Department of Education and Youth
Portlaoise Road
Tullamore
Co. Offaly

An Roinn Oideachais agus Óige
Department of Education and Youth

Chairperson
Board of Management
Re:ST MUREDACHS COLLEGE Roll No:64510J

I refer to your application submitted in 2025 under the multi-annual Climate Action Summer Works Scheme (CASWS).

Following assessment of your application the Department has approved, in principle, an all-in grant for the proposed **Category 7: Climate Action & Windows Projects** works at your school.

The Form of Acceptance (Appendix 1) outlines the total approved grant for the works inclusive of VAT and fees.

School Authorities are not allowed to extend the appointment of the consultant who prepared the original application. As funding has been approved in principle for the works, a new tender competition must take place. The form of acceptance should not be completed and returned until you have tendered for and appointed your consultant for the works, in accordance with the Departments Guidelines and this may take a minimum of 4 weeks (please refer to Appendix 2 for further guidance on the procurement process for appointment of a consultant).

The form of acceptance should be submitted at the earliest possible opportunity following completion of the procurement process for the consultant. The school's insurance brokers should then be notified that works will commence in due course.

The Department must be informed immediately should any reimbursement be received by the school from any source (e.g. an insurance claim) in respect of the works being grant-aided.

The Department provides two main guidance documents for devolved projects which includes the CASWS.

1. The first is Guidance on Procuring Consultants for Small Works 4th Edition October 2021 available on the Department's website at Procuring Consultants for Small Works

   It is a matter for the School Authority to ensure this guidance is used for the appointment of the Consultant. Information on the level of consultant fees should be provided to the Department when appointing the consultant.

2. It is the responsibility of the successful Consultant, once appointed, in conjunction with the School Authority to ensure compliance with the second document which is Technical Guidance Document 007 Design Team Procedures for Small Works (7th Edition, October 2021). For further information please refer to the following Link; TGD 007 and any other Technical Guidance Documents relevant to the approved project.

   In order to progress the approved works the School Authority must comply with the procedures contained in these documents and attached appendices.

   In particular the school authority must ensure compliance with the conditions at paragraph 1.5 (b) of TGD 007 and where this arises, they must also adhere to paragraph 1.5 (d).

Specifically in this regard,**Departmental approval must be sought and obtained** to proceed with the project at three separate junctures. (a) The first is approval to lodge for planning permission (where such an application arises for the project). (b) the second time is at pretender approval stage insofar as it relates to the approved scope of works and (c) the third time you are required to contact the Department is when a preferred tenderer has been identified **as Departmental approval is required before the contract is placed.**

This request for approval must be accompanied by:

1. A copy of the Tender Report compiled by the consultant appointed to the project
2. The agreed Consultancy Fees
3. A copy of the Itemised Breakdown of Costs submitted with the tender documentation by the preferred tenderer only.

Failure to seek these approvals from the Department may result in the loss of the grant.

N.B. 85% of the grant will be paid when the works commence on site. The remaining 15% will paid when the works have been completed.

All cost associated with works carried out over and above the level of grant aid approved in this letter must be borne by the School Authority.

Please note that, in accordance with the Department's public funding accounting obligations, Planning and Building Unit officials carry out random compliance checks of the procurement procedures for Climate Action Summer Works Scheme projects. These reviews entail examinations of all original procurement documentation for the project to ascertain whether or not the public procurement guidelines made available to your Board of Management for the project have been adhered to. It is essential that the Board of Management keeps a full and correct project file in chronological order to facilitate such compliance checks including a proper financial trail.

Yours sincerely,

Climate Action Summer Works Team

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Devolved Projects Section

Planning & Building Unit

03/11/2026

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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-Appointment of Consultants-Guidance on Procuring Consultants for Small Works Projects 4th edition October 2021. For further information refer to the following Link; Click here

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 the heading School Building & Design > Building works for the construction, extension and refurbishment of schools for further information refer to the following Link; Click here

For further information on the DES Technical Guidance Documents (TGD's) & School Design Guidance Documents (SDG's) refer to the following Link; Click here Under this Section, you will find the relevant Technical Guidance Documents (TGD's) & School Design Documents (SDG's) relevant for the delivery of your project.

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Appendix 3

School Authority obligations under Safety Health & Welfare Acts

The school authority, as Client for the project, has responsibilities under the Safety Health and Welfare at Work Act 2005 and the Safety Health and Welfare at Work (Construction) Regulations 2006 - 2013. The main responsibility is to ensure the appointment of competent individuals or corporate bodies to act as Project Supervisor Design Process (PSDP) and Project Supervisor for the Construction Stage (PSCS) and to ensure that such persons have adequate resources to perform their duties. You should follow the guidance in Guidance on Procurement of Consultants for Small Works with regard to the appointment of a PSDP. Failure to comply with Health & Safety Regulations is a criminal offence and may expose the School Authority to criminal prosecution.

Asbestos Remediation

It is the responsibility of the appointed consultant to apply with all regulations and standards in relation to asbestos remediation. Further information on this can be found on the HSA's website.

Form of Contract for Construction

Where the estimated construction cost of the project is less than €500,000, the appropriate Form of Contract for the construction project is the Short Public Works Contract (PW-CF6) and Tender and Schedule for Short Public Works Contract (FTS6). The version used should be that available on www.constructionprocurement.gov.ie 10 days prior to the date set for the receipt of tenders.

For projects where the estimated construction cost exceeds €500,000 the Contract for Minor Building & Civil Engineering Works designed by the Employer (PW-CF5) and Tender and Schedule for Minor Building & Civil Engineering Works (FTS5). The version used should be that available on www.constructionprocurement.gov.ie 10 days prior to the date set for the receipt of tenders. Your consultant will be familiar with these matters and will advise you.

Maintenance

Generally, the Board of Management (BoM) is responsible for school maintenance. The duty extends to the safety, health and welfare of all employees, staff, teachers, and pupils who use the facilities. School buildings should provide a welcoming, safe, and suitable environment for the educational needs of all staff, students, and pupils. A well-maintained external and internal environment enhances the educational experience for all school stakeholders.

Maintenance plays a key role in all schools and would be an important consideration for the Department when deciding on any capital investment in schools. For any works approved under the CASWS the Department has an expectation that a maintenance programme will be provided to protect any investment by the Department going forward.

Please see below link to the maintenance guide for schools on the Department website: https://www.gov.ie/en/department-of-education/publications/maintenance-guidance-manual-for-schools/

Energy in Schools

As schools are now required by legislation to report annually on their energy usage through the SEAI's website Energy-in-business/Monitoring and Reporting for schools, payment of the grant to schools who receive funding under this new SWS scheme will be subject to them registering on the SEAI website and making a commitment to submitting the appropriate returns.

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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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