie](http://www.education.ie)) apply to all schools construction projects funded in part or in total by the Department of Education & Skills unless otherwise stated.

### 1.2 Standard Suitability Assessment Documents

In addition to the Public Works Forms of Contract, and associated model forms, standard Suitability Assessment questionnaires/declarations are available at [www.education.ie](http://www.education.ie) under Technical Guidance. These documents are referred to in the template Contract Notices (also available at [www.education.ie](http://www.education.ie)) and should be used for Department funded school projects.

To ensure that the correct form is used Design Teams should access all documents through Department's Website at [www.education.ie](http://www.education.ie) (under Technical Guidance). Design Teams must use these Department of Education and Skills specific documents and not the Public Works forms

## 2. Procurement Options

### 2.1 Circular 10/10

Department of Public Expenditure and Reform circular 10/10 applies to the procurement of Contractors.

It sets out positive measures that Contracting Authorities are required to take to promote SME involvement in a manner that is consistent with existing public procurement rules.

In particular it states that:

- Much of the documentary evidence of a tenderer's capacity to undertake a project should no longer to be sought by the contracting authority early on in the tendering process. Instead, tenderers should be asked to declare that they have the necessary capacity and that they will be in a position to produce the necessary documentation when requested.
- The levels set for suitability criteria (especially in relation to a potential tenderer's turnover levels) must be both justifiable and proportionate to the needs of the contract.

In addition greater use of the "Open Procedure" is encouraged.

### 2.2 Choice of Procedure

Before commencing work on detailed design the Design Team in consultation with the Employer must agree (if not already determined) the appropriate procurement procedure.

The **Open Procedure** is a single stage procedure, where the tender opportunity is advertised on eTenders, and any tenderer for a Works Contract can simultaneously submit suitability assessment material and a tender for the project.

The **Restricted Procedure** is a two stage procedure, with a short-list prepared from the suitability assessment material and only the (pre-determined number of) qualifying firms with the best marks invited to tender.

In general principle, the **Restricted Procedure** should only be used for larger and more complex projects. For smaller straight forward projects where the cost of Tendering will not be an undue burden on contractors the **Open** procedure should be used.

The following table applies unless the project has a particular level of complexity:

Estimated Project Value and Complexity	Procedure
>€50,000 < € 2.5m (ex VAT) without particular complexity	Open
> € 2.5m (ex VAT) < €5.0m without particular complexity	Open or Restricted
Greater than € 5m (ex VAT)	Restricted

For projects with a Construction value of less than €500,000 (including VAT) refer to the TGD007 - Design Team Procedures for Small Works 3rd Edition, March 2011 or subsequent Department guidance

### 2.3 eTenders Advertisement

For all projects with an estimated capital value **greater than €50k** (whether above or below EU threshold), **an eTenders Contract Notice is always required**. It is the responsibility of the Design Team Leader to prepare and up-load this notice. It is not necessary to separately up-load an above-Threshold notice onto the OJEU as the eTenders web-site will automatically transmit any EU Contract notices to OJEU.

## 3. Open Procedure

### 3.1 Preparation of Tender Documents

Consultants should follow the procedures and guidance in **DTP-2012 Detailed Design - Stage 2b** and **DTP-2012 Preparation of Tender Documents**

The Instructions to Tender **ITTW 2 - Instruction to Tender for Works, Open Procedure** available at [www.education.ie](http://www.education.ie) under Technical Guidance (with the Education specific particulars already filled in) should be used. Refer to **DTP-2012 Preparation of Tender Documents** for guidance on filling in the Project Specific elements.

### 3.2 Contract Notice

Refer to the **Template eTenders Contract Notice OPEN** available at [www.education.ie](http://www.education.ie). This template should be amended to include the project specific elements (as described in the template).

Great care should be taken not to alter the standard text or to change (or add to) the criteria or minimum standards. In particular the minimum standard for **Average Turnover** over 3 years is set at **“greater than the tendered sum”**. **This must not be changed**.

The only elements of the template Contract Notice which should be changed (if appropriate) are the **Authority Details**, the **Contract Details** and 3 lines under **Additional Information**:

- Under **Authority Details**, the Authority is the Client (generally the School Authority unless the Department is the Client). Section 1.2 and 1.3 are normally the Design Team Leader's contact details.
- Under **Contract Details** don't enter the project value. What is needed is a description of the scope of works with approximate areas. Using approximate areas makes the Notice more flexible.
- The Project categorisation for assessment of H&S competence as Works Contractor and PSCS is Type 2 - Intermediate by default. Don't change this unless the project is less than €1.0m with no complexities (enter Type 1), or greater than €5.0m or contains particular complexities (enter Type 3 or consider using Restricted)
- The “Areas of work involving Particular Risks known to Contracting Authority at this time” should be left unchanged unless there are specific health and safety issues (e.g. asbestos)
- Normally it is not necessary to change “Expressions of Interest or tender competitions have been or are being conducted separately”. However if the Contractor is going to have to share the site with another contractor specify the contract.
- The Template Contract Notice already refers to the Declaration form **DoES-QW2 Declaration of Suitability (Open) 2012 (Revision June 2013)** so the section on Conditions for Participation (3.1) does not need to be changed.

