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Department of Communications,
Energy & Natural Resources

National Broadband Plan: State Led Intervention

Pre-Qualification Questionnaire

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1 Publication of this PQQ

1.1 Introduction

The Department of Communications, Energy and Natural Resources (DCENR) has published a contract notice in the Official Journal of the European Union (OJEU), and the eTenders.gov.ie website (“**eTenders**”), regarding the proposed Contract.

Further information regarding this Contract, the requirements (as currently envisaged) and the proposed Procurement process is set out in a Project Information Memorandum (“**PIM**”) accompanying this Pre-Qualification Questionnaire (“**PQQ**”).

This PQQ forms part of, and is governed by, the Pre-Qualification Documents and should be read in conjunction with the PIM.

Capitalised terms have the meaning given to them in the PIM, unless otherwise set out in this PQQ.

The information provided in response to this PQQ may be used to determine eligibility and to evaluate your Response in the manner more particularly described in the PIM.

1.2 Indicative Timescales

Details on the timescales for the Procurement have been provided in section 8.3 of the Project Information Memorandum.



2 Instructions for completion of this PQQ

2.1 Introduction

“**Department**” means the Department of Communications Energy and Natural Resources.

“**Bidder**” means the person or persons, firm or firms, or company or companies that have requested to be supplied with a copy of the PQQ or are invited to participate in the Procurement after pre-qualification, as the case may be;

“**Bidder Members**” includes:

- (a) the Bidder;
- (b) where the Bidder is a consortium, the members of the consortium and the Shareholders of the consortium (if different); and
- (c) where the Bidder or a Bidder Member has relied on the resources of another entity (e.g. its parent company or a key subcontractor) in its PQQ response, that other entity (or entities) whose resources the Bidder or Bidder Member has relied upon (whether that be for the purposes of demonstrating its economic and financial standing or its technical and professional capability);

“**Consortium Members**” means, where the Bidder is a consortium, those persons, firms or companies that are considered to form part of the consortium (whether that be as Shareholders or otherwise) as set out in the Bidder’s response to Question A.3 and A.4 of the PQQ. For the avoidance of doubt, a Consortium Member does not include subcontractors; and

“**You**” / “**Your**” means the entity completing these questions.

The ‘**Bidder**’ is intended to cover any economic operator as defined by the European Communities (Award of Public Authorities’ Contracts) Regulations 2006.

This Pre-Qualification Questionnaire (“**PQQ**”) has been designed to assess the suitability of a Bidder to deliver the Contract requirement(s) as further described in the PIM.

The onus is on a Bidder to demonstrate its economic and financial standing and technical and professional capability.

If you are successful at this stage of the Procurement process, you will, subject to the terms of the PIM, be selected for the subsequent dialogue stage of the competitive dialogue procurement process. Please refer to section 8 of the PIM for further details on the competitive dialogue procurement process.

Bidders should note that in the event of a Bidder declining to carry out a Contract in accordance with the terms of the tender it has submitted, such Bidder may potentially be debarred from executing future contracts for the Department.

2.2 Response package

The entire Response (across all Lots) should be contained in a **single package**. This single package should contain four **separate sealed envelopes** (or less, depending on the Lots you are bidding for):

- 1) **Envelope 1: Lot Area A (Southern Intervention Area) – Lots 1A & 2A:**



A **separate sealed envelope** containing a **single** completed PQQ for **each** Bidder Member for the Southern Intervention Area (i.e. a single PQQ for each Bidder Member is completed in this respect whether you are submitting a bid for only Lot 1A, only Lot 2A or for both Lot 1A and Lot 2A).

This must be entitled “**Envelope 1: Lot Area A (Southern Intervention Area) – Lots 1A & 2A**” and state the name of the Bidder on the front of the envelope. **Nothing else** should be stated on the front cover of the envelope.

2) **Envelope 2: Lot Area B (Northern Intervention Area) – Lots 1B & 2B:**

A **separate sealed envelope** containing a **single** completed PQQ for **each** Bidder Member for the Northern Intervention Area (i.e. a single PQQ for each Bidder Member is completed in this respect whether you are submitting a bid for only Lot 1B, only Lot 2B or for both Lot 1B and Lot 2B).

This must be entitled “**Lot Area B (Northern Intervention Area) – Lots 1B & 2B**” and state the name of the Bidder on the front of the envelope. **Nothing else** should be stated on the front cover of the envelope.

3) **Envelope 3: Lot Area C (Southern and Northern Intervention Area) Bid – Lots 1C & 2C:**

A **separate sealed envelope** containing a **single** completed PQQ for **each** Bidder Member for your Combined Area Lot bid(s) (i.e. a single PQQ for each Bidder Member is completed in this respect whether you are submitting a bid for only Lot 1C, only Lot 2C or for both Lot 1C and Lot 2C).

This must be entitled “**Lot Area C (Southern and Northern Intervention Area) Bid – Lots 1C & 2C**” and state the name of the Bidder on the front of the envelope. **Nothing else** should be stated on the front cover of the envelope.

4) **Envelope 4: Ownership Models:**

A **separate sealed envelope** containing the (single) completed Lots Form (Ownership Model). The Lots Form (Ownership Model) is a separate document issued with the PIM and PQQ. This must be complete and submitted in all cases, regardless of whether you are only bidding for just one Lot or are bidding for all Lots (or something in between).

This must be entitled “**Envelope 4 (Ownership Model)**” and state the name of the Bidder on the front of the envelope. **Nothing else** should be stated on the front cover of the envelope.

This approach is based upon the assumption that a Bidder's Response for a Lot Area (whether the Southern Intervention Area, Northern Intervention Area or combined Southern and Northern Intervention Area) will be the exact same, whether the Response is in respect of the Lot(s) for the Commercial Stimulus Model or the Lot(s) for the Concession Model. If this assumption is incorrect (i.e. a Bidder's Response in this regard will be different depending upon the Ownership Model), this should be raised with the Department **immediately** through the query process set out in section 9.

2.3 Lots – ownership model

Bidders should read section 4 and section 5.2 of the PIM with respect to the various Lots. Section 4.2 of the PIM describes the Ownership Models and the approach that will be taken by the Department to selecting the preferred Ownership Model.

Do not specify in your completed PQQ which ownership model the Bidder wishes to bid for. Instead, this should be set out in the manner outlined in section 2.2 above.



2.4 Lots – combined bids

Bidders should read section 4 and section 5.1 and 5.2 of the PIM with respect to the various Lots.

Bidders should, in particular, read section 4.4 of the PIM and note the eligibility requirements in respect of the Combined Area Lot.

In addition, if a Bidder wishes a Response for a Combined Area Lot to be considered for inclusion in the short list of Bidders, irrespective of whether the Government selects the Commercial Stimulus Model or the Concession Model (as contemplated in section 5.2 of the PIM), the Bidder must (in the manner outlined in section 2.2 above) express an interest in both the Commercial Stimulus Model and the Concession Model in its Response.

2.5 Bids teams and consortium bids

2.5.1 Important conditions

Bidders are referred, in particular, to section 10 of the PIM which contains important conditions related to the composition and structure of Bidders, participation in other Bidders' Responses and conflicts of interest.

Bidders should note that, subject to section 10.6 of the PIM, Bidders are required to use the Bidder Members proposed in their Response, for the roles and to the extent set out in the Response, in the performance of the Contract (if successful).

2.5.2 Consortia arrangements

If the Bidder completing this PQQ is doing so as part of a proposed consortium, the following information must be provided;

- names of all Consortium Members;
- the lead Consortium Member who will be contractually responsible for delivery of the Contract (if a separate legal entity is not being created);
- if the consortium is not proposing to form a legal entity, the following details of the proposed arrangements within a separate Appendix in accordance with PQQ Question A.3;
- proposed structure;
- proposed signatory body; and
- names and legal structures of Consortium Members.

