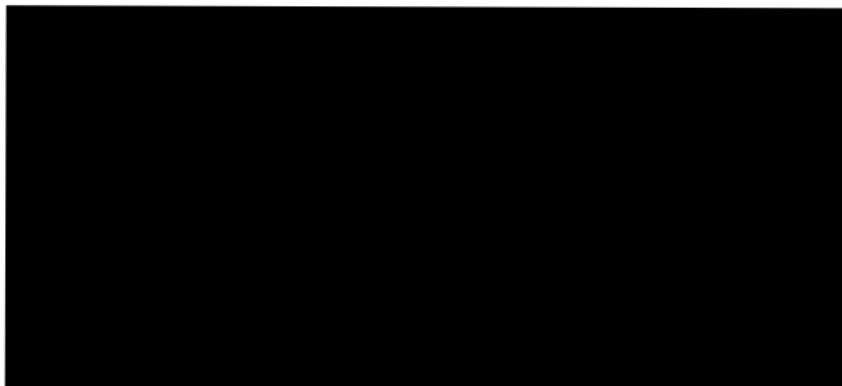


03rd November 2017



Re: FOI response IE_FOI_125


Dear 

I refer to your request dated 11th October 2017 made under the Freedom of Information Act 2014, which was received on that date for records held by Iarnród Éireann your request sought:

All relevant documentation relating to:

Ongoing Framework Agreement for the Supply of Geophysical Surveys & Underground Mapping, we are kindly asking the Irish Rail to provide the names of the successful applicants to the PQQ stage, under the Freedom of Information.

GDG is currently involved in a large bridge & culvert inspection campaign with the Irish Rail, and we believe that by teaming up with the potential applicants to the ITT stages of the Framework we can provide the highest quality service and provide significant savings for the Irish Rail.

I,  have now made a final decision to part grant your request on 03rd November 2017.

You have sought access to the records as listed above and I consider this an appropriate form of access in this case. Accordingly, a copy of the records is now attached including a copy of the schedule to these records.

In the event that you are not happy with this decision, you can make an appeal in relation to this matter, you can do so by writing to the Freedom of Information Unit, Corporate Communications, Iarnród Éireann, Connolly Station, Amiens Street, Dublin 1 or by email to foi@irishrail.ie.

You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances.

The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact the FOI officer by telephone on +353 1 7034293.


Yours sincerely,

[Redacted signature block]

FOI Decision Maker,

Schedule of Records for IE_FOI_125 : Summary for Decision Making

Record No.	Date of Record	Brief Description	No. of Pages	Decision: Grant/Part Grant/Refuse	Section of Act if applicable	Record Edited/Identify Deletions
1	02/11/2017	Listing of qualified candidates 6624	1	Part Grant	36.1 (b)	We have not disclosed the specific disciplines each candidate was qualified under as to do so could prejudice the competitive position of that candidate
2	18/10/2016	Qualification system Utilities notice ref 2016/S 202-365515	2	Grant		
3	18/10/2016	Pre - qualification questionnaire -6624	32	Grant		
4	15/02/2017	Evaluations of Pre-qualified candidates - 6624	1	Part Grant	36.1 (b)	We have not disclosed the specific scoring of each candidate as to do so could prejudice the competitive position of that candidate

Signed.....

Date 03.11.2017

Investigation, testing, monitoring, accessing the Rail Track and Structures- QUALIFICATION SYSTEM REF. CE6624

✓	Murphy Surveys Ltd	Apex Geoservices	Whiteford Geoservices Ltd	Fugro Geoservices Ltd	Aspin Foundations Ltd	Bridgeway Consulting Ltd	GEO-INFO Ltd
Disciplines required							
Ground Penetration Radar (GPR) Surveys							
Topographical Surveys for Track and structures							
General Track (and structures) surveys e.g. total station and other manual methods							
Resistivity testing							
Cone Penetration testing (CPT)							
Boreholes, trial holes, falling weight deflectometer (FWD) testing							
Remote asset monitoring (envisaged here as on-going monitoring of specific assets as opposed to the separate project for asset failure monitoring over larger number of assets).							
Laser scanning of assets for detection of movement or change							
Contact Information							
Company Contact Name	David Graham	Kevin Galvin	James Whiteford	Charles Baker	Nicole Hodgson	Tom Foster	Jane Simpson
Company email address	dgraham@murphysurveys.ie	kgalvin@apexgeoservices.com	jwhiteford@whitefordgeoservices.co.uk	c.baker@fugro.com	n.hodgson@aspingroup.co.uk	t.foster@bridgeway-consulting.co.uk	j.simpson@geo-info.info

Qualification system – utilities

This notice is a call for competition

Services

Directive 2014/25/EU

Section I: Contracting entity

I.1) Name and addresses

Iarnrod Eireann-Irish Rail

N/A

Engineering Procurement, CIE Works,

Dublin 8

Inchicore

IE

Contact person: Robert O'Hara

Telephone: +353 7031762

E-mail: bobby.ohara@irishrail.ie

Fax: +353 7031777

NUTS code: IE - IRELAND

Internet address(es):

Main address: <http://www.irishrail.ie>

Address of the buyer profile: <https://irl.eu-supply.com/ctm/Company/CompanyInformation/Index/433>

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at:

http://irl.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=104163&B=ETENDERS_SIMPLE

Additional information can be obtained from

the abovementioned address:

Tenders or requests to participate must be submitted to the abovementioned address

I.6) Main activity

Railway services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Investigation, testing, assessing and monitoring Rail track & structures

Reference number: 6624

II.1.2) Main CPV code

71312000 - Structural engineering consultancy services

II.1.3) Type of contract

Services

II.2) Description

II.2.2) Additional CPV code(s)

71311000 - Civil engineering consultancy services

71311300 - Infrastructure works consultancy services
71351200 - Geological and geophysical consultancy services
71351210 - Geophysical consultancy services
71351220 - Geological consultancy services

II.2.3) Place of performance

NUTS code: IE - IRELAND
Main site or place of performance:
Irish Rail Network

II.2.4) Description of the procurement

Qualification system for investigation, testing, assessing and monitoring Rail track & structures

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.8) Duration of the qualification system

Start: 11/29/2016 / End: 11/28/2018

II.2.13) Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
yes

Identification of the project: As required

Section III: Legal, economic, financial and technical information

III.1) Conditions for participation

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

As detailed in the pre-qualification Questionnaire appended to this notice.

Section IV: Procedure

IV.1) Description

IV.2) Administrative information

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

Section VI: Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court
Chief Registrar, Four Courts, Inns Quay
7 Dublin
7
IE
Telephone: +353 8886000
Internet address: <http://www.courts.ie>

VI.5) Date of dispatch of this notice

10/18/2016



PRE-QUALIFICATION QUESTIONNAIRE

TENDER REFERENCE: 6624

**Qualification system for investigation, testing assessing
and monitoring Rail track & structures**

October 2016

**CLOSING DATE for RETURN OF COMPLETED PQQ
QUESTIONNAIRE: noon GMT on 22nd November 2016**

CONTENTS**IMPORTANT NOTICE**

- 1. DESCRIPTION OF THE CONTRACT BEING PROCURED**
 - 1.1. NAME OF CONTRACT AND BRIEF DESCRIPTION OF SERVICES/GOODS REQUIRED/
SUMMARY OF REQUIREMENTS
 - 1.2. DURATION OF CONTRACT AND FORM OF CONTRACT
- 2. THE APPLICANT**
 - 2.1. WHO IS THE APPLICANT
 - 2.2. SUB-CONTRACTING
 - 2.3. RELIANCE ON RESOURCES
- 3. THE PROCUREMENT PROCESS**
 - 3.1. TWO-STAGE PROCESS
 - 3.2. SHORTLISTING PROCESS
 - 3.3. TENDER PROCESS
 - 3.4. PROPOSED TIMESCALE AND ANTICIPATED PROGRAMME
 - 3.5. REGULATORY FRAMEWORK
- 4. PROCEDURAL REQUIREMENTS**
 - 4.1. PRE-CONDITIONS FOR QUALIFICATION AND SHORTLISTING
 - 4.2. FORMAT OF PQQ SUBMISSIONS AND RETURN OF PQQ
 - 4.3. DEADLINE OF PQQ SUBMISSIONS
- 5. SELECTION CRITERIA**
 - 5.1. MINIMUM QUALIFICATION CRITERIA
 - 5.2. ECONOMIC AND FINANCIAL CAPACITY
 - 5.3. TECHNICAL/PROFESSIONAL ABILITY
- 6. SCORING METHODOLOGY**
- 7. GENERAL CONDITIONS**
 - 7.1. INTERVIEWS/PRESENTATION MEETINGS
 - 7.2. FURTHER INFORMATION, QUERIES AND CLARIFICATIONS
 - 7.3. CONFIDENTIALITY AND CONFIDENTIAL OR POTENTIALLY
CONFIDENTIAL QUERIES/ANNOUNCEMENTS
 - 7.4. FREEDOM OF INFORMATION
 - 7.5. CONFLICTS OF INTEREST
 - 7.6. ANTI-COLLUSION/INDUCEMENTS/INTERFERENCE