Once the Tender Documents are complete **and** the Contract Notice is ready **and** Department authorisation (in writing) has been received to proceed to Tender, the Design Team Leader should log on to [www.eTenders.ie](http://www.eTenders.ie) and up-load the notice.

The responsibility to enter the correct details rests with the Design Team Leader. Draft Contract Notices will not be checked or “approved” by the Department. If the Contract Notice has a substantive error which affects the competition, the Design Team will be responsible for re-issuing the notice and re-running the competition. Such work is including in the scope of work of the consultant and no additional fees will apply.

### 3.3 Suitability Assessment Questionnaire

The appropriate Suitability Declaration is **DoES-QW2 Declaration of Suitability (Open) 2013 (Revision June 2013)** This questionnaire/declaration applies to all projects using the Open Procedure.

**It is a standard questionnaire and should not be amended in any way by the Contracting Authority or Design Team.**

It is up to the Tenderers to enter the relevant Contract Details **not** the Design Team.

This Suitability Declaration sets the minimum standards for the project. **It does not require Tenderers to submit evidence at the time of Tender.**

### 3.1 Tender Action

Refer to **DTP-2012 Tender Action - Stage 3** for guidance on Tender Action.

Tenders received on or before the due date and time should all be opened together after the closing date for receipt of tenders, in the presence of the Design Team Leader and/or the Quantity Surveyor. All details must be recorded, checked and signed by all present.

### 3.2 Non-Compliant Tenders

Care should be taken in considering whether a Tender is compliant or not (you will have to list the reason for exclusion for any non-compliant tender). The ITT states:

*If a Candidate fails to comply in any way with these Instructions, the Employer may (but is not obliged to) disqualify the Candidate concerned and reject any Tender concerned as non-compliant, and, without prejudice to this right, the Employer may (but is not obliged to) seek clarification or further information (that does not materially alter a Tender) from the Candidate in respect of the relevant tender or take any other step permitted by law, including the principles of equal treatment, non-discrimination, transparency and proportionality.*

A signed copy of **DoES-QW2 Declaration of Suitability (Open) 2012 (Revision June 2013)** (with the appropriate details filled in) must be submitted with the tender. If the Suitability Declaration was omitted or is not signed or no project details were included, the firm's tender should be excluded.

**As long as the questionnaire has been signed and submitted and the Contract Details filled in the Contracting Authority and/or the Design Team should not seek to validate the declarations at this point.**

While tenders should not be excluded on a technicality, **it is unfair to other tenderers if you do not exclude a tenderer who has not complied with the ITT on a substantive issue** (e.g. Suitability Assessment Questionnaire & declaration not signed, Form of Tender not signed, blank pricing document etc) **Refer also to DTP-2012 – Tender Action**

### 3.3 Tender Evaluation

Having excluded any non-compliant tenderers (e.g. Suitability Assessment Questionnaire not signed, Form of Tender not signed, blank pricing document etc), the next step is to evaluate the Tenders. **This is done before validating the declarations.**

See **DTP-2012 Tender Action - Stage 3** for the procedure for evaluating tenders.

### 3.4 Validating the preferred bidder's evidence of suitability

Once the Design Team is satisfied that the Preferred Bidder's Tender is an apparently valid tender, the Preferred Bidder should now be asked (in writing) to provide (within 7 days) the information required to verify the declaration in **DoES-QW2 Declaration of Suitability (Open) 2013 (Revision June 2013)** (See template letter/email to Contractor at **Appendix A**)

In practice this can be done (at the discretion of the Design Team) at the same time as discussions are held with the Contractor on rates, abnormally low tenders and other matters.

Do not extend the time allowed to provide this information as the Contractor will already be aware that he is under consideration and should have the information assembled and ready to issue by return

When the evidence of compliance with the Declaration has been received the information should be examined and verified to confirm that the tenderer meets the minimum standard required. (Refer to [Evidence of Suitability](#))

If the preferred bidder does not meet the minimum standard required, that tenderer should be excluded and the next lowest tenderer should be deemed to be the preferred bidder. The process should be repeated until a qualifying preferred bidder is established.