Please note that the Department may require the consortium to assume a specific legal form if awarded the Contract, to the extent that a specific legal form is deemed by the Department as being necessary for the satisfactory performance of the Contract.¹

Where you are proposing to create a separate legal entity, such as a special purpose vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent Consortium Members within the new legal entity in a separate Appendix.

The Department recognises that arrangements in relation to a consortium bid may be subject to future change. Bidders should, therefore, respond on the basis of the arrangements as currently envisaged. Bidders are reminded that the Department must be immediately notified of any changes,

¹ It is likely that the Department would make any such request before Bidders are invited to submit their Final Tenders although it may occur after the Department has selected its Preferred Bidder. The Department reserves the right not to continue with any Preferred Bidder that is a consortium and that does not comply with the Department's request relating to its specific legal form.



or proposed changes, in relation to the bidding model so that a further assessment can be carried out – see section 10.6 of the PIM in this regard. The Department reserves the right to deselect the Bidder prior to any award of Contract, based on an assessment of the updated information.

2.5.3 Lead Consortium Member

The nominated lead Consortium Member is understood to be (irrevocably) authorised by all Bidder Members to act as the Bidder lead and primary contact point for the purposes of the Procurement. The Department may (but is not obliged to) use the lead Consortium Member as its sole contact point for all purposes related to the Procurement.

2.5.4 Sub-contracting arrangements

Where the Bidder proposes to use one or more sub-contractors to deliver some or all of the Contract requirements, a separate Appendix should be used to provide details of the proposed bidding model that includes members of the supply chain, the percentage of work (by value) being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.

However, Bidders are only required to include information in respect of specific key subcontractors to the extent that it wishes to rely upon them for the purposes of the pre-qualification exercise and evaluation.

The Department recognises that arrangements in relation to sub-contracting may be subject to future change, and may not be finalised until a later date. However, Bidders should be aware that where information provided to the Department in the Response indicates that sub-contractors are to play a significant role in delivering key contract requirements, any changes to those sub-contracting arrangements may affect the ability of the Bidder to proceed with the Procurement process or to provide the supplies and/or services required. Bidders should, therefore, notify the Department immediately of any change in the proposed sub-contractor arrangements. The Department reserves the right to deselect the Bidder prior to any award of Contract, based on an assessment of the updated information.

2.5.5 Reliance on third party resources

A Bidder, or Consortium Member, may where and provided it is appropriate for the national broadband intervention Project, in order to prove it can satisfy the economic and financial standing or technical and professional capability necessary to undertake the Contract, rely on the resources of entities or undertakings with which it is directly or indirectly linked. This is provided, whatever the legal nature of those links may be (including, for example, but not limited to, reliance on a parent company's resources, or the resources of a key subcontractor), the Bidder establishes and provides evidence to demonstrate to the satisfaction of the Department that the Bidder has and will have available to it the resources of those entities or undertakings which are necessary for the performance of the Contract.

For example, a letter from such other entity confirming that it will provide the necessary support may suffice.

A Bidder must also submit a completed PQQ for the entity whose resources are being relied upon in accordance with the instructions set out in section 2 of the PQQ.

The Department reserves the right, at its absolute discretion, to require further assurances in relation to the availability of resources to the Bidder so as to clearly demonstrate that such resources are available to the Bidder and that the Department may have full legal recourse to such resources as if the resources were a part of the Bidder.

Where a Bidder or Consortium Member is relying on the resources of other entities for the purposes of proving its economic and financial standing or technical and professional capability, then such entities may be required to provide a deed of guarantee, parent company guarantee, performance bond, collateral warranty or other suitable security arrangement to ensure that those resources are



properly made available for the performance and completion of the Contract. The written evidence provided by such other entities should, therefore, confirm what the entity will provide a deed of guarantee, parent company guarantee, performance bond, collateral warranty or other suitable security arrangement at terms appropriate to the Contract and in a format acceptable to the Minister.

Accordingly, the Department may require that the Bidder and those other entities be jointly liable for the execution of the Contract. If sufficient evidence is not provided, or it is not appropriate for the Bidder (or Consortium Member) to rely on those resources for the Contract, the Bidder (or Consortium Member) will be evaluated based on its own economic and financial standing, and technical and professional capability.

The failure by a Bidder to comply with any such requirement may result in its rejection and elimination from the Procurement.

2.5.6 Completing the PQQ

The PQQ should be completed as follows:

- (a) Where the Bidder is a **single entity**, the response to each question in the PQQ should be provided with respect to that entity.
- (b) Where the Bidder is a **consortium** (or unincorporated special purpose vehicle (SPV)), each Consortium Member should provide a separate completed copy of the PQQ, with those questions that are to be answered only by the lead Member being left blank in the responses from other Consortium Members. In other words, each question in the PQQ should be answered with respect to each and every Consortium Member, except where otherwise expressly indicated (e.g. as noted in questions C1 to C5).

Subcontractors: In case of either (a) or (b), a completed copy of the PQQ should also be provided for each and every subcontractor whose financial or technical and professional resources you intend to rely upon for the purposes of the pre-qualification exercise, except where otherwise expressly indicated. Those questions that are to be answered only by the lead Member being left blank in the responses from subcontractors. In other words, each question in the PQQ should be answered with respect to each and every Bidder Member, except where otherwise expressly indicated (e.g. as noted in questions C1 to C5).

Third party resources: In case of either (a) or (b), a completed copy of the PQQ should also be provided for each and every third party whose financial or technical and professional resources a Consortium Member intends to rely upon for the purposes of the pre-qualification exercise, except where otherwise expressly indicated. In particular, sections A and B should be completed in respect of such third parties. Those questions that are to be answered only by the lead Member being left blank in the responses from third parties. In other words, each question in the PQQ should be answered with respect to each and every Bidder Member, except where otherwise expressly indicated (e.g. as noted in questions C1 to C5).

For the avoidance of doubt, the Bidder should provide a separate completed copy of the PQQ in respect of **each** Bidder Member, with those questions that are to be answered only by the lead Member of the Bidder being left blank in the responses from other Bidder Members. In other words, each question in the PQQ should be answered with respect to **each and every** Bidder Member, except where otherwise expressly indicated (e.g. as noted in questions C1 to C5).

2.5.7 General instructions

The Bidder's Response should include this completed PQQ.

Please ensure that all questions are completed in full, in the format requested and in accordance with the instructions below. Failure to do so may, subject to section 12.3 of the PIM, result in your submission being disqualified.