APPENDIX 1 - THE PRE-QUALIFICATION QUESTIONNAIRE**APPENDIX 2 – CONSORTIUM REQUIREMENTS****APPENDIX 3 – APPLICANTS STATEMENT OF CONFIRMATION ENCLOSING COMPLETED PQQ**

IMPORTANT NOTICE

1. Iarnród Éireann-Irish Rail ("**IE**"), a designated activity company, limited by shares, registered in Ireland under the Companies Act 2014 with registration number 119571 and having its registered office at Connolly Station, Amiens Street, Dublin 1, Ireland is the Contracting Authority in respect of the competition the subject of this procurement process and this Pre-Qualification Questionnaire.
2. IE operates in the transport sector and is a utility and its procurement procedures are governed by the Utilities Directive (2014/25/EU) of the European Parliament and Council dated 26 February 2014 (the "**Utilities Directive**"), and implementing Irish national legislation and the European Union (Award of Contracts by Utility Undertakings) Regulations 2015 (the "**Utilities Regulations**").
3. The entire of this document, including all of this Sections, clauses, and paragraphs and the questionnaire set out herein and any attachments or exhibits attached hereto (whether in electronic form or otherwise) is referred to as the "**Pre-Qualification Questionnaire**" or "**PQQ**". The questionnaire to be completed by Applicants attached to this PQQ is referred to as the "**Questionnaire**". An "**Applicant**" is a person/group of persons/economic operators who have expressed an interest in this competition and who is/are defined as such in Section 2 of this PQQ.
4. Neither IE nor any of its directors, officers, managers, employees, advisers, servants or agents, warrant or represent that this document, or any other information given to Applicants, is accurate or complete, and they do not accept liability for any error, misstatement, or omission (negligent or otherwise) in this document, or in any other information given to Applicants. Neither IE nor any of its directors, managers, officers, employees, advisers, servants or agents owes any duty of care to any recipient of this PQQ either in relation to this PQQ or any other information that an Applicant may receive at any time.
5. The Pre-Qualification stage of this procurement process may be cancelled at any time by notice in writing issued by IE to the Applicants without any liability attaching to IE in respect thereof and no compensation or payment of any kind shall be payable to any Applicant or any other person in the event of cancellation or termination of this procurement process. IE is not liable for Applicants' costs or expenses arising in connection with this pre-qualification stage or any other stage of this procurement process, irrespective of the outcome of this competition, or if the competition is cancelled or postponed.

1. DESCRIPTION OF THE CONTRACT BEING PROCURED

Iarnród Éireann – Irish Rail wishes to establish a Qualification system for investigation, testing assessing and monitoring Rail track & structures

The Chief Civil Engineers Department is responsible for the upkeep and maintenance of Track and structures for the entire rail network, this network includes track and structures. These track and structures require on going monitoring and we require assess to a number of disciplines in order to undertake on-going assessments. The types of disciplines –services we require includes but is not limited to the following lots:

LOT NR	LOT DESCRIPTION
1	Ground Penetration Radar (GPR) surveys
2	Topographical surveys for track and structures
3	General track (and structures) surveys e.g. total station and other manual methods
4	Resistivity testing
5	Cone Penetration Testing (CPT)
6	Boreholes, trial holes, falling weight deflectometer (fwd) testing
7	Remote asset monitoring (envisaged here as on-going monitoring of specific assets as opposed to the separate project for asset failure monitoring over larger numbers of assets)
8	Laser scanning of assets for detection of movement or change

This is a call to competition by IE for the procurement of a Qualification system for investigation, testing and assessing monitoring Rail track & structures. (the “**Contract**”) as published in the OJEU.

The typical scenarios which give rise to these requirement are:

- Unknown ground conditions
- Location of buried services
- Detection of hidden culverts
- Under track void detection e.g. badger setts
- Monitoring of susceptible assets e.g. typically embankments or cuttings
- Track support layers testing
- Soil strength testing
- Post incident investigation
- Ground conditions assessment pre-works

1.1 DURATION OF CONTRACT AND FORM OF CONTRACT

This Qualification System will operate for a period of 3 years (36 months). While the Qualification System is open for Applicants to join during this period, it is advisable To complete and return the Pre-Qualification Questionnaire by the closing date as Described in section 4.3. Those companies successfully appointed to the Qualification System will receive all future tender enquiries

This is a qualification system and qualified applicants will be asked to tender as requirements arise.

The form of Contract will be issued with the Invitation to Tender (ITT) at the ITT stage of this procurement process, to all Applicants who pre-qualify for the ITT stage of the process, under this PQQ, subject to IE's decision (in its sole discretion) to proceed to the ITT stage of the competition.

2. THE APPLICANT**2.1 WHO IS THE APPLICANT**

Applicants may be submitted by an individual, a single entity, or a consortium or grouping or persons (however constituted). For the purposes of this PQQ, an Applicant is an economic operator who has expressed an interest in participating in this competition, and may include without limitation any of the following (each referred to as the "**Applicant**"):

- (a) individual candidate who is a natural person or a sole trader or single legal entity;
- (b) a corporate entity, a joint venture, or a partnership;
- (c) a consortium or group of members whether incorporated or unincorporated, including without limitation where a group proposes to contract whether through:
 - (i) a special purpose vehicle (SPV); or
 - (ii) one or more members of the consortium or grouping acting as lead member; or
 - (iii) a consortium where one or more members are also acting as sub-contractors; or
 - (iv) a group of persons consisting of a prime contractor and one or more persons or entities acting as sub-contractors where the Applicant is the prime contractor;
 - (v) or an unincorporated grouping of two or more persons.

If a submission is being made by a consortium, please refer to Appendix 2 for additional requirements.

2.2 SUB-CONTRACTING

Applicants should make it clear from their submissions, refer to Part 1.3 of the Questionnaire, which entities they are proposing to act as sub-contractor(s) and if sub-contractors are also proposed as members of a consortium.

The Contract does not allow for the entire obligations of the contractor to be sub-contracted and sub-contracting under the Contract is at the sole discretion of IE who may withhold its consent.

Where there is any change or proposed change in the details concerning any sub-contractor or sub-contracting arrangements that has been notified to IE by the Applicant, such a change must be notified in writing to IE.

2.3 RELIANCE ON RESOURCES

If any Applicant, including an Applicant consisting of a consortium or group of members however constituted, or a grouping, wishes to rely on the resources of any person or other entity or entities, or in the case of a consortium, of the members of the consortium, or of sub-contractor(s), or of any third party, in order to meet the qualitative selection criteria set out in this PQQ and prove its economic and financial capacity and/or technical and/or professional expertise, including any minimum qualification criteria, it may do so whatever the nature of the legal link between itself the those persons/entities PROVIDED the Applicant can prove to the satisfaction of IE (in its absolute discretion) that it will have these necessary

resources at its disposal when required. IE may require, in this regard, a letter of undertaking from such other entity confirming that it will provide the necessary support at Pre-Qualification submission stage and any Applicant who seeks to rely on the resources of another party in order to fulfil selection criteria must comply with the requirements of Article 79 of Directive 2014/25/EU of the European Parliament and of the Council dated 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors (the "Utilities Directive").

An Applicant must set out in its detailed responses to the Questionnaire in respect of each of the selection criteria what are the precise arrangements by which it proposes to rely on the capacity and resources of other persons or entities, in the case of each of the selection criteria where it proposes to do so and the relevant Parts of the Questionnaire must be completed in relation to reliance on resources where this is relied upon by the Applicant.

3. **THE PROCUREMENT PROCESS**

IE published a call to competition in the Official Journal of the European Union (OJEU).

