**School Roll No71630K, ENNISCORTHY COMMUNITY COLLEGE**



# Appendix 4

## DRAW DOWN CRITERIA

The first payment will be for 85% of the Department's liability and will be paid on receipt of the written confirmation from the School Authority as follows:

## First Instalment

When the works have commenced on site **the school authority may draw down the first grant instalment subject to confirmation that all of the points below** (1 to 14 inclusive) have been addressed in accordance with the guidelines provided by the Department. Where confirmation is required from your consultant that an issue has been addressed this should be provided in writing by the consultant and this written confirmation should be forwarded to the Department.

## Each point below must be addressed to enable payment to be made.

1. The School Authority understands their legal duty to appoint a competent PSDP and they have taken reasonable steps to satisfy themselves as to the competency of the PSDP

2. Confirmation that the tender process and contract award for the appointment of a Consultant has been carried out in accordance with the Department's Guidance on Procuring Consultants for Small Works.

3. Confirmation that where the Building Control (Amendment) Regulations 2014 apply to the project an Assigned Certifier has been appointed.

4. Confirmation that School Authority have:

   4.1. Registered online for ROS (Revenue Online System)

   4.2. Registered for VAT and as a Main Contractor

   4.3. Obtained contractor's tax reference number and proof of identity

   4.4. Prior to commencement of construction, that the Revenue Commissioners have been notified of the contract (Contract Notification)

5. A PSDP has been appointed, the appointment has been confirmed in writing by the Client, and the Health and Safety Authority has been notified using the HSA form AF1.

6. The PSDP has checked the safety file and has taken the appropriate action in relation to Asbestos

7. A Preliminary Safety & Health Plan has been prepared by the PSDP and provided to tenderers as part of the tender documents.

8. **The School Authority** must confirm the monetary value of the **total** cost of the building works inclusive of fees and VAT

9. The works undertaken are in accordance with the scope of works for which the grant was approved.

10. The tender process and contract award has been carried out in accordance with the Department's Technical Guidance Document TGD007 and the contract has been awarded to the lowest valid tenderer. If the contract has not been awarded to the lowest valid tenderer evidence of consultation with and approval from the Planning and Building Unit must be provided.

11. The School Authority has placed a contract for the proposed works with the successful contractor and the contractor is on site and has commenced the works.

12. Where the Building Control (Amendment) Regulations 2014 apply to the project, confirm that:

   12.1. An Assigned Certifier has been appointed

   12.2. A preliminary inspection plan has been prepared

   12.3. The online submission to the Building Control Authority of all documentation required by the Code of Practice for Inspecting and Certifying Buildings and Works at commencement stage has been done.

13. The School Authority confirms that they have registered on the SEAI website and are committed to making the appropriate returns

14. Where the relevant category of works applies, the school Authority confirms in the case of the external environment, the necessary infrastructure (e.g. underground ducting) has been put in place to facilitate the introduction of the Electric Vehicle charging.

## Second (Final) Instalment

The second and final instalment will be for the remaining 15% of the Department's liability and will be paid when the works have reached substantial completion and the school authority submits the following documentation:-

- A copy of the documents listed at 1, 2 & 3.1 below
- Confirmation from the PSDP of point no. 5 below
- A covering letter from the **school authority** confirming all of the other points.

## Each point must be addressed to enable payment to be made.

1. A copy of the "Certificate of Substantial Completion" from the Consultant.

2. A copy of the Consultant's "Opinion of Compliance" of the relevant development with planning permission and/or exemption from planning control.

3. Where the Building Control (Amendment) Regulations 2014 apply to the project a copy of:

   3.1. The Certificate of Compliance on Completion signed by the Builder (at Part A) and by the Assigned Certifier (at Part B).

   3.2. Confirmation that the above certificate and all necessary plans, calculations, specifications and particulars showing how the completed building has achieved compliance with the Building Regulations has been lodged with the Building Control Authority on the Building Control Management System.

   3.3. Confirmation that the Inspection Plan as implemented by the Assigned Certifier has been lodged with the Building Control Authority.

4. **The School Authority** must confirm the monetary value of the final **TOTAL** cost of the building works inclusive of fees and VAT (exclusive of ICT & Furniture)

5. Confirmation from the PSDP that the Safety File has been prepared and issued to the School Authority.

6. **The School Authority** must confirm that:

   6.1. Prior to discharging any payment to the contractor, it notified the Revenue Commissioners of the payment (Payment Notification)

   6.2. That it obtained a Deduction Authorisation from the Revenue Commissioners specifying the tax to be deducted from the contractor

   6.3. Provided the contractor a copy of the deduction Authorisation

   6.4. Deducted the applicable amount of tax from payments due to the contractor

   6.5. Filed RCT returns and paid the deducted amount to the Revenue Commissioners

   6.6. Filed monthly VAT returns and paid the VAT to the Revenue Commissioners

   6.7. Obtained and have kept a Deduction Summary – Periodic Return at the end of each return period

7. Written confirmation from **The School Authority** that a minimum of 50% of the agreed retention percentage rate of the contract sum will be retained for a period of 12 months following the completion of the works and pending the necessary rectification of any building defects which may become apparent during that period, and that the retention sum shall not be expended for any other purpose.

8. Confirmation that **The School Authority** has received from the Consultant copies of all relevant drawings and documents, if possible in an appropriate electronic format, together with the consultant's confirmation that the completed works are in accordance with these drawings and documents.

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