Except where a tender is withdrawn or deemed to be non-qualifying (as above) the Design Team must not pass over the lowest or any tender, (due to any other reasons apart from compliance with the Conditions for Participation) without prior consultation and agreement with the Planning and Building Unit.

If the preferred bidder meets the minimum standard required, the Design Team should proceed in accordance with **DTP2012 – Tender Action – Stage 3**

## 4. Restricted Procedure

### 4.1 Preparation of Tender Documents

Consultants should follow the procedures and guidance in **DTP-2012 Detailed Design - Stage 2b** and **DTP-2012 Preparation of Tender Documents**

The **DoES ITTW 1 Instructions to Tender** should be used (available at [www.education.ie](http://www.education.ie) under Technical Guidance with the Education specific particulars already filled in).

Refer to **DTP-2012 Preparation of Tender Documents** (Revision June 2013) for guidance on filling in the Project Specific elements.

### 4.2 Commencing the Suitability Assessment process

Check with the Department that the Project is scheduled to go to Tender before you start the suitability assessment process. (Sufficient time should be allowed to complete the suitability assessment process by the time the Stage 2b documents are complete and ready for submission.)

### 4.3 Contract Notice

Refer to the **Template EU Contract Notice RESTRICTED** or the **Template eTender Contract Notice RESTRICTED (below EU threshold)** available at [www.education.ie](http://www.education.ie) depending on whether the estimated value of the contract is above or below the EU Threshold.

These templates should be amended to include the project specific elements (as described in the template). Great care should be taken not to alter the standard text or to change (or add to) the criteria or minimum standards.

The only elements of the template Contract Notice which should be changed (if appropriate) are the **Turnover**, the **Authority Details**, the **Contract Details** and 3 lines under **Additional Information**:

- Under **Authority Details**, the Authority is the Client (generally the School Authority unless the Department is the Client). Section 1.2 and 1.3 are normally the Design Team Leader's contact details.
- Under **Contract Details** don't enter the project value. What is needed is a description of the scope of works with approximate areas. Using approximate areas makes the Notice more flexible.
- Using the basis of calculation for the minimum standard for **Average Turnover** stated calculate an appropriate sum and enter that sum in the Contract notice.
- The Project categorisation for assessment of H&S competence as Works Contractor and PSCS is by default Type 2 - Intermediate for eTenders Contract Notices and Type 3 for EU Contract Notices. Don't change this unless the project is less than €1.0m with no complexities (enter Type 1 or use Open Procedure), or greater than €5.0m or contains particular complexities (Enter Type 3)
- The "Areas of work involving Particular Risks known to Contracting Authority at this time" should be left unchanged unless there are specific health and safety issues (e.g. asbestos)
- Normally it is not necessary to change "Expressions of Interest or tender competitions have been or are being conducted separately". However if the Contractor is going to have to share the site with another contractor specify the contract.
- The Template Contract Notice already refers to the Suitability Assessment Questionnaire **DoES-QW1 Suitability Assessment Questionnaire (Restricted) 2013** (Revision June 2013) so the section on Conditions for Participation does not need to be changed.

Once the Contract Notice is ready the Design Team Leader should double check to ensure that there are no mistakes prior to logging on to [www.eTenders.ie](http://www.eTenders.ie) and up-loading the notice.

The responsibility to enter the correct details rests with the Design Team Leader. Draft Contract Notices will not be checked or "approved" by the Department. If the Contract Notice has a substantive error which affects the competition, the Design Team will be responsible for re-issuing the notice and re-running the competition. Such work is including in the scope of work of the consultant and no additional fees will apply.

### 4.4 Suitability Assessment Questionnaire

The appropriate Suitability Assessment Questionnaire is **DoES-QW1 Suitability Assessment questionnaire (Restricted) 2013 (Revision June 2013)**. This questionnaire applies to all projects using the Restricted Procedure.

**DoES-QW1 Suitability Assessment questionnaire (Restricted) 2013 (Revision June 2013) is a standard questionnaire and should not be amended in any way by the Contracting Authority or Design Team.**

It is up to the Tenderers to enter the relevant Contract Details **not** the Design Team.

This Suitability Assessment Questionnaire sets the minimum standards for the project and the information to be provided for the Qualitative Assessment of Contractors.

**Contractors are not required to submit evidence to validate their declarations at the time of submissions of Expressions of Interest.**

#### 4.5 Opening submissions

Expressions of Interest received on or before the due date and time should all be opened together after the closing date for receipt of submission, in the presence of the Design Team Leader and/or the Quantity Surveyor. All details must be recorded, checked and signed by all present.

#### 4.6 Non-Compliant Submissions

Care should be taken in considering whether a Submission is compliant or not (you will have to list the reason for exclusion for any non-compliant submission).