3.1 **TWO-STAGE PROCESS**

The procurement process for the award of this Contract consists of 2 distinct stages: a pre-qualification stage and a tender stage (or award stage). The pre-qualification process, conditions and selection criteria detailed in this document. All Applicants will be treated equally and have an opportunity to pre-qualify.

3.2 **SHORTLISTING PROCESS**

IE anticipates that it will, following the PQQ stage of this procurement process, have established a shortlist of pre-qualified Applicants.

3.3 **TENDER PROCESS**

The tender stage, or award stage of this procurement process will commence when IE issues an ITT to each shortlisted Applicant that has been shortlisted under this PQQ and its procedures. If IE decides (in its absolute discretion) to proceed to tender stage, it will provide each shortlisted Applicant with the following detailed documentation or access to documentation, as part of the documentation making up the ITT that will include the following:

- (a) detailed information regarding the procedures to be followed during the tender stage/award process including the award criteria and methodology;
- (b) a draft of the form of Contract;
- (c) Scope of services/technical specifications for the Contract.

Applicants should note that those who have been shortlisted to proceed to tender stage, will be required to comply with the insurance requirements of the Contract and be required to be in possession of and produce a Tax Clearance Certificate from the Revenue Commissioners of Ireland at time of contract award.

3.4 **PROPOSED TIMESCALE AND ANTICIPATED PROGRAMME**

IE expects to undertake this procurement process in accordance with the indicative timescale and programme set out below:

ACTIVITY/MILESTONE	ANTICIPATED DATE
RETURN OF COMPLETED PQQS	22/11/2016
ISSUE OF ITT (INVITATION TO TENDER)	Tenders will be issued as and when there is a requirement
RETURN OF TENDERS	TBC

CONTRACT	AWARD/ISSUE	OF	NOTIFICATIONS	TO	TBC
TENDERERS					

3.5 REGULATORY FRAMEWORK/UTILITIES/EU THRESHOLDS

IE is a utility providing transport services and is governed by public procurement law applicable to entities operating in the Utilities Sector.

4. PROCEDURAL REQUIREMENTS

The Questionnaire must be completed in the prescribed form. Failure to provide the requested information, omission of supporting documentation and the provision of incomplete or misleading information may result in exclusion from the procurement process. A summary of the procedure for pre-qualification of Applicants under this procurement process is as follows:

- (a) Each Questionnaire returned will be checked to ensure that the Applicant has complied with any applicable procedural requirements and that the Questionnaire has been submitted on time within the deadline for submissions set by this PQQ and is complete. Applicants who do not comply may be eliminated at this point;
- (b) Each Questionnaire will be checked to see if any of the mandatory or discretionary exclusionary criteria apply to it (refer to the Declaration at Part 8 of Appendix 1);
- (c) Each Questionnaire will be checked to ensure that the Applicant complies with the pre-conditions for pre-qualification set out in Section 4.1 of this PQQ. Applicants who do not comply may be eliminated at this point;
- (d) Each Questionnaire will be checked to ensure that the Applicant meets the minimum qualification criteria which are set out in Section 5.1 of this PQQ. Applicants who do not meet the minimum qualification criteria will be eliminated at this point;
- (e) All Applicants who have passed the previous stages set out above, will then proceed to be evaluated under the further selection criteria set out in this PQQ and a further evaluation or shortlisting exercise will be carried out at this stage;
- (f) IE will then inform Applicants in writing of the outcome of the pre-qualification procedures and will inform Applicants whether or not they have been shortlisted; and
- (g) Shortlisted Applicants will be invited to tender and issued with the ITT documentation, if IE decides (in its sole discretion) to proceed to the tender stage.

4.1 PRE-CONDITIONS FOR QUALIFICATION AND SHORTLISTING

- (1) Completion of Appendix 1 (Pre-Qualification Questionnaire)
Applicants must complete all Parts of Appendix 1 (the Pre-Qualification Questionnaire). This is without prejudice to the completion of the European Single Procurement Document (the "ESPD") by any Applicant (which ESPD is referred to in Article 59 of Directive 2014/24/EU (the "Public Sector Directive") which is referenced in Article 80(3) of the Utilities Directive and nothing in this PQQ shall prevent an Applicant from submitting an ESPD;
- (2) Declaration in Part 2 (Appendix 1) relating to meeting the minimum qualification criteria, is required to be completed by Applicants and any other entity on whom reliance on resources is sought to be relied upon;
- (3) Declaration in Part 8 (Appendix 1) relating to mandatory exclusionary criteria and discretionary exclusionary criteria, referred to in the Utilities Directive, to be completed by the Applicant and any other entity on whom reliance on resources is sought to be relied upon (without prejudice to any declarations made in any ESPD document submitted by an Applicant and any other entity);
- (4) Statement of Confirmation (Appendix 3) to be completed by the Applicant/supporting entity and furnished to IE with the completed PQQ, confirming acceptance of terms and conditions of this PQQ and confirming all declarations and information has been submitted;
- (5) Compliance with Appendix 2 (Consortium Submission requirements) to be completed by the Applicant where applicable;

- (6) **Conflicts of Interest:** The Applicant including all its members where it is a grouping or consortium, must be able to comply with IE's policy on conflicts of interest (as set out in this PQQ), as a pre-condition for qualification;
- (7) **Verification:** IE reserves the right to seek verification from any Applicant, at any stage during the competition, (including the pre-qualification stage, invitation to tender stage and contract award stage) in relation to any item, data or information supplied or in relation to any item referred to in any of the Declarations to be completed and referred to in the Appendices to this PQQ, and to seek verification of evidence of any remedial measures taken by the Applicant to demonstrate its reliability despite the existence of a relevant exclusionary ground, as such reliability measures as are referred to in Article 57(6) of the Public Sector Directive (2014/25/EU) which is referenced in Article 80(1) of the Utilities Directive, and/or to verify its compliance with the selection criteria set out herein and seek supporting documents/references/clarifications.

If an Applicant, at any stage during the competition, refuses to provide evidence which is considered by IE to be sufficient to demonstrate (a) compliance with the selection criteria or (b) the Applicant's reliability despite the existence of a relevant exclusionary ground, it shall be excluded from the competition, and this shall include evidence required in relation to any member of a consortium or in relation to any entity on whom the Applicant relies in order to fulfil any of the selection criteria.

IE reserves the right to require the Applicant to replace any entity who does not fulfil the selection criteria, or in respect of which a ground for exclusion exists, and remedial measures produced are not satisfactory in the opinion of IE (in its absolute discretion). Where an Applicant is required to replace an entity in respect of which there are grounds for exclusion (on whom it is seeking to rely), and the replacement entity does not fulfil the selection criteria, or is also entity in respect of which there are grounds for exclusion, it may be excluded from the competition.

- (8) **National Databases:** The provisions of this Section 4.1 are without prejudice to the availability of any supporting documents/certifications etc. as may become available on any national database or online repository of certificates, that is made available by Ireland as a Member State of the EU on its implementation of the Utilities Directive 2014/25/EU.

Shortlisting of Applicants who meet the pre-conditions for qualification and minimum qualification criteria, will be carried out in a non-discriminatory manner and on the basis of equality of treatment of such Applicants, based on the objective rules and criteria set out in this PQQ, and in accordance with all applicable law including the Utilities Directive 2014/25/EU.

4.2 FORMAT OF PQQ SUBMISSIONS AND RETURN OF PQQ

PQQ submissions and the duly completed Questionnaire should be delivered clearly marked as:

"Qualification system for investigation, testing assessing and monitoring Rail track & structures.",

and with the Applicant's Name. Applicants should present their completed Questionnaire as set out below, providing 2 number of hardcopies plus 1 electronic copy (USB media only), (and include any supporting or additional information or documentation and information and documentation relating to reliance on resources of others):

PART NO (PQQ)	SUBJECT MATTER OF PART –
Appendix 1 - Part 1	Applicant Details and General Information
Appendix 1 - Part 2	Information/Declaration re Minimum Qualification Criteria
Appendix 1 - Part 3	Not used
Appendix 1 - Part 4	Technical/Professional Ability: Relevant Experience
Appendix 1 - Part 5	Technical/Professional Ability: Company Resources
Appendix 1 - Part 6	Quality Management Systems and Environmental Policy
Appendix 1 - Part 7	Health and Safety

Appendix 1 - Part 8	Declaration of Eligibility
Appendix 2	Consortium Requirements (where applicable)
Appendix 3	Applicants Statement of Confirmation enclosing completed PQQ

All electronic copies must be in PDF portable document format. The Questionnaire as submitted, must identify where text should be supported by additional information in the form of, for example, management and contract structure charts. Applicants are required to provide all details which they consider necessary to provide a sufficient response to each Part and Appendix of the PQQ including client contact details where requested.