The PQQ should be completed as follows:



- a) Bidders who wish to be considered for the proposed Contract should respond to all of the questions detailed in this PQQ, accurately, without any omissions and in accordance with the terms and conditions as set out in this section and in accordance with section 11 of the PIM.
- b) Should you need to provide additional appendices in response to the questions, these should be numbered clearly and listed as part of your declaration. A template for providing additional information is provided at the end of this document.
- c) Bidders are required to provide all details that they consider necessary to provide a sufficient response to each part of the PQQ. Failure to do so may, subject to section 12.3 of the PIM, lead to disqualification. Bidders should note section 11.5 of the PIM in this regard which requires the submission of all relevant information.
- d) The response to each question is to be given in the order of the questions in the space and/or number of words allowed immediately following each question. Where additional space is required, Bidders should provide their response as additional appendices on separate A4 sheets which are clearly marked with the appropriate question number. All supporting literature submitted must be relevant to a question set out in this PQQ and should be clearly marked with the relevant question number.
- e) Information required in more than one part of this PQQ should be provided against each question and NOT cross referenced. If any of the questions in this PQQ are not relevant to a Bidder or a Bidder Member, please insert "Not Applicable". Do not leave any section blank.
- f) This PQQ identifies where responses to questions should be supported by additional information in the form of, for example, management and contract structure charts. Such supporting information must be provided where requested;
- g) Unless otherwise stated, documents provided in response to questions in this PQQ are not required to be notarised or legalised at this stage. However, the Department reserves the right subsequently to seek notarisation or legalisation in respect of certain documents.
- h) This PQQ must be completed by all Bidders in the English language. Where copies of original documents are provided in languages other than English, an accurate English translation (or explanation) must be provided or the documents will not be considered for evaluation.
- i) Please note that all financial information submitted in response to this PQQ should be denominated in Euros (EUR) (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). If financial information is being converted from one currency to Euros (EUR), the exchange rate used for this purpose should be clearly identified.
- j) Bidders are referred, in particular, to section 11 of the PIM which contains important conditions related to the submission of Responses.
- k) A non-Ireland based Bidder is requested to answer any of the questions in this questionnaire that specifically refer to Irish legislation by substituting, where relevant, the appropriate legislation or code of practice which is equivalent and applicable in its domestic jurisdiction.
- l) Note that general company promotional and advertising material will not be accepted.
- m) Failure to provide a sufficient level of detail or to explain adequately any relevant matters may result in such data or information not being taken into account in the assessment process or inferences being drawn based upon what is / is not provided.
- n) Bidders should not assume that the Department has any prior knowledge of the Bidder, its Bidder Members, their practice or reputation, or their involvement in any existing services, works, supplies, projects or procurements and, as such, Responses should be full and complete in all respects. The onus is on Bidders to demonstrate their economic and financial standing and technical and professional capability in their Response.



Any queries regarding the PQQ must be raised in accordance with section 9 of the PIM.

2.6 Confidentiality

Subject only to the confidentiality conditions set out below, all information provided by Bidders will be treated as confidential and will not be disclosed by the Department to any other parties without the prior consent of the particular Bidder.

This PQQ must be treated as confidential and Bidders should not release details of the PQQ and associated documents, other than on an “in confidence” basis to those who have a legitimate reason to know, or to whom they might need to consult, for the purpose of preparing Responses.

When providing details of contracts in answering section C of this PQQ (Technical and Professional Capability), the Bidder agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.

The Department reserves the right to contact the named customer or project contact in section C regarding the contracts included in section C. The named customer contact does not owe the Department any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

The Department confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer or project contact, other than to the contracting authorities defined by the European Communities (Award of Public Authorities' Contracts) Regulations 2006 and subject to other legal requirements applicable to the Department such as the Freedom of Information Act 2014 or any obligations the Department has in response to an order for discovery or under public procurement or other laws.

2.7 Capacity to contract

Bidders (or in the case of consortia each Bidder Member of the Bidder) are to confirm that they have the legal capacity and are not otherwise constrained (including constraints imposed by funders and/or other stakeholders) in relation to their ability to enter into a contract for the Project and to fulfil their role in the delivery of the Project.



3 PQQ Structure

The questions contained within this PQQ are set out in the following sections:

Section A: General Information - this section contains general information questions. A.1 to A.6 require the Bidder to provide general information on its bid.

Question A.7 requires the Bidder Member to confirm that there are no applicable grounds for exclusion that apply to the Bidder Member.

A.8 to A.11 are questions requiring self-certification by the Bidder.

Section B: Economic and Financial Standing - this section contains questions that will inform the Department's evaluation of a Bidder's / Bidder Member's economic and financial standing. All questions in Section B are to be completed by each Bidder Member on separate forms, if applicable, or if the Bidder is a sole organisation, by that organisation.

If the Bidder or Consortium Member proposes to rely on the economic and financial resources of another entity in accordance with section 10 of the PIM, the Bidder should comply with the instructions set out in section 2 above.

Section C: Technical and Professional Capability - this section contains questions that will inform the Department's evaluation of a Bidder's / Bidder Member's technical and professional capability.

All questions in Section C are to be completed.

If the Bidder or Consortium Member proposes to rely on the technical and professional ability of another entity in accordance with section 10 of the PIM, the Bidder should comply with the instructions set out in section 2 above.

Annex A: Compliance Forms and Declarations – this annex contains additional forms and declarations that must be completed by the Bidder and submitted with its response to the PQQ.



4 Section A: General Information

4.1 Bidder information

To be completed in respect of every Bidder Member.

A.1 Bidder details	Answer	
Bidder / Consortium Name		
Full name of the Bidder Member completing the PQQ		
Registered company address		
Registered company number		
Registered VAT number		
Name of immediate parent company		
Name of ultimate parent company		
Please mark 'X' in the relevant box to indicate your trading status. Space has been provided below for any additional detail that Bidders believe necessary for the completion of this section.	i) a public limited company	<input type="checkbox"/> Yes
	ii) a limited company	<input type="checkbox"/> Yes
	iii) a limited liability partnership	<input type="checkbox"/> Yes
	iv) other partnership	<input type="checkbox"/> Yes
	v) sole trader	<input type="checkbox"/> Yes
	vi) other (please specify below)	<input type="checkbox"/> Yes
Additional information on trading status		
Lead Bidder Member to provide a summary table or diagram showing the Bidder Members, i.e. the Bidder together with any Consortium Members and any subcontractors whose resources are being relied upon for the purposes of this project and any other entities providing		



guarantee support to the bidder/consortium	
<p>Is the Bidder Member relying on the resources of another entity (including, for example, but not limited to, reliance on a parent company's resources) for the purposes of demonstrating its:</p> <p>(Please mark 'X' in the relevant boxes to indicate whether any of the following apply)</p>	<p>i) Economic and Financial Standing</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
	<p>ii) Technical and Professional Capability</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
	<p>Bidders should note the requirements set out in section 2 of this PQQ and section 10 of the PIM in respect of the information to be provided, and requirements that apply, in the event that a Bidder Member is relying on the resources of another entity.</p> <p>If the response to this question is yes, the Bidder or Consortium Member must provide evidence satisfactory to the Department in the form of a written undertaking from such other entity confirming that it will provide the necessary support including:</p> <ul style="list-style-type: none"> ■ details of the resources which will be made available; and ■ the basis upon which those resources will be made available (noting section 2.5.5 of this PQQ). <p>If sufficient evidence is not provided then the Bidder or Consortium Member will be evaluated based on its own economic and financial standing or, as applicable, technical and professional capability.</p>

4.2 Lead Bidder or lead consortium specific information

To be completed by the lead Bidder Member only:

A.2 Lot bidding for:	
<p>The Bidder is to indicate opposite with an 'X' which Lot(s) the PQQ Response relates to.</p> <p>Bidders should put an 'X' against one row only (i.e. only row (i), row (ii) or row (iii)).</p> <p>Bidders should complete a full separate single copy of the PQQ for:</p> <ul style="list-style-type: none"> ■ Single Area Bid(s): Lot Area A (Southern Intervention Area) – this single completed PQQ should cover either or both of Lot 1A and Lot 2A; ■ Single Area Bid(s): Lot Area B (Southern Intervention Area) – this single completed PQQ should cover either or both of Lot 1B and Lot 2B; and ■ Combined Area Lot(s): (Entire Intervention Area) – this single single completed PQQ should cover either or both of Lot 1C and Lot 2C. 	<p>i) Single Lot Area(s): Lot Area A (Southern Intervention Area): Lot 1A or Lot 2A or both of them</p> <p><input type="checkbox"/> Yes</p>
	<p>ii) Single Lot Area(s): Lot Area B (Northern Intervention Area): Lot 1B or Lot 2B or both of them</p> <p><input type="checkbox"/> Yes</p>
	<p>iii) Combined Area Lot(s) (Entire Intervention Area): Lot 1C or Lot 2C or both of them</p> <p><input type="checkbox"/> Yes</p>