A signed copy of **DoES-QW1 Suitability Assessment questionnaire (Restricted) 2013 (Revision 2013)** (with the appropriate details filled in and the relevant information for the qualitative criteria attached) must be submitted. If the suitability questionnaire was not signed, or the appropriate details not filled in, or the attachments were omitted, then the firm's tender should be excluded.

Applicants should not be excluded on a technicality (Before excluding the preferred bidder clarification should be sought for such technical non-compliance items, e.g. obvious misprints or a tick box not ticked).

**While tenders should not be excluded on a technicality, it is unfair to other tenderers if you do not exclude a tenderer who has not complied with the requirements on a substantive issue (e.g. Questionnaire not signed, no information on which to base the qualitative assessment etc)**

#### 4.7 Qualitative Assessment

**Do not seek to validate the declarations at this stage.** That is done once you have made a provisional short-list and before you send out de-briefing letters.

Take all the compliant submissions and mark them on the qualitative criteria as follows:

##### 3.4a Educational and Professional Qualifications (Management) [25 marks]

- A maximum of 10 marks are available for the Organisation Chart (If showing a clear well structured company organisation capable of undertaking the project)
- A maximum of 10 marks are available for the Contracts Manager. The required minimum standard is evidence of competency to fulfil the assigned role as specified in the questionnaire and might reasonable be assigned 40% i.e. 4 marks (See also [Evidence of Suitability](#)). Greater marks can be assigned for a person with proportionately greater experience and qualifications.
- A maximum of 5 marks are available for the Health and Safety Manager (who may be the same person as the Contracts Manager). Again, the required minimum standard is evidence of competency to fulfil the assigned role as specified in the questionnaire and might reasonable be assigned 40% i.e. 2 marks (See also [Evidence of Suitability](#)). Greater marks can be assigned for a person with proportionately greater experience and qualifications.

##### 3.4b Educational and Professional Qualifications (Personnel) [25 marks]

- A maximum of 20 marks are available for the Foreman. The required minimum standard is evidence of competency to fulfil the assigned role as specified in the questionnaire and might reasonable be assigned 40% i.e. 8 marks (See also [Evidence of Suitability](#)). Greater marks can be assigned for a person with proportionately greater experience and qualifications.
- A maximum of 5 marks are available for the Site Safety Officer (who may be the same person as the Contracts Manager). Again, the required minimum standard is evidence of competency to fulfil the assigned role as specified in the questionnaire and might reasonable be assigned 40% i.e. 2 marks (See also [Evidence of Suitability](#)). Greater marks can be assigned for a person with proportionately greater experience and qualifications.
- Marks are not assigned for the PSCS. This is a Pass/Fail evaluation which is done at Validation of the Declaration stage for the provisional short-listed candidates.

##### 3.4c List of Works carried out over the past 5 years [50 marks]

- A maximum of 15 marks per project are available. The required minimum standard as specified in the questionnaire and might reasonable be assigned 40% i.e. 6 marks (See also [Evidence of Suitability](#)). Greater marks can be assigned for a project, which in the combined judgement of the Contracting Authority [C.A.] and the references quoted (or otherwise checked by the C.A.), were completed to a higher standard both in terms of Standard of Construction and Delivery on programme. Do not allocate extra marks because a project is educational.

- A maximum of 5 additional marks are available for a Primary of Post-Primary school Project (satisfactorily completed) submitted as one of the 3 projects above. Again, the required minimum standard is as specified in the questionnaire and a project of that standard might reasonable be assigned 40% i.e. 2 marks (See also [Evidence of Suitability](#)). Greater marks can be assigned for a Primary of Post-Primary school Project which in the combined judgement of the Contracting Authority [C.A.] and the references quoted (or otherwise checked by the C.A.) were completed to a higher standard both in terms of Standard of Construction and Delivery on programme.

It is deemed that, in providing information under these criteria, consent is given for the accuracy of the information to be checked with the relevant Contracting Authorities. (You may wish to check with the referees listed for the firms to be provisionally short-listed)

If the applicant submits more than one person for any of the positions specified or more than 3 Building Project under 3.4c, mark the person with the least experience/qualifications and the projects meriting the least number of marks.

#### 4.8 Creating a provisional short-list

Having marked all the applicants and listed them in order of merit you can prepare a provisional short-list.