4.3 DEADLINE FOR PQQ SUBMISSIONS

The fully completed Questionnaire and all submissions relating to it must be delivered **by hand or by courier** on or before **noon** (Greenwich Mean Time) in Ireland **on the date that is the set as the deadline** for PQQ submissions that is stated on the front cover of this PQQ. Please note that the Questionnaire may not be submitted by email. The fully completed Questionnaire and accompanying documentations should be marked **“Qualification system for investigation, testing assessing and monitoring Rail track & structures”**, and with the **Applicant’s Name to:**

ATTENTION OF: Bobby O’Hara

IE Procurement Department
 Inchicore Works
 Inchicore
 Dublin 8
 Ireland, EIRCODE: D08 K6Y3

5. SELECTION CRITERIA

5.1 MINIMUM QUALIFICATION CRITERIA

The minimum qualification criteria that each Applicant must satisfy in order to proceed to the next stage of the qualification evaluation are as follows:

(1) Minimum Financial Qualification Criteria:

TURNOVER (exclusive of VAT): A minimum annual turnover of **€120,000 per annum** for the last three audited financial year ends. Applicants must provide evidence of turnover that is satisfactory to IE, [by way of signed auditor’s statement and a copy of the audited accounts for the last three financial years]. A signed Declaration in the Minimum Qualification Criteria in the form set out in Part 2 of the Questionnaire must be submitted.

Reliance on resources to meet Turnover Requirement: Where the Applicant seeks to rely on the resources of another person to meet the minimum financial qualification criteria of Turnover, it must provide evidence of the turnover for such other persons/entities for each of the financial years listed above and prove to IE that the necessary resources will be available to it when required, whether by way of a signed auditor’s statement or similar.

Reliance on a Consortium Member: where an Applicant who is a consortium, seeks to rely on the resources of its lead consortium member to satisfy the minimum qualification financial criteria, this must be stated in the Declaration set out in Part 2 of the Questionnaire and a letter confirming this reliance on resources must be furnished by each other member of the Applicant.

Parent company: Where the Applicant is a subsidiary and relying on its parent company to meet the minimum turnover requirements, the details required by this section must also be provided by the parent company.

IE reserves the right to conduct any due diligence checks to assess financial capacity to undertake the services.

5.2 Not Used

5.3 TECHNICAL/PROFESSIONAL ABILITY

The following table sets out the further shortlisting criteria in respect of the technical and/or professional ability of Applicants. The scoring methodology allocated to these criteria is set out in Section 6 of this PQQ. IE reserves the right to seek feedback from the client references provided.

Technical and Professional Criteria	Weighting	Cross reference in Questionnaire	Minimum Rule/Minimum Score
Relevant Experience of Applicant	[60]% [] points available	Part 4, Appendix 1	Applicant must score a minimum of 40% of the allocated score under this criteria.
Company/ Technical Resources	[30]% [] points available	Part 5, Appendix 1	Applicants must score a minimum of 40% of the allocated score under this criteria.
Quality Management Systems and Environmental Policy	[5]% [] points available	Part 6, Appendix 1	Applicants must score a minimum of 40% of the allocated score under this criteria.
Health and Safety	[5]% [] points available	Part 7, Appendix 1	Applicants must score a minimum of 40% of the allocated score under this criteria.
TOTAL	100% [] points		

6. SCORING METHODOLOGY – adapt for process specific

	%	Comment
5	100%	Exceeds the requirements of the criterion and proposes significant additional benefits related to the criterion
4	80%	Exceeds the requirements of the criterion and proposes additional benefits related to the criterion
3	60%	Exceeds the requirements of the criterion
2	40%	Meets the minimum requirements of the criterion
1	20%	Fails to meet some aspects of the criterion
0	0%	Fails to meet any of the requirements of the criterion

Failure to meet the minimum threshold (where applicable) under the qualitative selection criteria shall result in disqualification.

7. GENERAL CONDITIONS**7.1 INTERVIEWS/PRESENTATION MEETINGS**

Applicants may be requested to attend interviews in Dublin, Ireland in order to provide clarifications in relation to any information submitted pursuant to the requirements of this PQQ, at their own cost and IE shall not be liable for the costs or expenses of any Applicant attending in Dublin for such interviews.

7.2 FURTHER INFORMATION/QUERIES AND CLARIFICATIONS

QUERIES: Where the Applicant has any queries or observations regarding the meaning of any requirement or any other aspect of this qualification process, the Applicant should submit such queries in writing to IE within 5 Working Days before the deadline for submission of completed PQQs that is set out in Section 4.3 above. IE may, in its sole discretion, reply to queries received after that date.

Queries should be submitted by email to: Bobby.ohara@irishrail.ie

REQUESTS FOR CLARIFICATION POST DEADLINE: IE may also seek clarifications from Applicants in relation to their PQQ submissions received.

7.3 CONFIDENTIALITY AND CONFIDENTIAL OR POTENTIALLY CONFIDENTIAL QUERIES/ANNOUNCEMENTS

If an Applicant believes a query relates to a confidential or commercially sensitive matter it must clearly state the reason why the Applicant considers its query "confidential" or "commercially sensitive" and must mark its query as "Confidential" and/or "Commercially Sensitive".

Where IE is satisfied, in its sole discretion, that the query/request and/or its response should properly be regarded as confidential or commercially sensitive, the nature of the query/request and its response shall be kept confidential (subject to the requirements of any law or applicable requirements).

Where IE is of the opinion that it would be inappropriate to answer the query/request on a confidential basis, it will notify the Applicant and require the Applicant to either withdraw the query or to raise any objection within three (3) Working Days of such notification and state grounds for its objection.

Where the Applicant does not withdraw the query/request or raise any objection within the specified period, or IE is of the opinion that, notwithstanding the objection of the Applicant the query/request is not confidential or commercially sensitive, IE may include the query/request and its response to all Applicants in the relevant circular/notice. As noted in Section 7.2, the identity of Applicants raising individual queries will not be disclosed in such circular/notices.

Subject to the above, it is a requirement of IE that all exchanges shall be kept confidential by the Applicants and not disclosed to any person, save as may be required by law. Applicants will also be asked to enter into Confidentiality Undertakings/Agreements should it become appropriate to release confidential information to them. IE requires that all information provided by Applicants or by IE pursuant to this PQQ be treated in strictest confidence by Applicants, and by submitting an application, Applicants shall be deemed to so acknowledge and agree.

IE has the right to disclose to any party information concerning the Contract, the [identity of the Applicants] this procurement process and the qualification and tender documentation at any time that is allowed under applicable law.

7.4 FREEDOM OF INFORMATION

IE is subject to the Freedom of Information Act 2014 (the "FOI Act") for its activities, other than in relation to its freight business and Rosslare Europort. CIE is an exempt agency under the FOI Act.

Applicants should therefore indicate what parts of their application/submission of completed PQQs are commercially sensitive and what parts they consider should be kept confidential, which is a separate matter from dealing with any freedom of information requests (FOI requests) that IE may receive under the FOI Act. IE will make reasonable efforts to consult with Applicants in all cases where an FOI request has been received, that may affect information the Applicant(s) consider confidential or commercially sensitive, before making a decision on such FOI requests. IE may decide, while taking into account requests of Applicants that specific information should not be disclosed, that such information should not be categorised as confidential or commercially sensitive and in that instance may decide to disclose such information. It is not sufficient or acceptable that an Applicant would include a statement that all of its information is confidential or commercially sensitive. IE may disclose all information provided by Applicants to its lawyers, auditors or other professional advisers under appropriate terms of confidentiality as it deems necessary. In addition, to the above, nothing in this PQQ will prevent IE from disclosing any information, data or materials that is required to be disclosed under applicable law, including the FOI Act.

7.5 CONFLICTS OF INTEREST

It is a pre-condition for each Applicant to pre-qualify that it complies with IE's policy on conflict of interest set out in this PQQ. No person may be a member of more than one Applicant other than as a sub-contractor or where the entity is the supplier of proprietary goods/services. Applicants are expressly and strictly prohibited from discussing any aspect of their Questionnaire or pre-qualification submission with any other Applicant or members of any other Applicant or otherwise exchanging information or colluding in respect of the goods/services required. Any Applicant who fails to comply with this requirement may be disqualified.