Do not specify in the PQQ which Ownership Model the Bidder wishes to bid for.		
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To be completed by the lead Bidder Member only:

A.3 Bidding model	
Please mark 'X' in the relevant box to indicate whether you are:²	
a) Bidding as a prime contractor and will deliver 100% of the key Contract deliverables / services yourself.	<input type="checkbox"/> Yes
b) Bidding as a prime contractor and will use third parties to deliver <u>some</u> , but not all, of the key Contract deliverables / services. If yes, please provide details of your proposed bidding model by completing table A.4 below and complete the Organisation Detail Form provided in Annex A for each key subcontractor / supplier or other third party which you are relying upon for the purposes of the pre-qualification evaluation.	<input type="checkbox"/> Yes
c) Bidding as prime contractor but will operate as a managing agent and will use third parties to deliver <u>all</u> of the services If yes, please provide details of your proposed bidding model by completing table A.4 below and complete the Organisation Detail Form provided in Annex A for each key subcontractor / supplier or other third party which you are relying upon for the purposes of the pre-qualification evaluation.	<input type="checkbox"/> Yes
d) Bidding as a consortium but not proposing to create a new legal entity. If yes, please include details of your Consortium Members in the next column. Please also complete table A.4 below and complete the Organisation Detail Form provided in Annex A for: <ul style="list-style-type: none"> - each Consortium Member; and - each key subcontractor / supplier or other third party which you are relying upon for the purposes of the pre-qualification evaluation. Please also use a separate Appendix to explain the basis on which the consortium will be established and explain why a new legal entity is not being created. If there is a consortium agreement that defines the rights and liabilities of each Consortium Member, please provide details. Please explain the role of your company and the role of Consortium Members in the consortium. Please note that as set out in section 10.3 of the PIM, the Department may require the consortium to assume a specific legal form if awarded the Contract, to the extent that it is necessary for the satisfactory performance of the Contract or it may require each Member to accept joint and several liability in connection with the performance of the Contract.	<input type="checkbox"/> Yes <u>Consortium Members</u> <u>Lead Consortium Member</u>

² Bidders should note the terms of the PIM with respect to potential required contracting models.



A.3 Bidding model										
<p>e) Bidding as a consortium and intend to create a Special Purpose Vehicle.</p> <p>If yes, please include details of your consortium, current lead Consortium Member and intended SPV in the next column.</p> <p>Please also complete table A.4(a) below and complete the Organisation Detail Form provided in Annex A for:</p> <ul style="list-style-type: none"> - each Consortium Member; and - each key subcontractor / supplier or other third party which you are relying upon for the purposes of the pre-qualification evaluation . <p>Please also use a separate Appendix to explain the basis on which the consortium will be established including legal form, percentage shareholding of Consortium Members and the form of share ownership.</p> <p>If there is a consortium agreement that defines the rights and liabilities of each Consortium Member, please provide details. Please explain the role of your company and the role of other Consortium Member members in the consortium.</p>	<p><input type="checkbox"/> Yes</p> <p>Consortium Members</p> <table border="1"> <thead> <tr> <th>Current Member</th> <th>Lead Consortium Member</th> <th>Consortium Member</th> </tr> </thead> <tbody> <tr> <td colspan="3">Name of Special Purpose Vehicle</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Current Member	Lead Consortium Member	Consortium Member	Name of Special Purpose Vehicle					
Current Member	Lead Consortium Member	Consortium Member								
Name of Special Purpose Vehicle										

To be completed by the lead Bidder Member only:

A.4 Details of Consortium Members and/or key subcontractors:			
State whether it is a Consortium Member / key subcontractor	Name of entity	Role on Project	Estimated percentage (by value) of the work being undertaken at the build and operating stage of the contract
			Build stage (estimated at approximately 5 years from commencement of the contract): Operating stage (to run from the commencement of deployment until the end of the contract):
			Build stage: Operating stage:
			Build stage: Operating stage:
			Build stage: Operating stage:
			Build stage: Operating stage:
			Build stage: Operating stage:



To be completed by the lead Bidder Member only:

A.5 Contact details	
Bidder contact details for enquiries about this PQQ	
Name	
Postal address	
Country	
Phone	
Mobile	
E-mail	



4.3 Licencing and registration

To be completed by each Bidder Member:

A.6 Licencing and registration (please mark 'X' in the relevant box)		
A.6.1	Registration with a professional body If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex IX of Directive 2004/18/EU) under the conditions laid down by that member state).	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please provide the registration number in this box.
A.6.2	Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this Procurement?	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this.

4.4 Grounds for exclusion

4.4.1 Grounds for mandatory exclusion

To be completed by each Bidder Member:

The Department will, subject to section 12.3, disqualify any Bidder who (or any Bidder any of whose Bidder Members) falls within any of the circumstances set out in Regulation 53(1) of the European Communities (Award of Public Authorities' Contracts) Regulations 2006.

The Department may, subject to section 12.3, disqualify any Bidder who (or any Bidder any of whose Bidder Member) falls within any of the circumstances set out in Regulation 53(4) of the European Communities (Award of Public Authorities' Contracts) Regulations 2006.

Bidder Members must, therefore, complete and submit as part of this PQQ the "Declaration in Respect of the Grounds for Exclusion" provided in Annex A and must also complete the question A.7 below advising whether or not any of the circumstances listed in the declaration apply to the Bidder / Consortium Member at the date of the PQQ Response.

A.7 Please indicate if any of the circumstances set out in the Declaration in Respect of the Grounds for Exclusion provided in Annex A of this PQQ apply to your organisation.	Please indicate your answer by marking 'X' in the relevant box.	
	Yes	No
None of the circumstances set out above apply		See below
One or more of the circumstances set out above apply	See below	
If any of the circumstances apply, please provide details:		



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4.4.2 Conflicts of interest

To be completed by each Bidder Member:

Bidders are responsible for ensuring that no actual, potential or perceived conflicts of interest (collectively and individual a “**conflict of interest**”) exist.

Any conflict of interest must be fully disclosed to the Department as soon as the conflict of interest becomes apparent to the Bidder. **Bidders should, in accordance with section 10.7 of the PIM, disclose any conflict of interest to the Department in advance of the submission of this PQQ (and, specifically, by the date set out in section 8.3 of the PIM).**

Please read section 10.7 of the PIM in this regard as this describes the type of circumstances that may constitute a conflict of interest.

Bidders Members must complete question A.8 below and, in addition, complete the conflict of interest declaration in Annex A.

A.8 Please confirm any actual, potential or perceived conflict of interest has been disclosed in advance to the Department.	Please indicate your answer by marking 'X' in the relevant box.
There is no actual, potential or perceived conflict of interest.	
There is an actual, potential or perceived conflict of interest. This was disclosed to the Department by the date set out in section 8.3 of the PIM.	
There is an actual, potential or perceived conflict of interest. This was not disclosed to the Department by the date set out in section 8.3 of the PIM.	See below
If there is an undisclosed conflict of interest, please provide details (including explaining why it was not disclosed in advance):	

4.5 Self-certify questions

Bidders who self-certify that they meet the requirements for questions A.9 to A.11 below will be required to provide evidence of this if they are successful at the Contract award stage (or earlier), upon request. Please indicate your answer by marking 'X' in the relevant boxes.