- The Contract Notice states:  
*All applicants having an equal suitability assessment score to the lowest qualifying Candidate will also be deemed to be qualified.*  
*Where a candidate having qualified for the short-list withdraws prior to the completion of the Tender Process or is subsequently found to have provided inaccurate information sufficient to justify exclusion (at any stage after the short-list is formed), the competition will proceed with the remaining number of candidates. Applicants who failed to be short-listed will not be subsequently added to the list*
- **If any firms have equal marks to the lowest qualifying firm, they should be included in the list even if it exceeds the envisaged number.**

#### 4.9 Validating the provisional short-list's evidence of suitability

Once a provisional short-list has been prepared the Design Team should now ask the apparently successful applicant to submit evidence (within 7 days) to verify the declaration in **DoES-QW1 Suitability Assessment questionnaire (Restricted) 2012** (See template letter/email to Contractor at **Appendix B**)

Do not extend the time allowed to provide this information unless by prior agreement with an applicant and in any event only by a day or two.

When the evidence of compliance with the Declaration has been received the information should be examined and verified to confirm that the applicants meet the minimum standard required. (Refer to [Evidence of Suitability](#) below)

If an applicant does not meet the minimum standard required, that applicant should be excluded. If the number of contractors on the provisional short-list is thereby reduced below the envisaged number (normally 10) proceed to the next highest scoring applicant (or group of applicants) and request the same information as above until you have a list of verified candidates at least equal to the envisaged number. This is the short-list

#### 4.10 Issuing De-briefing letters

A letter should now be issued to both the successful and the unsuccessful applicants. A template de-briefing letter **DTP-2012 De-briefing letter - Applicants** is available at [www.education.ie](http://www.education.ie)

- In all cases the marks (including the sub-criteria marks) of the Lowest-Ranked Short-listed Candidate should be stated.
- If a firm was excluded on a [compliance](#) issue, the reason (or reasons) should be stated (e.g. suitability questionnaire was not signed, the appropriate project details were not filled in, or the attachments were omitted).
- If a firm did not meet the minimum standard on 1 or more criteria, again the reason(s) should be stated (e.g. insufficient turnover, PSCS deemed not competent etc, no previous experience of work of a similar nature, etc - see [Evidence of Suitability](#) below)
- If the firm met the minimum standard but was not successful, the reasons the firm scored less than the Lowest-Ranked Short-listed Candidate should be stated

#### 4.11 Appeals and queries

As long as sufficient information is given in the de-briefing letter (as above), requests for verbal de-briefings should be resisted if possible.

All queries and appeals must be to the appropriate person and address specified in the Contract Notice. Appeals should always be in writing.

- Queries and appeals should be dealt with promptly and in any event prior to proceeding to Tender [Department authorisation is always required prior to going to Tender]
- The level of severity of marking is a matter for the assessment person/panel as long as the same level of severity is applied to all applicants.
- You are not required to justify why a particular firm scored a different mark on a particular sub-criterion on another project. The Marks assigned are measured objectively against the minimum standard, but also by reference to the other applicants.

Once any appeals have been investigated and a determination made you now have a short-list of Contractors

## 5. Evidence of suitability

### 5.1 Validating the applicant/preferred bidder's evidence of suitability

Whether using the Open Procedure or the Restricted Procedure the methodology for assessing the Evidence of Suitability is the substantially the same

When the evidence of compliance with the Declaration has been received the information should be examined and verified to confirm that the applicants meet the minimum standard required:

- The preferred bidder should not be excluded on a technicality (Before excluding the preferred bidder clarification should be sought for such technical non-compliance items).
- However substantive non-compliance items (e.g. complete failure to demonstrate H&S competence or no track record of projects of a similar size and complexity) are a basis for exclusion and are not matters of clarification).
- If clarification is sought on any item and the issue is not resolved by return the preferred bidder should not be given a further chance.

Once the evidence has been validated and the relevant firm has either been deemed to meet the minimum standard or has been excluded, refer back to the relevant section under the Open or Restricted Procedures guidance above

### 5.2 Applicant's Personal Situation Declaration

A Declaration (in the standard format available at [www.constructionprocurement.gov.ie](http://www.constructionprocurement.gov.ie)), signed and witnessed within the past 12 months is required.

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. If so, 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.

### 5.3 Turnover

In the case of Turnover, if the evidence provided shows that the Contractor's turnover is below that required, they should be excluded.

If the evidence shows the Contractor meets the turnover requirements but that evidence is in a different format, it must be considered. The test of compliance is that the assessor is satisfied that the firm has the relevant average turnover over 3 years.

For example, where audited accounts are not available for the current year, the auditor's statement of estimated turnover for that year plus audited turnover for the previous years may be accepted, or if a firm has been in existence for 2 years only that the total audited turnover divided by 3 meets the standard required.

### 5.4 Checking References for Personnel for the Project

It is a matter for the Design Team assessors acting on behalf of the Contracting Authority to assess the extent to which references should be checked, but it is expected that some checking of references is carried out.



Note that in the Restricted Procedure you should not unfairly single out one Contractor. Unless you have a valid reason (e.g. prior knowledge), you should apply the same level of checking for all provisionally short-listed contractors.