Any conflicts of interest or potential conflicts of interest that an Applicant (or any member of an Applicant) has with IE or CIE or any member of the CIE Group of companies, or with any other Applicant must be fully disclosed to IE, as soon as they become apparent. No Applicant, nor any member of an Applicant, nor any of an Applicant's advisers, consultants, servants or agents may currently be or have been in the past, an adviser, contractor, consultant, servant or agent to IE in relation to the subject of this procurement process where such involvement could or would lead to a conflict of interest or potential conflict of interest. In such circumstances all relevant information must be disclosed to IE in advance (on or prior to the deadline for PQQ submissions) and IE will advise, in its absolute discretion, on the appropriate course of action.

In the event of any conflict or potential conflict of interest, IE may invite Applicant(s) to propose the means or mechanisms by which the conflict or potential conflict may be resolved or dealt with and clarify any mitigation systems in place to deal with any conflicts of interest or potential conflicts of interest and to provide supporting documentation in relation to such mechanisms or mitigation systems. IE will, in its absolute discretion, decide on the appropriate course of action which may, in appropriate circumstances, include elimination of an Applicant(s) from this competition and/or terminating any contract entered into with an Applicant or IE may permit the situation to continue provided and conditional upon certain safeguards being put in place and being observed.

Any "registrable interest" as defined in the Ethics in Public Office Acts, involving the Applicant and/or IE, CIE or any member of the CIE Group, or any member of the Government or Oireachtas or their relatives, must be fully disclosed when responding to this PQQ, or should be communicated to IE immediately where such information becomes known to the Applicant only after submission of a response and duly completed PQQ, and prior to the award of any contract, and IE will, in its sole discretion, decide on the appropriate course of action, which may in appropriate circumstances, result in the Applicant being eliminated from this competition or in any contract with the Applicant being terminated. "Registrable interest" and "relative" are as defined in the Ethics in Public Office Acts.

7.6 ANTI-COLLUSION/INDUCEMENTS/INTERFERENCE

Applicants are strictly prohibited from discussing any aspect of their application with any other Applicants or otherwise exchanging information or colluding in respect of any matter relating to this procurement process and this competition. Any Applicant (or any member of any Applicant) who fails to comply with this requirement may be disqualified.

APPENDIX 1 - PRE-QUALIFICATION QUESTIONNAIRE**GUIDANCE NOTE**

Appendix 1: The Applicant's Pre-Qualification Submission should include this QUESTIONNAIRE duly completed by the Applicant and submitted with its response. This QUESTIONNAIRE is divided into 8 Parts, all of which must be completed unless otherwise stated. This QUESTIONNAIRE is available in soft copy in Word format and Applicants are permitted to add additional sections to tables etc. as required. There are 2 Declarations in Appendix 1 (in Part 2 and Part 8) which must be completed also.

Appendix 2: Where the Applicant is a Consortium, Applicants should note the requirements of Appendix 2 of the PQQ document.

Appendix 3: Applicants must complete the Statement of Confirmation set out in Appendix 3 and submit this with their fully completed PQQ.

ENGLISH LANGUAGE: All parts of the PQQ in Appendix 1, Appendix 2, and Appendix 3 must be completed in the English language.

Please note that all financial information should be denominated in **euro (€)**, except where financial information is being provided in a certified supporting document such as a set of financial statements where it is sufficient for the information to remain in its original currency.

Where information is required by more than one Part in this QUESTIONNAIRE, it need only be provided once BUT its location within this QUESTIONNAIRE MUST be clearly referenced in all other Parts to which it relates. This does not apply to reliance on resources where the specific details of how the Applicant proposes to rely on the resources of others to meet any of the selection criteria (including the minimum qualification criteria, or further selection criteria relating to economic and financial capacity or technical or professional ability) set out in this PQQ.

If any of the Parts in this QUESTIONNAIRE are not relevant to an Applicant, please insert "N/A" or "Not Applicable". Do not leave blanks.

Unless a specific date has been included in the PQQ or QUESTIONNAIRE in relation to the relevant question, where there is any reference in the PQQ or QUESTIONNAIRE to experience within a previous number of years, this means experience gained within the relevant multiple of consecutive twelve (12) month periods occurring prior to the date of issue of the contract notice for the Contract.

**PART 1 APPLICANT DETAILS/INFORMATION (INCLUDING INFORMATION RE
GROUPING/CONSORTIUM BIDS/PRIME CONTRACTOR/SUB-CONTRACTORS)**

The answers to the questions in Part 1 must be provided by the Applicant, or if the Applicant is a Consortium, refer to Appendix 2, JOINTLY on BEHALF OF ALL Members. HOWEVER, where the Applicant is a Consortium, EACH Member must complete and sign the confirmation of authorisation of the representative required in Part 1.2.

1.1 Applicant

1.1	Full Company Name (full legal name)		
1.2	Business Name/Trading as:		
1.3	Incorporated under the laws of [<i>identify country of incorporation</i>]		
1.4	Registered Address/Registered Office		
1.5	Company registration number:		
1.6	Contact details for queries in relation to this questionnaire	Name	
		Email	
		Telephone	
		Company Website	
1.7	VAT Number		
1.8	Directors names and titles		

1.9	Name of Company Secretary	
1.10	Parent Company (where relevant) Details of country of incorporation, shareholding in Applicant, registered office, registered number	
1.11	Names and addresses (full legal names, and registered offices, business addresses) of parties on whose resources the Applicant is relying (if applicable)	

1.2 APPLICANT STRUCTURE

Is the Applicant a single entity or is it a Consortium? ("Consortium" includes a grouping of any kind, as described in Section 2 of the PQQ, and includes a grouping consisting of a Prime Contractor and sub-contractor(s))

Tick as appropriate

Single Entity

☐

Consortium

☐

I/we confirm that the representative named Part A1 above is authorised to act as agent on behalf of the Applicant and the principal contact for the Applicant in dealings with IE.

(Please note: Power of Attorney not required at this stage)

Signed (to be completed by the Applicant or if the Applicant is a Consortium, SEPARATELY by EACH Member)

Signature and DATE	Name	Title	For and on behalf of (Member's name to be stated in full)
Signed: Name: Dated:			
Signed: Name: Dated:			
Signed: Name: Dated:			

IF THE APPLICANT IS A CONSORTIUM/GROUPING/JOINT VENTURE/PRIME CONTRACTOR WITH SUB-CONTRACTOR(S) OR OTHER GROUPING, APPENDIX 2 MUST BE COMPLETED.

1.3 DETAILS OF SUB-CONTRACTING ARRANGEMENTS

Details of any proposed sub-contracting arrangements, whether by a consortium or an individual Applicant, and whether the Applicant is a Prime Contractor or a consortium grouping (however constituted), must be fully disclosed. Sub-contracting is subject to the prior written consent of IE under the terms of the Contract, in its absolute discretion and IE may withhold such consent in its absolute discretion.

Name of Proposed Sub-Contractor (full legal name, registered office, registered number, country of incorporation, trading or business name)	Role of Proposed Sub-Contractor

If the sub –contractors are members of a consortium, please state if any of the sub-contractors listed above are also to be members of the consortium, in which case they will be jointly and severally liable to IE for the performance of the Contract, on any contract award. Sub-contractors acting as such, i.e. not also members of a consortium, will not be evaluated as members of the consortium. Irrevocable letters of authority from each sub-contractor confirming their proposed role in the Applicant, whether as sub-contractor only, or as a sub-contractor and also members of the consortium, (in which case the sub-contractor must also complete this Questionnaire), must also be enclosed.

Where reliance on resources of any sub-contractor is also sought by any Applicant to meet any of the qualitative selection criteria, a separate letter of authority must be included with the PQQ submission when returning the completed Questionnaire, identifying the specific nature of the reliance on resources in each case, to meet the specific qualitative selection criteria.

1.4 Reliance on Resources (to be completed separately by the Applicant or a Member)

Applicants refer to Section 2.3 of the PQQ in relation to the requirements on reliance on resources to meet any of the selection criteria.

Tick if appropriate written evidence of such support/reliance on resources of others for financial and economic capacity (whether in respect of the minimum qualification financial criteria on turnover or any other selection criteria relating to economic and financial capacity set out in the PQQ

☐

Reference to where enclosed:

Tick if appropriate written evidence of such support/reliance on resources of others to meet selection criteria relating to technical and/or professional ability is enclosed.

