

School Roll No18683H, ST CANICES G N S

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Appendix 2

Fees for Consultancy Services

Prior to the signing of the Form of Acceptance, school authorities must tender for a Consultant qualified in the appropriate discipline to carry out the approved works.

School Authorities must follow the process for engaging consultants outlined in the Department's guidance on Procuring Consultants for Small Works 3rd Edition April 2016 available at www.gov.ie/education (Design Guidance > Appointment of Consultants > Small Works 3rd Edition April 2016).

For all construction projects it is a legal requirement to appoint a competent person to act as Project Supervisor (Design) Process. This is a separate appointment with a separate fee that should reflect the nature and complexity of the project. (See Project Supervisor (Design) Process in Guidance on Procuring Consultants for Small Works). The Consultant engaged to provide the main service may also act as PSDP if competent.

The grant being provided for this project is inclusive of all fees and requests for additional fees/project costs incurred as a result of uneconomical fees being tendered will not be considered.

Failure to tender for a consultant to carry out the approved works in compliance with the Department's guidance on Procuring Consultants for Small Works may expose the school Authorities to challenge and subsequent financial penalties from a consultant who feels he/she was not afforded an opportunity to tender. Any such challenge would also result in the project being substantially delayed.

As this is a devolved project the School Authority will be responsible for any challenges that may arise due to a failure to comply with the relevant guidelines.

Technical Guidance Documents

A new section **Guidance on Application Process and Delivery of Devolved Projects** is available on the Departments website www.gov.ie/education under Schools & Colleges > Services > Building Works > Guidance Documents on Application Process and Delivery of Devolved Projects.

Under this Section, you will find the Technical Guidance Documents relevant for the delivery of your project. These include:

- Procuring Consultants for Small Works 3rd Edition April 2016
- Step by Step Guide to using eTenders for procuring Consultants for Small Works
- TGD-007 Design Team procedures for Small Works
- TGD-002 Mechanical & Electrical Engineering Guidelines for Primary Schools
- TGD-003 Mechanical & Electrical Engineering Guidelines for Post Primary Schools
- TGD-021 Construction Standards for Schools
- TGD-021-1 Guidance on the Specification of Windows First Edition April 2010
- TGD-026 and Addendum 1 to TGD-026 Specialist Accommodation for pupils with special needs TGD-026 and Addendum 1 to TGD-026 Specialist Accommodation for pupils with special needs
- TGD-030 Amendments to the M&E Building Services Guidelines (2004) TGD-002 & ICT Infrastructure Guidelines TGD-004 for Primary Schools
- TGD-031 Amendments to the M&E Building Services Guidelines (2004) TGD-003 & ICT Infrastructure Guidelines TGD-005 for Post-primary Schools

Always check the website for the most up to date version.

To progress the approved works, the school authority must ensure compliance with the procedures contained in the Technical Guidance Documents and it should get written confirmation that the appointed Consultant has referred to them during the design and delivery process.

School Authorities Tax Compliance Requirements

The Revenue Commissioners have advised that a school authority is regarded as "Principal Contractor". This means that the school authority will be responsible for complying with Relevant Contracts Tax (RCT) requirements and VAT returns when making payments to the contractor.

The Revenue Commissioners introduced a mandatory electronic RCT system on 1 January 2012 for all principal contractors in the RCT system, so all filings and notifications must be done online through the Revenue ROS system. The Revenue Commissioners have prepared a Guidance Note to assist school authorities with the operation of RCT and Reverse Charge VAT and this guidance note is available on the Revenue Commissioners Website and can be accessed by following this link: <http://www.revenue.ie/en/tax/rct/guidance-boards-rct-vat.pdf>

The School Authority is also asked to ensure that:

- the Tax Clearance rules* are adhered to, and

- Arrangements for the engagement of individuals or businesses to work in or on the school premises or directly in connection with school activities, even on a once off basis, fully support the need for timely and full compliance with tax return filing and payment obligations by such individuals or businesses.

* Tax Clearance Certificate or a certificate demonstrating a satisfactory level of subcontractor tax compliance are required in relation to all public sector contracts of a value of €10,000 (inclusive of VAT) or more. See www.revenue.ie for further details.

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