



Circular PBU 5/04

To: Primary and Post Primary School Authorities

Schools seeking funding retrospectively for capital works

The Planning and Building Unit has received a number of applications from school authorities seeking retrospective funding in respect of capital works carried out without the prior approval of the Department of Education and Science.

School authorities should be aware that they are responsible for funding any works that they, or a member of their staff, authorise. School authorities should therefore ensure that they are certain of their ability to fund any works before such works are authorised.

It is inappropriate for school authorities to commit to projects and to apply retrospectively for funding. It is therefore Department policy not to provide funding for:

- a) projects undertaken by schools without prior approval from the Department;
- b) extras on authorised projects where schools have extended the scope of works without prior approval;
- c) variations on authorised projects with the exception of those variations detailed below; or
- d) variations and extras on any project carried out without the Department's approval.

Costs incurred in advancing a project beyond the authorised stage are a matter for the school management authority.

Additional works extending the scope of the project

The Department has noted that some schools request additional works to be carried out while contractors are on site even though these works do not form part of the agreed tender. Examples include additional lighting or electrical installations; extended renovation briefs up to, and including, higher quality finishes than those specified in the tender documentation.

It is important for the school management authority to realise that the Department will not reimburse schools in respect of such unapproved works.

Variations

Variations are unexpected changes to the nature or scope of the project due to unforeseen circumstances. A variation is initiated by the design team and is essential for the successful completion of the project. An example of a variation would be where isolated soft spots are encountered in the foundation trench excavations and the depth of foundations needs to be adjusted.

Procedures for funding such variations are clearly set out in the Design Team Procedures.

- I. As pre-planning is the basis for the Design Team Procedures, only variations attributed to wholly unforeseen circumstances will be permitted. The Design Team does not have the discretion to expend any or all of the Contingency sum for non-essential works or works which could have been foreseen.
- II. Individual extras not exceeding €1,524 (Primary Schools) and €2,500 (Post Primary Schools) in value (excluding VAT) may be authorised by the Architect without reference to the Building Unit, provided the works were essential and wholly unforeseen and provided the Contingency Sum is not exceeded.
- III. Individual extras exceeding €1,524 (primary) or €2,500 (post Primary) in value are only allowable if they could not have been foreseen in the course of planning, arise from exceptional circumstances and are agreed in advance by the Department.

Where a Bill of Reductions has been agreed at tender stage to bring the project within acceptable costs, the reductions agreed must not be re-introduced as variations.

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