☐

Reference to where enclosed:

NOTE: It is essential that where reliance on resources is sought from any other person or entity in respect of any of the qualitative selection criteria, whether of economic and financial capacity or of technical and/or professional ability, or both, full supporting evidence and accompanying documentation is provided in each relevant section/criteria where reliance on resources is sought, and the requirements of that section on reliance on resources under each criteria, are met.

PART 2 INFORMATION/DECLARATION RE MINIMUM QUALIFICATION CRITERIA
Minimum Qualification Criteria – Financial

In the case of reliance upon the financial resources of another entity (see Section 5.1), Part 2 must ALSO be completed by that other entity.

Turnover

Please provide details of the annual turnover which must equal or exceed €120,000 per annum for three of the last three audited financial year ends.

[IE adjust the turnover requirement as necessary to suit requirements of the competition]

Audited accounts (last 3 years)		Current (y)	Y-1 year	Y-2 years	Y-3 years
A	Date of accounting year				
B	Annual turnover €'000				

In the case of a consortium, the turnover threshold must be met by the combined annual turnover of all members of the consortium over the last 3 audited financial years. Please provide a reconciliation of the turnover figure quoted below to the turnover figure as per the financial statements:

For each member of the consortium	y-1 year	y-2 year	y-3 year
Total			
Total per financial statements			

☐ Tick to confirm that this meets the minimum qualification criteria in respect of turnover as outlined in this Part 2

☐ Tick to confirm that supporting documentation (audited financial statements and / or certified statements of turnover from an independent accountant) has been provided with reference to this Part 2. Supporting documentation MUST be provided. If an Applicant is relying on resources of another entity/entities, the same information must be provided in relation to that entity/those entities.

☐

Tick to confirm if Applicant is relying on combined turnover of consortium members or those of other any other persons/entities, in order to meet the minimum financial qualification criteria relating to turnover. In the case of an Applicant that is a consortium or grouping, the turnover requirement set out above may be met by the combined annual turnover of all members of the consortium [averaged over the last three audited financial years]. Please provide a reconciliation of the turnover figure quoted below to the turnover figure as per the financial statements.

DECLARATION SIGNED:

BY (FULL Name)
Duly Authorised for and on behalf of:

DATED:

PART 3 not used
PART 4 TECHNICAL/PROFESSIONAL QUALITATIVE CRITERIA: RELEVANT EXPERIENCE

Please provide details in relation to 3 **relevant contracts** completed by the Applicant or any of its consortium members. Relevant contracts are those most closely relating to the requirements detailed in the Contract Notice and in this PPQ document Please provide the following details

4.1 Reference 1:

Nature of Contract	
LOT NR – please indicate the lot number this relates to (see section 1 Description of Contract) insert nr 1-8	
Name of Awarding Entity	
Description of Contract obligations	
Details of contract performance and identify any elements that may have been sub-contracted.	
Contract Value to Applicant (€)	
Start Date	
End Date	
Contract Duration	
Name of Client Contact	

Nature of Contract	
Client Contact Details	Contact Name: Address: Telephone number: Fax number:

4.2 Reference 2:

Nature of Contract	
LOT NR – please indicate the lot number this relates to (see section 1 Description of Contract) insert nr 1-8	
Name of Awarding Entity	
Description of Contract obligations	
Details of contract performance and identify any elements that may have been sub-contracted.	
Contract Value to Applicant (€)	
Start Date	
End Date	
Contract Duration	
Name of Client Contact	
Client Contact Details	Contact Name: Address: Telephone number: Fax number:

4.3 Reference 3:

Nature of Contract	
LOT NR – please indicate the lot number this relates to (see section 1 Description of Contract) insert nr 1-8	
Name of Awarding Entity	
Description of Contract obligations	

Nature of Contract	
Details of contract performance and identify any elements that may have been sub-contracted.	
Contract Value to Applicant (€)	
Start Date	
End Date	
Contract Duration	
Name of Client Contact	
Client Contact Details	Contact Name: Address: Telephone number: Fax number:

Please copy format of table above for each additional LOT reference to be provided.

PART 5 TECHNICAL/PROFESSIONAL ABILITY: COMPANY RESOURCES

Part 5 should be completed by the Applicant SEPARATELY on behalf of EACH Member of the Consortium.

Please provide details of resources, relevant to the subject matter of this contract, employed by your company.

Please complete the table as appropriate:

CATEGORY (management, administration, employees, other categories etc)	TOTAL NUMBER EMPLOYED

Please confirm the number of employees currently employed in your organisation that are/were involved in the referenced projects outlined in Part 4;

LOT NR		Number of employees currently employed by your organisation involved in project

	Reference project 1	
	Reference project 2	
	Reference project 3	

Please repeat this Table for each lot selected

Do you use Subcontractors for the type of work for which you are applying? Yes ☐ No ☐

If yes please provide details of any subsidiary or associated companies or subcontractors that you would normally propose to subcontract more than 10% of the work to and the type of work they do for you.

PART 6: QUALITY MANAGEMENT SYSTEMS AND ENVIRONMENTAL POLICY

6.1 Quality Management Systems - Operation of a Quality Management System

Does the Applicant have a documented Quality Management System in place?

Tick as appropriate

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If YES then please provide a copy.

6.2 Quality Management Systems - Certification of a Quality Management System to a Recognised Standard

Is the Applicant's Quality Management System currently certified as compliant with EN ISO 9001:2000 or an equivalent internationally recognised standard?

Tick as appropriate

YES	<input type="checkbox"/>
NO	<input type="checkbox"/>

If YES, please state which standard it is certified to and provide a current certificate:

--

If YES, please state which standard it is certified to and provide a current certificate:

If NO, please provide evidence demonstrating that the Applicant has equivalent quality assurance measures in place. This may include, but is not limited to, equivalent certification from other national certification bodies (e.g. a current certificate from the national certification body).

6.3 Quality Management Systems - Audit Arrangements

Is the Applicant's Quality Management System subject to internal or external audit?

Tick as appropriate

YES

☐

NO

☐

If YES, please provide brief details of the internal or external auditing arrangements including the date of the last audit and, where applicable, the name of the external auditing body:

6.4 Environmental Policy

Environmental Management Systems

Does the Applicant have a documented Environmental Management System in place?

Tick as appropriate

YES

☐

NO

☐

If YES then please provide a copy.

Is the Applicant's Environmental Management System currently certified as compliant with EN ISO standard or an equivalent internationally recognised standard?

Tick as appropriate

YES

☐

NO

☐

If YES, please state which standard it is certified to and provide a current certificate:

If YES, please state which standard it is certified to and provide a current certificate:

If NO, please provide evidence demonstrating that the Applicant has equivalent environmental assurance measures in place. This may include, but is not limited to, equivalent certification from other national certification bodies (e.g. a current certificate from the national certification body).

Environmental Management Systems - Audit Arrangements

Is the Applicant's Environmental Management System subject to internal or external audit?

Tick as appropriate

YES

☐

NO

If YES, please provide brief details of the internal or external auditing arrangements including the date of the last audit and, where applicable, the name of the external auditing body:

PART 7: HEALTH AND SAFETY

To be completed by the Applicant SEPARATELY on behalf of EACH Member (as defined in Part 1.2).

Please confirm that your company fully understands and complies with all of its statutory obligations under the following Irish legislation and corresponding EU legislation:

Safety, Health and Welfare at Work Act 2005

☐ Yes

☐ No

Safety, Health and Welfare at General Application Regulations(2007)

☐ Yes

☐ No

All current relevant Safety and Health (Construction) Regulations 2013
(where applicable)

☐ Yes

☐ No

Railway Safety Act 2005 (where applicable)

☐ Yes

☐ No

It must also be noted that your company will be expected to amend and review workplace practices and plant & equipment requirements in conjunction with changes to legislation during the course of the contract.

Please provide a copy of your Company Safety Statement.

- What was the date of issue? _____

- When was the Safety Statement reviewed last? _____

Do you employ a full time company safety officer?

In-house ☐ or external ☐? Is this a dedicated resource? Yes ☐ No ☐

Who within your organisation would be responsible for safety on this contract?

Name & title: _____

Has this person specific Rail safety Experience? Yes ☐ No ☐

What site presence would this person typically maintain?

Accident Statistics

Please provide the following statistics in the table below. These statistics must include the projects referred by you in Part 4 of your submission. You are required to accurately complete all accident statistics for your company – all spaces must be completed, with none left blank. To assist you in your calculations, descriptions of the required information is outlined in the definitions section to this page.