A.9 Insurance



To be completed by each Bidder Member:

<p>The Bidder Member is capable of putting in place adequate insurance coverage (including public liability insurance) with a reputable insurer (authorised to do insurance business in Ireland) to cover all claims and liabilities that may be taken against it under or in connection with this Contract or any other claims or demands which may be brought or made against it by any person suffering any injury damage or loss in connection with the Project.</p> <p>The Department shall specify at the next stage of the Procurement and shall include in the Contract the minimum insurance requirements to be met by the Contractor. The short listed Bidders may be required to provide evidence by way of a certificate of insurance or confirmation from an insurance broker or insurer to the Department on request that they are able to meet these minimum insurance requirements. This may be a pre-condition to Contract award.</p> <p>Please self-certify that you already have, or can obtain, prior to the commencement of the Contract, levels of insurance cover that are commensurate with your proposed role on the Project and which will cover all claims and liabilities that may be taken against you under or in connection with this Contract or any other claims or demands which may be brought or made against you by any person suffering any injury damage or loss in connection with the Project.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
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A.10 Health and Safety

To be completed by each Bidder Member:

1.	Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	<p>Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders issued by the Health and Safety Authority (or equivalent body) in the last 3 years?</p> <p>If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.</p> <p>The Department will exclude Bidder(s) that have been in receipt of enforcement/remedial action orders that are relevant to the type of services and works to be performed under the Contract, unless the Bidder(s) can demonstrate to the Department’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.	If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?	<input type="checkbox"/> Yes <input type="checkbox"/> No

A.11 Capacity to Contract

To be completed by each Bidder Member:

1.	Please self-certify that your organisation (as the Bidder or Bidder Member) has the legal capacity and is not otherwise constrained (including constraints imposed by funders and/or other stakeholders) in relation to their ability to enter into a contract for the Project and to fulfil your role in the delivery of the Project.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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5 Section B: Economic and Financial Standing

5.1 Financial Information

To be completed by each Bidder Member:

FINANCIAL INFORMATION	
<p>The onus is on the Bidder Member to demonstrate its economic and financial standing.³ The Department is under no obligation to make any further enquiries / clarifications in relation to the documentation a Bidder Member submits in response to this question. A Bidder Member should accordingly provide sufficient information to demonstrate its economic / financial standing in the first instance.</p> <p>Please provide the following for the purposes of demonstrating your economic/ financial standing:</p>	
B.1	<p>Copies of the full audited financial statements for the last 3 (three) financial years (including all notes to the financial statements). Abridged financial statements are not acceptable. The latest set of such statements must have been filed with the Companies Registration Office (or equivalent for non-Irish based companies) within the relevant statutory filing period.</p> <p>Where the most recent annual financial statements have not been filed with the Companies Registration Office (or equivalent) within the relevant statutory filing period and remain unsigned by an auditor, the draft financial statements for that year must be provided (where you are subject to a legal requirement to file and published audited financial statements), with a reasonable and comprehensive explanation as to why such accounts remain unsigned, in addition to the signed audited financial statements of the three previous financial years. The Department may, at its absolute discretion (having regard to the fact they were not signed), take such unsigned accounts into account in its evaluation or not take them into account to the extent it considers appropriate.</p> <p>If you do not have a legal requirement to file and published audited financial statements and decide you can sufficiently demonstrate your economic and financial standing without providing them, provide signed copies of the last three years Pro-Forma Financial Statements with an Accountant's Report. The Department reserves the right to request a Bidder Member to provide further financial information in such circumstances. However, the Department is under no obligation to do so.</p> <p>If you do not have a legal requirement to file and published audited financial statements or pro-forma financial statement and decide you can sufficiently demonstrate your economic and financial standing without providing them, you are alternatively asked to provide a balance sheet and/or a Statement of Affairs with appropriate detail to enable your economic and financial standing to be assessed. The Department reserves the right to request a Bidder Member to provide further financial information in such circumstances. However, the Department is under no obligation to do so.</p>
B.2	<p>If the firm/organisation has been trading for less than four years and accordingly does not have full audited annual financial statements covering three complete years of trading as requested in B1, the Bidder Member:</p> <ol style="list-style-type: none"> should provide copies of the financial information set out in question B1 for each full year of trading for which such financial information exists; is requested to provide a statement of the organisation's turnover in the service

³ It is recommended that a Bidder / Bidder Member provide the information requested in order to demonstrate its economic / financial standing. However, for clarity, there is no obligation to provide financial information which you are not required by law to publish (though, of course, the level of information provided will be relevant to the extent to which you demonstrate your economic and financial standing).



	<p>areas covered by the contract, profit & loss and cash flow position for the most recent full year of trading (or part year if full year is not applicable) and an end period Balance Sheet for years in which full audited financial statements are not available;</p> <p>c) is requested to provide a statement of the organisation's cash flow forecast for the current year and a bank letter outlining the organisation's current cash and credit facility position; and</p> <p>d) is required to provide any other information to with appropriate detail to enable your economic / financial standing to be assessed.</p> <p>The Department reserves the right to request a Bidder Member to provide further financial information in such circumstances. However, the Department is under no obligation to do so.</p>	
B.3	<p>If the firm/organisation is an investment fund, the following information should be provided:</p> <p>a) an outline as to the legal form of the fund including the memorandum of association, articles of association, share register and offer memorandum of the fund;</p> <p>b) copies of the full audited financial statements for the fund for the last three years including all notes to the financial statements. Where financial statements for the fund are not available, then full audited financial statements of the fund's originating bank are to be provided for the last three financial years, also indicating the level of ongoing support for the fund;</p> <p>c) an outline statement from the fund originator as to the background to the fund, the ownership of the fund, the investment strategy of the fund and the methodology for wind down/exit of parties from the fund;</p> <p>d) an overview as prepared by the fund manager at the latest quarter end as to the current value of the fund, the level of cash reserves within the fund, the current capital commitments of the fund and the availability of additional investment to be contributed to the fund; and</p> <p>e) a statement from the fund manager as to its experience and the fund's experience to date in sourcing, raising and investing equity in projects similar to the Project.</p>	
B.4	<p>If the firm/organisation is an equity provider / investor (which is not an investment fund) and is to fulfil the role of equity provider / investor only the following information should be provided:</p> <p>a) statement describing the background and the experience of the equity provider / investor and its reasons for participation in the Project;</p> <p>b) bank reference for such equity provider / investor and a certified statement of net worth, issued and approved by a firm recognised by an independent firm of accountants;</p> <p>c) statement from an independent firm of accountants as to such equity provider / investor's experience to date in sourcing, raising and investing equity in projects similar to the Project; and</p> <p>d) any other information that can be provided to support the financial robustness of such equity provider / investor.</p>	
B.5	<p>a) Are any published interim accounts relating to periods subsequent to the most recent audited accounts (or other financial statements provided) available?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not applicable</p>



	financial standing for the Contract, together with evidence that you can in fact secure such. ⁵	
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5.2 Performance Bond

To be completed in respect of the Bidder

As stated in section 10.1 of the PIM, the Department reserves the right, at its absolute discretion, to reasonably require the successful Bidder(s) / Preferred Bidder(s) as a condition of Contract to procure the provision to the Department of a guarantee or other form of security such as a performance bond in respect of the delivery of the Project (or a part of the Project) to the satisfaction of the Department. Such a requirement may apply to the deployment phase of the Project and/or to the operating phase.

A performance bond may, in particular, be required if the subsidy payment profiles and the payment and performance mechanisms (including milestone payments and remedies such as delay payments and service credits) that result from the competitive dialogue with Bidders do not provide the level of incentives and protections that the Department requires of the Contract. The value of the performance bond is not expected to exceed €20 million, and could indeed be significantly less than €20 million.

The Department will set out its requirements in this regard for the selected Bidders for each Lot at the dialogue stage.

By submitting a response to the PQQ and potentially later through the ITPD, Bidders warrant and represent that they can, and irrevocably agree that they will, comply, or procure compliance, as the case may be, with this requirement on reasonable request by the Department.