When references are being checked you are verifying two things:

- whether the person listed carried out the function listed on the project listed, and
- whether the project was work of a similar nature and size completed satisfactorily

Where falsehoods or exaggerated claims in a CV are discovered, it is reasonable that you should check the entire CV in greater detail.

Isolated inaccuracies may be justification for excluding that portion of the CV but are not in themselves a reason to exclude the person (and by implication the firm). (For example if one project listed is not in fact of similar size and nature, but excluding that project, the person listed still has the experience necessary, then that person has met the standard required.) However where systematic falsehoods or exaggerated claims are identified, it is reasonable that you should exclude the person concerned and the entire Submission

Before considering exclusion, you should be satisfied that the information given to you by referees is factually based and is capable of verification.

- In the case of whether the person listed carried out the function listed on the project listed, such factual information might be written confirmation from the referee that another person carried out that function on that project.
- In the case of whether the project was work of a similar nature and size, projects of a similar nature are defined in the Questionnaire/Declaration of Suitability as single building projects (not necessarily educational) with similar construction and service requirements. A fairly broad interpretation of work of a similar nature should be used, as it is the experience of the person in the function listed that matters
- In determining whether a project was satisfactorily completed, it is important that the referee be objective and be prepared to record their assessments in writing. Their assessments should be based on the standards of construction and on compliance or otherwise with the Contract conditions. Persistent construction defects not resolved, breaches of contract clauses, contractor delay and failure to comply with ER's instructions are valid reasons for a negative assessment of the contractor. Valid Compensation Event and Delay Event claims are not (The Contractor is entitled to both under the Contract)

## 5.5 3.4a and 3.4b Educational and Professional Qualifications

An Organisation Chart showing the Company Structure and indicating the duty holders responsible for Health and Safety is required as well as Curriculum Vitae for the Contracts Manager, Health and Safety Manager, Foreman, and Site Safety Officer proposed for the project. [In the **Restricted Procedure** you will already have this information.]

The minimum requirement for an **Organisation Chart** is that it shows an adequate company structure for a firm carrying out the project.

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 as follows:

- **Contracts Manager**  
7 years Building Construction experience including at least 3 years in a management role, OR Formal training/qualifications relevant to the role of Contracts Manager (in the judgement of the Contracting Authority) plus 5 years Building Construction experience with at least 2 years in a management role
- **Health and Safety Manager**  
(May be the same person as the Contracts Manager and/or foreman)  
5 years Building Construction experience AND must have a Degree/diploma or other equivalent H&S training (minimum 4 hours externally accredited CPD). [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.]
- **Foreman (Site manager)**  
7 years Building Construction experience including at least 3 years as a Foreman (Site Manager) OR Formal training/qualifications relevant to the role (In the judgement of the Contracting Authority) plus 5 years Building Construction experience 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)

- **Site Safety Officer** (May be the same person as the foreman or PSCS)  
5 years Building Construction experience **AND** 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.

In the **Restricted Procedure** you will already have marked these criteria and sub-criteria. If the applicant received less than a pass mark (40%) on any one sub-criterion they should be deemed to have failed this criterion and should be excluded

In the **Open Procedure** if the applicant does not meet the minimum requirements on any one sub-criterion they should likewise be deemed to have failed this criterion and should be excluded

## 5.6 Previous experience of the firm

As with the CVs of the Personnel, it is expected that some checking of references is carried out. When previous experience is being verified, you are checking whether the project was work of a similar nature and size completed satisfactorily

As with the CVs where falsehoods or exaggerated claims in a CV are discovered, it is reasonable that you should check in greater detail. Isolated inaccuracies may be matters for clarification, but systematic falsehoods or exaggerated claims are a basis for considering exclusion.

In the case of whether the project was work of a similar nature and size, projects of a similar nature are defined in the Questionnaire/Declaration of Suitability as single building projects (not necessarily educational) with similar construction and service requirements.

- A fairly broad interpretation of work of a similar nature should be used, but this does not extend to projects of a substantially different nature (e.g. laying a water pipe)
- Again, in determining whether a project was satisfactorily completed or not, it is important that the referee be objective and be prepared to record their assessments in writing. The assessment should be based on the standards of construction and on compliance or otherwise with the Contract conditions as stated under [Personnel for the project](#) above.

In the **Restricted Procedure** you will already have marked these criteria and sub-criteria.

If the applicant received less than a pass mark (40%) on any one Building Construction Project they should be deemed to have failed (as they do not have 3 examples of Building Projects of a similar nature and size) and should be excluded. **[They should not be excluded because they do not have educational experience.]**

## 5.7 Measures for ensuring Quality

The minimum standard required here is evidence of effective Quality Control procedures for the administration of a project (Both external "Quality Assured" and internal procedures are acceptable), and 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.