	PY+4	PY+3	PY+2	PY+1	PY
1) Injury accident					
2) Numbers employed (including sub-contractors)					
3) Incident rate					
4) Hours worked					
5) Frequency rate					

	PY+4	PY+3	PY+2	PY+1	PY
6) Days lost					
7) Accident Severity rate					
8) Number of site visits carried out by the national safety inspectorate (e.g. Health and Safety Authority)					
9) Number of Prohibition / Improvement notices received					

If you have received any Prohibitions / Improvements notices, etc. either from your National Health & Safety Authority or your client, you are required to provide details of those notices. Describe how Safety information is communicated, implemented and supervised.

DEFINITIONS FOR PART 7 OF THE QUESTIONNAIRE

- **Injury accidents:** total number of accidents which required at minimum first aid and must include all 3 day reportable accidents)
- **Number of employees:** The total headcount of all persons working under your control on the project (including sub-contacted labour under your control)
- **Incident rate:** the total number of accidents on each project multiplied by 1000 and divided by number of people employed on the project.
- **Total hours worked:** total number of hours worked by persons under your control on the project
- **Frequency rate:** Total calculated as number of accidents (first aid and 3 day reportable) multiplied by 100,000 and divided by the total number of hours worked
- **Days lost:** Total number of days lost to accident or industrial injury during the project
- **Severity rate:** Is calculated as number of days lost as a result of injury accidents (including first aid and 3 day reportable) divided by the number of injury accidents
- **Total number of sites visits:** Carried out by the Health and Safety Authority on each project (include all visits including ones where no notices were issued)
- **Total number of prohibition and improvement notices issued for each project used in your submission.** Audit severity rate is total number of improvement notices and prohibition notices issues as a result of the number of audits divided by the number of audits.
- **Prohibition notice/ Improvement notice:** notice issued by an inspector in relation to an activity, which the inspector is of the opinion, has been or is likely to be a risk of serious personal injury to persons at work. This might require an immediate stoppage of work. An Improvement notice is a notice from the inspector stating his opinion that, an employer has broken a provision of an Act or Regulation.

PART 8: DECLARATION OF ELIGIBILITY**DECLARATION (AS PER REGULATION 89(1) OF THE EUROPEAN UNION (AWARD OF CONTRACTS BY UTILITY UNDERTAKINGS) REGULATIONS 2016**

APPLICANTS PLEASE NOTE No 1: Where the Applicant is a Consortium or Grouping, **EACH** Member of the Consortium/Grouping (as identified at Part 1.2) **MUST COMPLETE A DECLARATION OF ELIGIBILITY SEPARATELY** and where an Applicant proposes to use subcontractors, the Tenderer shall provide a Declaration of Eligibility duly completed (with all supporting documentation where required), in respect of each subcontractor.

APPLICANTS PLEASE ALSO TAKE ACCOUNT OF NOTE No 2 set out at the end of this Declaration, when completing this Declaration.

APPLICANTS PLEASE REFER TO NOTE No 3 set out at the end of the Declaration, before executing this Declaration.

RE: CONTRACT NOTICE FOR THE SUPPLY OF SERVICES required by IARNRÓD ÉIREANN-IRISH RAIL

NAME: (of Applicant) (each Consortium Member of any entity on whom the Applicant relies, must complete a separate Declaration in this form):

ADDRESS:

COUNTRY:

On behalf of the Applicant, and having been duly authorised by the Applicant, I sincerely declare that:

1. the Applicant itself or any person who is a member of the administrative, management or supervisory body of the Applicant or has powers of representation, decision or control in the Applicant has not been the subject of a conviction for one or more of the following reasons:
 - (a) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
 - (b) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA as well as corruption as defined in the law of Ireland or the law of the Member State of the European Union, other than Ireland, in which the Tenderer is established;
 - (c) fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests;
 - (d) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA respectively, or for inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;

- (e) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council; or
- (f) child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council.

2. The Applicant:

- (a) is not in breach of its obligations relating to the payment of taxes or social security contributions;
- (b) in the performance of a public contract, has not failed to comply with applicable obligations in the fields of environmental, social and labour law that apply at the place where the works are carried out or the services provided, that have been established by EU law, national law, collective agreements or by international, environmental, social and labour law listed in Annex X of Directive 2014/24/EU;
- (c) is not bankrupt or the subject of insolvency or winding-up proceedings, its assets are not being administered by a liquidator or by the court, it is not in an arrangement with creditors, its business activities are not suspended nor is it in any analogous situation arising from a similar procedure under the law of Ireland;
- (d) is not guilty of grave professional misconduct;
- (e) has not entered into agreements with other economic operators aimed at distorting competition;
- (f) is not aware of any conflict of interest within the meaning of Article 24 of Directive 2014/24/EU;
- (g) has not had any prior involvement in the preparation of the procurement process;
- (h) has not shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions;
- (i) has not been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, has not withheld such information and is able to submit the supporting documents required pursuant to Article 59 of Directive 2014/24/EU;
- (j) has not undertaken to unduly influence the decision-making process of Iarnród Éireann-Irish Rail, to obtain confidential information that may confer upon it undue advantages in the procurement process or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

I understand and acknowledge that the provision of inaccurate or misleading information in this Declaration may lead to the Applicant being excluded from participation in this procurement process and/or in future procurement processes.

SIGNATURE

DATE:

NAME:

TEL:

POSITION: _____

FAX: _____

NOTE NO 2: MEASURES TAKEN BY APPLICANT: Where any one of more of the Exclusion Grounds set out above in the Declaration applies, the Applicant **must** include details of such Exclusion Ground with its PQQ submission and, where the Applicant is not precluded from doing so under Article 57(6) of Directive 2014/24/EU, the Applicant may provide evidence to the effect that measures taken by the Applicant are sufficient to demonstrate the Applicant's reliability despite the existence of a relevant Exclusion Ground as is referred to in Article 57(12) of Directive 2014/24/EU. The evidence provided by the Applicant will be taken into account by Iarnród Éireann-Irish Rail in considering whether or not to exclude the Applicant from further participation in the procurement process. Nothing in this Schedule or in this PQQ document shall preclude the submission by the Tenderer of a European Single Procurement Document (ESPD) referred to in Article 59(1) of Directive 2014/24/EU.

NOTE NO 3: EXECUTION: This Declaration must be signed by a duly authorised person in the Applicant's organisation. In the case of a company, a Director of the company or the Company Secretary must sign this declaration.

EVIDENCE FOR SELECTION

The signatory to this Declaration declares that the economic operator is able to provide the necessary supporting documents required which are not available electronically upon request and without delay.

I understand and acknowledge that the provision of inaccurate, or misleading, or false information in this Declaration may lead to the economic operator/my firm/company/business/partnership being rejected and excluded from participation in this procedure.

THIS DECLARATION has been made to the best of my knowledge and belief for and on behalf of [*Name of economic operator/entity*]:

SIGNATURE:

DATE:

FULL NAME (in block capitals):

(Signature must be that of a Director/Principal)

TITLE:

Witness:

Name: *(Block Capitals)*:

Occupation:

Please note, confirmation/re-execution/notarisation of the Declaration may sought prior to any contract being awarded.