B .9	<p>Please self-certify that you can, and irrevocably agree that you will, comply, or procure compliance, as the case may be, with the requirement to provide a performance bond of up to €20m on reasonable request by the Department.</p> <p>The short listed Bidders may be required to provide evidence to the Department on request that they are able to meet this requirement. This may be a pre-condition to Contract award.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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⁵ You should note that you will be required to provide such guarantee or performance bond (in a form and on terms acceptable to the Department, at its absolute discretion) as a pre-condition to Contract award if you tick yes to this box.





6 Section C: Technical and Professional Capability

To be completed in respect of the Consortium Member(s) and sub-contractor(s) who will deliver the supplies, works and/or services.

Guidance:

Questions must be answered in accordance with the instructions below, in addition to those in the questions:

1. The Department will, subject to section 12.3 of the PIM, base its technical evaluation on the responses to questions C1 to C4 of the PQQ provided by Bidder Members. Bidder Member's responses should be supported by enough evidence and supporting documents to allow the Department or its advisors to comprehensively evaluate the response and establish the appropriate score in accordance with this PIM. If insufficient evidence is provided, the Department reserves the right to award a score only on the basis of what has been comprehensively evidenced in the Bidder Member's response.
2. The information requested, **in each of questions C1 to C4 (inclusive)**, should be provided in respect of each Consortium Member(s) who will perform a relevant role. In cases where the Consortium Member(s) rely on the experience and capability of their parent companies, the information requested, **in each of questions C1 to C4 (inclusive)**, should be provided in respect of their parent company. In cases where the Consortium Member(s) rely on the experience and capability of sub-contractor(s) who will deliver the supplies, works and/or services, the information requested, **in each of questions C1 to C4 (inclusive)**, should be provided in respect of each subcontractor.
3. **Up to five** separate contracts / projects or in the case of question C2 **up to five** examples of relevant experience in total can be provided in response to a question. This is an aggregate total across the Bidder Members. This aggregate total of five contracts / projects or examples means that even where it is intended that more than one of the Bidder Members will provide the works, suppliers or service, you can still only provide **five** separate contracts / projects in aggregate (and no more). If more than five separate contracts / projects are included in aggregate, the Department will consider the five contracts / projects included in the PQQ which have the latest start date and will disregard the others in the evaluation. All projects will be **taken together** and evaluated against the evaluation criteria.
4. Where a project / contract example is asked for, within the last number of years, please note that this is clarified to be the number of years from the date of issue of this PQQ.
5. Please note the Department reserves the right to confirm the accuracy of the information provided in response to questions C.1 to C.4 with the organisations named.
6. The named contact for each project/contract must be prepared to provide written evidence to the Department to confirm the accuracy of the information provided in response to the question concerned. The Department may have regard to the information provided by the name contact in the evaluation under this question and corresponding criterion.



7. Where the Bidder provides a project example (rather than contract example), the Bidder must provide details for a relevant party that may be contacted by the Department to verify the details that the Bidder has provided in relation to the project example.

C. 1 Project/contract examples for the design and deployment of networks	Weight: 40%
<p>Please provide details of up to <u>five projects/contracts</u> that demonstrate the Bidder's capability to meet the technical and professional obligations anticipated under the Project, as outlined in the PIM, in respect of the design and deployment of networks. Bidders should demonstrate their capability in both network design and deployment. The examples between them should demonstrate both the design and deployment of networks.</p> <p>Table 12.9 within section 12.8 of the PIM provides for more marks to be given to projects/contracts, evidencing the Bidder's capability in network design and deployment, the more similar they are in scope, scale and nature to the anticipated obligations under the Project, as outlined in the PIM, in respect of design and deploy of networks. Further information of the evaluation criteria is provided in Section 12 of the PIM.</p> <p>Projects / contracts of a similar scope include (but are not limited to) contracts / projects, in order of similarity, for the design and deployment of:</p> <ul style="list-style-type: none"> • Telecommunications access networks which deliver services which meet the minimum specifications as detailed in Section 6.1.3 of the PIM • Telecommunications access networks which deliver services to fixed premises but do not meet the minimum specifications as detailed in Section 6.1.3 of the PIM • Telecommunications mobile networks • Utility networks. <p>Projects / contracts of a similar nature include (but are not limited to) contracts / projects for the design and deployment of:</p> <ul style="list-style-type: none"> • Fibre-optic based networks • Mobile and/or fixed wireless networks • Utility (i.e. gas, water or electricity) distribution networks with multiple endpoints. (although utility networks are less similar than the telecommunications networks above) <p>Projects / contracts of a similar scale include (but are not limited to) contracts / projects for the design and deployment of networks which pass and connect similar numbers of premises as anticipated under the Project.</p> <p>Project/contract descriptions provided should, in particular, clearly describe:</p> <ul style="list-style-type: none"> • The scale, nature and scope of the network design and deployment, and • Your approach in the project / contract to meeting network delivery timescales, and your performance against these targets, and • Your compliance with relevant industry standards and quality requirements. <p>All network design and deployment services must have been completed within the last <u>five</u> years. Otherwise, they will be disregarded in the evaluation. If projects are on-going, the network part of the design and deployment which has been completed by the closing date for receipt of the Response will be considered for evaluation. Any future network design or deployment after this date will not be considered.</p>	
	Project / Contract 1
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Project / Contract	



Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Project / Contract start date Project / Contract completion date Project Duration	
Estimated Project / Contract Value	
Number of premises passed to date Number of premises connected to date	
In no more than 2,000 words per project / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the design and deployment of networks.	
Project / Contract 1: Insert details (expand as required up to 2,000 words)	

	Project / Contract 2
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Project / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Project / Contract start date Project / Contract completion date Project Duration	
Estimated Project / Contract Value	
Number of premises passed to date Number of premises connected to date	



In no more than 2,000 words per project / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the design and deployment of networks.	
Project / Contract 2: Insert details (expand as required up to 2,000 words)	
	Project / Contract 3
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Project / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Project / Contract start date Project / Contract completion date Project Duration	
Estimated Project / Contract Value	
Number of premises passed to date Number of premises connected to date	
In no more than 2,000 words per project / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the design and deployment of networks.	
Project / Contract 1: Insert details (expand as required up to 2,000 words)	
	Project / Contract 4
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Project / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	



Project / Contract start date Project / Contract completion date Project Duration	
Estimated Project / Contract Value	
Number of premises passed to date Number of premises connected to date	
In no more than 2,000 words per project / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the design and deployment of networks.	
Project / Contract 4: Insert details (expand as required up to 2,000 words)	
	Project / Contract 5
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Project / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Project / Contract start date Project / Contract completion date Project Duration	
Estimated Project / Contract Value	
Number of premises passed to date Number of premises connected to date	
In no more than 2,000 words per project / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the design and deployment of networks.	
Project / Contract 5: Insert details (expand as required up to 2,000 words)	