## 5.8 Average annual manpower

The minimum requirement here is sufficient staff in the key positions listed at 3.4a and 3.4b (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.
- It must in that case demonstrate 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.

## 5.9 Health and Safety Competence as a Contractor

The objective here is not to include or exclude any contractor but to be satisfied that there is evidence demonstrating the Contractor's general Health and Safety Competence.

The responses 3.4 Evidence of Technical Capability Criteria are "prima facie" evidence of general competence as a Contractor.

In addition the following is required:

- a completed, signed H&S Declaration form C1 (available at [www.constructionprocurement.gov.ie](http://www.constructionprocurement.gov.ie)) and 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
- For **Type 2 and 3 projects only** evidence of adequate structured H&S Procedures relevant to medium/ large School projects is required  
A Safe-T-Cert, or OHSAS 18001, or equivalent will suffice. Other evidence of adequate structured H&S Procedures is also acceptable

## 5.10 HEALTH AND SAFETY COMPETENCE as PSCS

Likewise the objective here is not to include or exclude any contractor/PSCS but to be satisfied that there is evidence of the PSCS's Health and Safety Competence for a project of this size and complexity.

- **Organisation Chart (3.4(2)a)**  
If the PSCS is an external company an Organisation Chart showing that external Company's Structure and indicating the duty holders responsible for Health and Safety is required. If the PSCS is provided internally by the firm, the evidence provided at 3.4a Educational and Professional Qualifications (Management) is sufficient.  
As with 3.4a the minimum standard is that it shows an adequate company structure for a firm carrying out the role of PSCS
- **Educational and professional qualifications – PSCS (3.4.(2)b)**  
(may be the same person as the foreman or Site Safety Officer)  
5 years Building Construction experience and must have formal externally accredited training in Health and Safety (relevant to the role of PSCS) within the last 5 years  
Where in your judgement, having consulted with the references quoted (or otherwise verified) a project was not satisfactorily completed, the relevant time period may be excluded from the total experience claimed.  
You can also 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, check that adequate measures have been put in place by the tenderer to address any deficiencies in their Health and Safety procedures  
Lastly where the role of PSCS was not satisfactorily completed on a project and effective corrective measures were not put in place, you may exclude that person and if an alternative suitably qualified person is not immediately available, may also exclude the tenderer from further consideration.
- **Services of similar nature provided over the past 7 years (3.4(2)c)**  
All 3 projects must have been at Substantial completion within the last 7 years. Projects of a similar nature are defined as in 3.4c. A fairly broad interpretation of work of a similar nature should be used, but this does not extend to projects of a substantially different nature (e.g. laying a water pipe)  
It is expected that some checking of references is carried out. Where enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded, check that adequate measures have been put in place by the tenderer to address any deficiencies in their Health and Safety procedures  
Where in your judgement, having consulted with the references quoted (or otherwise verified) a project was not satisfactorily completed, and an alternative suitable project is not immediately identified, the Contracting Authority may exclude the firm from further consideration
- **Measures for ensuring quality (3.4(2)d)**  
A completed H&S Declaration form C1 signed by the firm fulfilling the role of PSCS is required and 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  
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 is required. A Safe-T-Cert, or OHSAS 18001, or equivalent will suffice. Other evidence of adequate structured H&S Procedures is also acceptable

## Appendix A – Template Validation of Suitability Letter (Open Procedure)

[Date]

To [Name and address of tenderer]

Re: Building Construction Contract for [Title of Project e.g. Replacement Roof to Block A, XXX school]

Subject to Contract/Contract Denied

A Dhaoine Uaisle

I refer to your tender dated [ ] for the above contract in the amount of € [ ] ex VAT.

I write to inform you that we require **within the required time period of 7 days** from the date of this letter/email the following evidence in accordance with the completed and signed **DoES-QW2 Declaration of Suitability (Open) 2012** submitted by you as part of the Tender requirements for the above project.

### 3.1 QW2 Appendix A - Applicant's Personal Situation Declaration

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.*

### 3.3a Evidence of Turnover

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

*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.*

### 3.4a and 3.4b Educational and Professional Qualifications (Management and Personnel)

An Organisation Chart showing the Company Structure (including the duty holders for Health and Safety).