APPENDIX 2 – CONSORTIUM SUBMISSION REQUIREMENTS

CONSORTIUM ARRANGEMENTS

- (a) Application made on behalf of a consortium: Part 1.1 of the Questionnaire is completed in all cases, but where an Applicant is a consortium, Part 1.1 of the Questionnaire must be completed by the Applicant on behalf of all members of the consortium.
- (b) Choice of legal structure: An Applicant's choice of legal structure (e.g. joint venture, partnership, incorporated/unincorporated) will not be relevant in assessing eligibility at this time.
- (c) Each member's role must be stated: Parts 1.2 – 1.4 of the Questionnaire must be completed in full and each member's role in the consortium and/or any sub-contracting arrangements identified. In addition, the details requested in the forms contained at the end of this appendix must also be supplied. Details of the actual or proposed percentage shareholding of the constituent members of the consortium must be disclosed.
- (d) Letter of authorisation and undertaking: An Applicant consisting of a consortium must include in its PQQ submissions, with the duly completed Questionnaire, an irrevocable and unconditional letter of authorisation and undertaking from each member of the consortium authorising the Applicant to make the application and to confirm that they are aware of their requirements and undertake to make available all necessary resources where required to fulfil their role in the proposed consortium.
- (e) Specific Legal Form not required for a consortium: A consortium howsoever constituted, will not be required to convert into a specific legal form in order to submit a tender. If the consortium is not proposing to form a single legal entity, full details of alternative arrangements must be provided.
- (f) If a legal form is proposed by Applicant: If a consortium intends to convert into a special legal form for the purpose of providing the required good/services, full details of the proposed legal structure and/or principal contractual relationships must be outlined in response to this PQQ. Where a grouping/consortium proposes to contract via a single legal entity whether through the incorporation of an SPV or otherwise, Applicants should note that details of the actual or proposed percentage shareholding of the consortium members in the SPV must be disclosed. Applicants should also note that an SPV's obligations may be required to be guaranteed by each group member/member of the grouping/consortium in the event of that Applicant being invited to tender and that tender being accepted.
- (g) Prime Contractors and Sub-Contractors: The Applicant may also, as stated above, consist of a consortium or group consisting of a prime contractor and a sub-contractor or group of sub-contractors. If the Applicant consists of a prime contractor and a sub-contractor or group of sub-contractors, this PQQ and the submissions required in the Appendices to this PQQ must be completed by the "prime contractor" with full details of the proposed sub-contractor(s) and the prime contractor must identify the sub-contractor(s) and their proposed role in the process. If a consortium proposes to act as a prime contractor, this must also be disclosed. An irrevocable letter of undertaking from any proposed sub-contractor(s) authorising the prime contractor to make this application to this PQQ on its behalf, executed under seal or as a deed, as an irrevocable and unconditional letter of authority from a sub-contractor authorising the prime contractor to disclose details of the proposed sub-contracting arrangements, must be submitted by the prime contractor with its submissions.
- (h) Lead Consortium member: A consortium must identify a lead consortium member who is authorised by all the other members of the consortium as the lead consortium member authorised to deal with this application, and the role of all other consortium members must be identified. IE shall be entitled to assume that the lead consortium member has the authority to bind all other members of the consortium and IE

reserves the right to seek satisfactory evidence of the authority of the lead consortium member to bind all other members of the consortium. All contact with the consortium will be conducted by IE with the lead consortium member who will act as the contact person for the consortium for this competition (the "Contact Person") and IE reserves the right to disregard contact with any other member of the consortium and/or to report such contact to the lead consortium member.

JOINT AND SEVERAL LIABILITY

If, on any contract award, the contract is awarded to a consortium or grouping, then, other than in respect of a prime contractor / sub-contractor relationship, each member of the consortium will be required to be jointly and severally liable to IE for the performance of the Contract and delivery of the required goods/services.

If the grouping consists of a prime contractor and a sub-contractor(s), and the sub-contractor(s) are not members of a consortium and the application is being made by the prime contractor, the prime contractor will be fully liable to IE for all the acts and omissions of its sub-contractors under the terms and conditions of the Contract.

CHANGES TO CONSORTIUM ARRANGEMENTS

Any change in the ownership, structure or control of the Applicant or where the Applicant is a consortium, in the ownership, structure or control of any members of the consortium, or in the roles of the members of a consortium after the Applicant has submitted its PQQ submissions and Questionnaire, must be notified in writing by the Applicant to IE as soon as the Applicant is aware of same or of such proposals, failure to do so may lead to disqualification of the Applicant. Any such changes must be approved by IE in its absolute discretion and IE may withhold approval for any such changes and may exclude the Applicant from any further participation in this competition.

Information Required on Legal Form of Consortium/Grouping

Is the Consortium? *Tick as appropriate*

Limited Company/incorporated entity

Yet to be incorporated

Not to be incorporated

SPV / Legal Entity formed by Consortium:

Group of Members (Not an SVP)

Joint Venture

Partnership

Prime Contractor with Sub-Contractor

If the company is incorporated, please provide the following:

Country of registration: _____

Year of Incorporation: _____

Company Registration Number: _____

Amount of Issued Share Capital: _____

Consortium Activities

Is it proposed that the Consortium will be a single purpose entity formed solely to undertake the Contract?

Tick as appropriate

Yes

☐

No

☐

If no, in what other undertakings will the Consortium be involved?

Members of Consortium

In the case of an Applicant which is a Consortium, please detail the name of each Member (as previously detailed in Part 1.2) and provide a description of the relationship between Members of the Consortium (including for example, Prime Contractor and sub-contractor(s)) [Original legally binding and irrevocable and unconditional letters of authority from each of the other consortium members must be enclosed in relation to the person/entity that is acting as the lead consortium member]

Full Name and Address of Member (and details of entity on whose resources the Member is relying if applicable)	Role within Consortium and Contract (lead consortium member must be identified, role of other consortium members, Sub-contractors must be identified...

Signed:

Name (BLOCK CAPITALS):

Title:

Duly Authorised For and on behalf of:

Dated:

APPENDIX 3 - APPLICANTS STATEMENT OF CONFIRMATION ENCLOSING COMPLETED PQQ**STATEMENT OF CONFIRMATION****TO: IARNRÓD ÉIREANN-IRISH RAIL ("IE")****RE: CONTRACT NOTICE FOR THE SUPPLY OF SERVICES TO IE**

On behalf of [] (*insert full legal name of Applicant*) (*name of entity on whom the Applicant relies to satisfy any of the selection criteria*), I hereby agree and declare the following:

- 1 I declare that to the best of my knowledge the answers submitted to questions and statements contained in any Declarations duly completed and referred to in the Pre-Qualification Questionnaire are correct.
- 2 I understand that the information provided will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement, and I am signing on behalf of [] (*insert name of Applicant/ supporting entity*).
- 3 I accept all the terms and conditions of this Pre-Qualification Questionnaire.
- 4 I agree to supply IE with such supporting information, verification, documentation and references to support this application, at any time during the procurement process in respect of this competition, not limited to the pre-qualification stage, and to confirm the status of all such information and documentation, including the execution by way of notarisation of Declarations, if required, at tender/contract award stage.
- 5 I undertake to inform IE promptly of any matter which would or could alter any of the information given in response to this PQQ.
- 6 I agree that, if awarded the contract, [] (*insert name of Applicant/ supporting entity*) shall comply with all applicable obligations in the field of environmental, social and labour law.
- 7 I confirm all sections and Parts of the PQQ have been completed by us and all relevant information and documentation is attached to our completed PQQ which is being submitted by us to IE.
- 8 I confirm that we are aware of IE's requirements in respect of conflicts of interest, and of the provisions of Article 42 of Directive 2014/25/EU (Utilities Directive) on conflicts of interest, and I declare that (unless otherwise set out in the Declaration completed by us and referred to in Part 8 of this PQQ), we are not aware of any conflict of interest of the [] (*insert name of Applicant/supporting entity*) in relation to these requirements.
- 9 I confirm that the Declarations referred to at Parts 2 and 8 of this PQQ have been duly completed and executed and are part the PQQ duly completed by us.

SIGNATURE:

FULL NAME (BLOCK CAPITALS):

TITLE:

DATE:

Duly Authorised for and on behalf of:

Witness:

Name (BLOCK CAPITALS):

Record Nr 4.

PRE-QUALIFICATION EVALUATION

Investigation, testing assessing, Monitoring Rail track and structures (Qualification System) 6624

6624

CRITERIA	WEIGHTING	MAX SCORE	BASE SCORE	MINIMUM SCORE	MULTIPLIERS	Murphy Surveys Ltd	Apex Geoservices	Whiteford Geoservices Ltd	Fugro Geoservices Ltd	Aspin Foundations Ltd	Bridgeway Consulting Ltd	Geo Info Ltd	PEP Panel
Relevant Experience	60%	600	120	240	0-5								Agreed Score
													Cathal Mangan
													Stephen Bateson
Company Technical Resources	30%	300	60	120	0-5								Agreed Score
													Cathal Mangan
													Stephen Bateson
and Environmental Policy	5%	50	10	20	0-5								Agreed Score
													Cathal Mangan
													Stephen Bateson
Health & Safety	5%	50	10	20	0-5								Agreed Score
													Cathal Mangan
													Stephen Bateson

	MULTIPLIER
5	Exceeds the requirements of the criterion and proposes significant additional benefits related to the criterion
4	Exceeds the requirements of the criterion
3	Meets the requirements of the criterion
2	Fails to meet some aspects of the criterion
1	Fails to meet significant aspects of the criterion
0	Fails to meet any of the requirements of the criterion

Cathal Mangan 15/2/17

Stephen Bateson 15/2/17