C.2 Project/contract examples for the operation and maintenance of networks	Weight: 40%
<p>Please provide details of <u>up to five contracts or examples</u> that demonstrate the Bidder's capability to meet the technical and professional obligations anticipated under the Project, as outlined in the PIM, in respect of the operation and maintenance of networks. Bidders should demonstrate their capability in both network operations and maintenance equally. The examples between them should demonstrate both the operation and maintenance of networks.</p> <p>Table 12.10 within section 12.8 of the PIM provides for more marks to be given to projects/contracts, evidencing the Bidder's capability in operation and maintenance the more similar they are in scope and nature to the anticipated obligations under the Project, as outlined in the PIM, in respect of the operation and maintenance of networks.</p> <p>Projects / contracts of a similar scope include (but are not limited to) contracts / projects in order of similarity for the operation and maintenance of:</p> <ul style="list-style-type: none"> • Telecommunications access networks which deliver services which meet the minimum specifications as detailed in Section 6.1.3 of the PIM • Telecommunications access networks which deliver services to fixed premises but do not meet the minimum specifications as detailed in Section 6.1.3 of the PIM • Telecommunications mobile networks • Utility networks. <p>Projects / contracts of a similar nature include (but are not limited to) contracts / projects for the operation and maintenance of:</p> <ul style="list-style-type: none"> • Fibre-optic based networks • Mobile and/or fixed wireless networks • Utility i.e. gas, water or electricity) distribution networks with multiple endpoints. (although utility networks are less similar than the telecommunications networks above) <p>Projects / contracts of a similar scale include (but are not limited to) contracts / projects for the operation and maintenance of which connect similar numbers of premises as anticipated under the Project.</p> <p>Project/contract descriptions provided should, in particular, clearly describe:</p> <ul style="list-style-type: none"> • The scale nature and scope of the network operation and maintenance undertaken, and • experience in respect of ordering, provisioning, customer care and billing, and • experience in respect of monitoring, fault repair and continuous improvement, and • Your approach to meeting network operation and maintenance service level requirements, and your performance against these targets, and • Your compliance with relevant industry metrics and quality requirements. <p>All operation and maintenance services should have been performed within the last <u>three</u> years. If projects are on-going, operation and maintenance services which have been performed up to the closing date for receipt of the Response will be considered for evaluation. Any future operation and maintenance services after this date will not be considered.</p>	
	Example / Contract 1
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Example / Contract	
Name of customer organisation (or other relevant party)	



Point of contact in organisation Position in the organisation E-mail address	
Example / Contract start date Example / Contract completion date Example Duration	
Estimated Example / Contract Value	
Outline the scale of operation & maintenance eg Number of premises connected to date.	
In no more than 2,000 words per Example / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the operation and maintenance of networks.	
Example / Contract 1: Insert details (expand as required up to 2,000 words)	

	Example / Contract 2
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Example / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Example / Contract start date Example / Contract completion date Example Duration	
Estimated Example / Contract Value	
Outline the scale of operation & maintenance eg Number of premises connected to date.	
In no more than 2,000 words per Example / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the operation and maintenance of networks.	



Example / Contract 2: Insert details (expand as required up to 2,000 words)	
	Example/ Contract 3
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Example / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Example / Contract start date Example / Contract completion date Example Duration	
Estimated Example/ Contract Value	
Outline the scale of operation & maintenance eg Number of premises connected to date.	
In no more than 2,000 words per Example / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of the operation and maintenance of networks.	
Example / Contract 1: Insert details (expand as required up to 2,000 words)	
	Example / Contract 4
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Example / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Example / Contract start date Example / Contract completion date Example Duration	



Estimated Example / Contract Value	
Outline the scale of operation & maintenance eg Number of premises connected to date.	
In no more than 2,000 words per Example / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the operation and maintenance obligations anticipated under the Project in respect of the operation and maintenance of networks.	
Example / Contract 4: Insert details (expand as required up to 2,000 words)	
	Example / Contract 5
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Example / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Example / Contract start date Example / Contract completion date Example Duration	
Estimated Example / Contract Value	
Outline the scale of operation & maintenance eg Number of premises connected to date.	
In no more than 2,000 words per Example / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the operation and maintenance obligations anticipated under the Project in respect of the operation and maintenance of networks.	
Example / Contract 5: Insert details (expand as required up to 2,000 words)	





C.3 Project/contract examples for the operation of wholesale delivery platforms and serving the needs of retail service providers	Weight: 10%
<p>Please provide details of up to <u>five</u> examples, from either the public or private sector, that demonstrate the Bidder's capability to meet the technical and professional obligations anticipated under the Project, as outlined in the PIM, in respect of the operation of wholesale delivery platforms and serving the needs of retail service providers. The examples between them should demonstrate both the operation of wholesale delivery platforms and serving the needs of retail service providers.</p> <p>Table 12.11 within section 12.8 of the PIM provides for more marks to be given to projects/contracts, evidencing the Bidder's capability in the operation of wholesale delivery platforms and serving the needs of retail service providers, the more similar they are in scope and nature to the anticipated obligations under the Project, as outlined in the PIM, in respect of the operation of wholesale delivery platforms and serving the needs of retail service providers.</p> <p>Contracts or examples of a similar scope include (but are not limited to) contracts for or examples of the operation of wholesale delivery platforms and serving the needs of retail service providers including:</p> <ul style="list-style-type: none"> • the provision of the full portfolio of wholesale access products as described in Section 6.1.2 of the PIM; • the implementation of a platform or gateway which provides the full functionality as described in Section 6.1.7 of the PIM and further described in Section 5.6 (Eol platform specification) of the Technical Report; • the provision of wholesale access services to RSPs (retail service providers). <p>Contracts or examples of a similar nature include (but are not limited to) contracts for or examples of the operation of wholesale delivery platforms and serving the needs of retail service providers including (in order of similarity):</p> <ul style="list-style-type: none"> • Telecommunications access networks which deliver services which meet the minimum specifications as detailed in Section 6.1.3 of the PIM • Telecommunications access networks which deliver services to fixed premises • Mobile telecommunications networks <p>Contracts or examples of descriptions provided should, in particular, clearly describe:</p> <ul style="list-style-type: none"> • The nature and scope of the wholesale delivery platform provided, and • How you serve the needs of retail service providers, and • Your approach to meeting the needs of retail service providers, and how you provided products and services on an "equivalent" basis that meet all or part of the functionality as described in Section 6.1.7 of this PIM and further described in Section 5.6 (Eol platform specification) of the Technical Report; and • The frameworks put in place to produce meaningful measures which provided reassurance to the industry that you were acting in an equivalent manner, and • Your compliance with regulatory requirements, and the processes and systems used to manage regulatory compliance <p>All services with respect to operation of wholesale delivery platforms and serving the needs of retail service providers should have been performed within the last <u>three</u> years. If services are on-going, services which have been performed up to the closing date for receipt of the Response will be considered for evaluation. Any future services after this date will not be considered.</p>	
	Example / Contract 1
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Example / Contract	
Name of customer organisation (or other relevant party)	



Point of contact in organisation Position in the organisation E-mail address	
Example / Contract start date Example / Contract completion date Example Duration	
Estimated Example / Contract Value	
Outline the scale of operation & maintenance eg Number of premises connected to date.	
In no more than 2,000 words per Example / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of wholesale delivery platforms and serving the needs of retail service providers.	
Example / Contract 1: Insert details (expand as required up to 2,000 words)	
	Example / Contract 2
Name of relevant entity (i.e. Bidder entity; Consortium Member; sub-contractor)	
Name of Example / Contract	
Name of customer organisation (or other relevant party)	
Point of contact in organisation Position in the organisation E-mail address	
Example / Contract start date Example / Contract completion date Example Duration	
Estimated Example / Contract Value	
Outline the scale of operation & maintenance eg Number of premises connected to date.	
In no more than 2,000 words per Example / contract , please provide descriptions of each Contract including evidence that demonstrates your capability to meet the technical and professional obligations anticipated under the Project in respect of wholesale delivery platforms and serving the needs of retail service providers.	



Example / Contract 2: Insert details (expand as required up to 2,000 words)

C.4 Evidence of quality assurance systems and processes and health and safety systems and processes

Weight: 10%

Please provide details of the quality assurance systems and processes used by the Bidder within its organisation that demonstrate the Bidder's capability in respect of quality assurance systems and processes and in respect of health and safety processes and procedures anticipated under the Project.