**AND**

Curriculum Vitae for the **Contracts Manager, Health and Safety Manager, Foreman** [or equivalent site manager], and **Site Safety Officer** proposed for the project. The Curriculum Vitae must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

*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 a Degree/diploma or other equivalent H&S training (minimum 4 hours externally accredited CPD). [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 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.*

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

Details (including start/ finish dates, project details, Contract sum, and References) of **3 Building Construction Projects**, carried out in a satisfactory manner, with a Contract Sum between half and 5 times the sum tendered for this project, similar in nature and complexity, and completed (i.e. at Substantial completion) within the last 7 years

***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.*

### **3.4d Measures for ensuring quality**

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

*Both external "Quality Assured" and internal procedures are acceptable for the administration of a project, but specific measures for ensuring a high Standard of Building Construction are also required.*

### **3.4e Average annual manpower**

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**

*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.*

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

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 must be included*

**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.

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**

#### **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 (PSCS)**

Curriculum Vitae for the **Project Supervisor Construction Stage** proposed for the project. The Curriculum Vitae must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

*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 enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded on any of these projects, evidence that adequate measures have been put in place 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 must be included*

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

Details of **3 Building Construction Projects** (similar in nature and complexity to this project) on which **the firm proposed to act as PSCS** fulfilled the role of PSCS in a satisfactory manner.

*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 sum tendered 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 on any of these projects, evidence that adequate measures have been put in place 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 must be included*

*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*

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

A 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 must be included*

**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.*

*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**

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.

**Please be advised that if you cannot or do not provide all of the required evidence, within 7 days of the date of this letter/email, your tender will be deemed to be invalid and will be excluded from further consideration.**

Please note also that prior to appointment the successful tenderer will be required to provide:

- a Current Tax clearance certificate,
- evidence of adequate Public Liability Insurance in the amount of €6.5m,
- Employer's Liability Insurance in the amount of €13.0m, and
- a Bond (if required by the Contract Notice/Suitability Declaration or Tender Documents)

This information is not required at this time

This is **not** a letter of acceptance or a Letter of Intent and does **not** imply that your firm is under consideration for the above project. It is a request that information in accordance with the tender requirements be provided. **The Employer has not accepted your tender.**

**Please make contact as soon as possible with the undersigned to confirm that the above information will be provided and to make arrangements for the delivery of that information.**

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Signed: \_\_\_\_\_ [On behalf of the Employer]

## Appendix B – Template Validation of Suitability Letter (Restricted)

[Date]

To [Name and address of Applicant]

Re: Building Construction Contract for [Title of Project e.g. Extension to XXXXX School at XXXXXXXXXXXXXXXX]

Subject to Contract/Contract Denied

A Dhaoine Uaisle

I refer to your Expression of Interest for the above tender opportunity. I write to inform you that we require **within the required time period of 7 days** from the date of this letter/email the following evidence in accordance with the completed and signed **DoES-QW1 Suitability Assessment Questionnaire (Restricted) 2012** submitted by you as part of your Expression of Interest

### 3.1 QW2 Appendix A - Applicant's Personal Situation Declaration

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.*

### 3.3a Evidence of Turnover

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

*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.*

### 3.4d Measures for ensuring quality

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

*Both external "Quality Assured" and internal procedures are acceptable for the administration of a project, but specific measures for ensuring a high Standard of Building Construction are also required.*

### 3.4e Average annual manpower

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**

*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.*

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

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 must be included*

**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.*

*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**

#### **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 (PSCS)**

Curriculum Vitae for the **Project Supervisor Construction Stage** proposed for the project. The Curriculum Vitae must include the dates any qualifications were obtained and references (including contact details) for all projects listed.

*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 enforcement actions, legal proceedings accidents, fatalities or incidents have been recorded on any of these projects, evidence that adequate measures have been put in place 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 must be included*

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

Details of **3 Building Construction Projects** (similar in nature and complexity to this project) on which **the firm proposed to act as PSCS** fulfilled the role of PSCS in a satisfactory manner.

*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 sum tendered 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 on any of these projects, evidence that adequate measures have been put in place 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 must be included*

*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*

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

A 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 must be included*

**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.*

*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

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.

**Please be advised that if you cannot or do not provide all of the required evidence, within 7 days of the date of this letter/email, your tender will be deemed to be invalid and will be excluded from further consideration.**

Please note also that prior to appointment the successful tenderer will be required to provide:

- a Current Tax clearance certificate,
- evidence of adequate Public Liability Insurance in the amount of €6.5m,
- Employer's Liability Insurance in the amount of €13.0m, and
- a Bond (if required by the Contract Notice/Suitability Declaration or Tender Documents)

[A Tax Clearance Certificate, Insurances and the Bond are not required at this time]

This does **not** imply that your firm is under consideration for short-listing for the above project. It is a request that information in accordance with the requirements stated in the Suitability Assessment Questionnaire be provided.

**Please make contact as soon as possible with the undersigned to confirm that the above information will be provided and to make arrangements for the delivery of that information.**

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Signed: \_\_\_\_\_ [On behalf of the Employer]