Bidders should include details of:

- quality assurance systems and processes that are based on the relevant international and/or European standards and have up-to-date and current certification by accredited bodies; **and**
- relevant quality management and assurance systems, processes and procedures covering the design, deployment, operation and maintenance of telecommunications access networks; **and**
- health and safety systems, processes and procedures covering the design, deployment, operation and maintenance of telecommunications access networks, **and**
- experience as PSDS (Project Supervisor Design Stage) (or equivalent in another jurisdiction) for a telecommunications access network in the last five years; **and**
- experience as PSCS (Project Supervisor Construction Stage) (or equivalent in another jurisdiction) for a telecommunications access network in the last five years,

that demonstrate the Bidder's capability in respect of quality assurance systems and processes and in respect of health and safety processes and procedures anticipated under the Project.

Bidders are referred to table 12.12 in section 12.8 of the PIM.

Please provide details and evidence of current certification of your current quality assurance systems and processes

Please provide details of your quality management and assurance systems, processes and procedures covering the design, deployment, operation and maintenance of telecommunications access networks. Supporting documents and evidence should be clearly referenced and provided as appendices to your Response.

Please provide details of your health and safety systems, processes and procedures covering the design, deployment, operation and maintenance of telecommunications networks. Supporting documents and evidence should be clearly referenced and provided as appendices to your Response.

Please provide details of two project examples which demonstrates your experience as PSDS (Project Supervisor Design Stage) (or equivalent in another jurisdiction) for a telecommunications access network in the last five years;

Please provide details of two project which demonstrates your experience as PSCS (Project Supervisor Construction Stage) (or equivalent in another jurisdiction) for a telecommunications access network in the last five years,





Annex A: Compliance forms and statements



DECLARATION

Name of Bidder Member: _____
Address: _____

THIS DECLARATION MUST BE SIGNED BY AN AUTHORISED OFFICER OF THE BIDDER OR, WHERE THE BIDDER IS A CONSORTIUM, BY A DULY AUTHORISED OFFICER FOR AND ON BEHALF OF THE BIDDER MEMBER.

I certify, for and on behalf of the Bidder / Bidder Member that the information provided in this completed Pre-Qualification Questionnaire (PQQ) and accompanying information in the Response is, to the best of my knowledge, true, accurate and complete and that this Bidder / Bidder Member is competent to carry out its proposed role in respect of the National Broadband Intervention Project described in the Project Information Memorandum (PIM). I understand and accept, for and on behalf of the Bidder / Bidder Member that the provision of inaccurate or misleading information in completing this PQQ and accompanying documentation may lead to the exclusion of the Bidder from the tender list.

I confirm, for and on behalf of the Bidder / Bidder Member that the Bidder / Bidder Member irrevocably and fully agrees to the terms and conditions set out in the Pre-Qualification Documents (including, without limitation, section 5.4)..

SIGNATURE _____

NAME _____

POSITION _____

DATE _____





Department of Communication, Energy and Natural Resources National Broadband Intervention

DECLARATION IN RESPECT OF GROUNDS FOR EXCLUSION

Declaration in respect of the Grounds for Exclusion set out in Regulation 53 of the European Communities (Award of Public Authorities' Contracts) Regulations 2006

Where the Bidder is a consortium, each Bidder Member must fill in this declaration individually and where reliance is placed on a subcontractor, it must also fill this declaration.

Name of the organisation: _____

Company registration number (if a company): _____

Has your organisation or any director or partner or any other person who has powers of representation, decision or control in respect of your organisation been convicted of any of the following offences? Answer Yes / No

No.	SECTION	YES	NO
		Please ✓	
A.	Participation in a criminal organisation (as defined in Article 2 of Council Joint Action 2008/841/JHA).		
B.	Corruption (as defined in Article 3 of the Council Act of 26 May 1997 and Article 2(1) of Council Joint Action 2003/568/JHA respectively).		
C.	Fraud (within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities).		
D.	Money laundering (as defined in Article 1 of Council Directive 2005/60/EC of 26 October 2005 on prevention of the use of the financial system for the purpose of money laundering).		

2. Is any of the following true of your organisation? Answer Yes / No

No.	SECTION	YES	NO
		Please ✓	
A.	It is bankrupt or is being wound up, its affairs are being administered by the court, it has entered into an arrangement with creditors, it has suspended business activities or is in any analogous position arising from a similar procedure under national laws or regulation in this or any other jurisdiction.		
B.	It is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up, or under administration by the court, or for an arrangement with creditors, or of any other similar proceedings under national laws or regulations in this or any other jurisdiction.		
C.	It has been convicted of an offence concerning its professional conduct by a judgment which had the force of res judicata.		



D.	It has committed an act of grave professional misconduct in the course of your business or profession.		
E.	It has supplied information that is inaccurate or false in relation to the submission.		
F.	It has failed to fulfil its obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority.		
G.	It has failed to fulfil its obligations relating to the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority.		

THIS FORM MUST BE COMPLETED AND SIGNED BY A DULY AUTHORISED OFFICER OF THE ORGANISATION

I hereby declare that the information provided above is accurate and complete to the best of my knowledge and belief for and on behalf of the Bidder Member and the directors and secretary of the Bidder Member (where a company). I understand that the provision of inaccurate or misleading information in this declaration may lead to the Bidder Member being excluded from participation in this and future tenders.

[Signature must be that of an authorised representative of the organisation]

Signature		Date	
Name		Position	
Telephone		Email	

Witnessed in the presence of: a Practising Solicitor / Commissioner of Oaths [delete as appropriate] OR a Judicial Authority / Administrative Authority / Notary / Competent Profession or Trade Body in country of origin of the entity or in the country whence that entity comes [delete as appropriate]⁶

Signature		Date	
Name		Position	

⁶ Note to Bidders: for an Irish Bidder this declaration must be witnessed by a Commissioner of Oaths or a practicing solicitor.



Department of Communication, Energy and Natural Resources National Broadband Intervention

FREEDOM OF INFORMATION STATEMENT

Please complete where appropriate.

I/We consider that:-

- 1. The information in this PQQ is commercially sensitive as defined the Freedom of Information Act 2014. Sensitive
- 2. The information in this PQQ is not commercially sensitive as defined under the Freedom of Information Act 2014*. Not Sensitive

***Delete as appropriate**

- 3. If the information supplied in this PQQ is considered commercially sensitive as defined under the Freedom of Information Act 2014, please state which information should not be disclosed and provide reasons.

- 4. Period for which information should remain commercially sensitive as defined under the Freedom of Information Act 2014. Please state.

Signed:

Block Capitals:

For and on behalf of

Date:



Department of Communication, Energy and Natural Resources National Broadband Intervention

CONFLICT OF INTEREST DECLARATION

With reference to the National Broadband Intervention project contract, please complete where appropriate.

Where a Bidder is bidding as a consortium, each Bidder Member must provide a conflicts of interest declaration. Where reliance is placed on the resources of a subcontractor or other third party, then the subcontractor or third party must also provide this declaration.

I/We warrant that:

- 1. There **is no** actual, apparent or potential conflicts interest within the meaning given to conflict of interest in the Project Information Memorandum. No Conflict
- 2. There **is an actual, apparent or potential** conflict interest within the meaning given to conflict of interest in the Project Information Memorandum. Actual, apparent or potential Conflict
- 3. Please explain what the actual, apparent or potential conflict of interest may be and who it relates to and how it could have an adverse effect on this Contract.

*** Enter name**

Signed: _____

Block Capitals: _____

for and on behalf of: _____



Date:



Organisation Detail Form

Item	Organisation Details
Name of Organisation:	
Proposed Role :	
Any previous names in last 5 years:	
Address:	
Registered Office (if different):	
Date of establishment:	
Telephone:	
Facsimile:	
Email Address:	



Annex C: PQQ – Template for Appendices

Appendix Number -
PQQ section -
Question number -

