

Project Deed and Licence for Joint Use Checklist

070715_17912

Project deeds are used for the joint construction of a school facility with a community partner e.g. Council, with the aim of joint use of the completed facility e.g. playing field. The project deed only covers the construction of the proposed joint used facility.

A separate licence will need to be drafted for the shared use when the facility is completed. In both cases the local Assets Management Unit (AMU) and Legal Services Directorate will need to be involved very early on in the process.

See **section 5.6** of the Community Use of School Facilities implementation procedures for detailed information.

STAGE 1 INITIAL INVESTIGATION

Step	Action	Procedures Reference	Procurement Guide Reference	Responsibility	Yes	No
1	Types of Uses: Is the proposed use					
	▪ an appropriate use?	2.1		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/> Terminate application. Advise in writing.
	▪ of benefit to the community?	2.2		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/> Terminate application. Advise in writing.
	▪ an prohibited use?	2.5		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/> Terminate application. Advise in writing.
2	Types of Applicants: Have you determined the type of applicant?			Principal		
	▪ school based parent operated service	3.2		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	▪ not-for-profit organisation (is it also a charity?)	3.3		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	▪ a commercial organisation	3.4		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	▪ a Government organisation	3.5		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	▪ an individual	3		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	▪ a prohibited organisation	3.6		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/> Terminate application. Advise in writing.
3	Contact Local Asset Management Unit (AMU) with information gathered.	5.6		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>

STAGE 1 INITIAL INVESTIGATION

Step	Action	Procedures Reference	Procurement Guide Reference	Responsibility	Yes	No
4	Potential Space: Has an assessment of the proposed space been made?	8 5.6.2		Principal		
	<ul style="list-style-type: none"> will floor area of proposed space be based upon School Facility Standard? 		1.4	AMU		
	<ul style="list-style-type: none"> has maximum occupants for the space been calculated? 		1.4	AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> has AMU been consulted to see if the proposed development and space suitable? e.g. compliance with relevant standards for proposed use, access to toilets, safe and secure 	8		AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> has AMU been consulted to see if proposed use may conflict with future enrolment/ use / development/ maintenance at the school? 	5.6.2		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> will local council planning and building consent be required? 	5.6.2		AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> are there any other requirements for approvals from a government regulator? 	5.6		AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> will there be any significant impact on the operation of any other groups, neighbours or the environment? 	5.6.2		Principal	Yes <input type="checkbox"/> <small>Advise AMU</small>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> has a risk assessment been undertaken? 	8.1		AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> is there a Major Capital Works project planned or a long term school need for the space that is proposed to be used/shared? 	5.6.2		AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>

STAGE 2 IDENTIFYING NEEDS AND DEMAND

5	Have consultation/surveys been completed? Consult with P&C and school community and identify stakeholders.	9		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> do the principal and stakeholders agree to proceed with Community Use of the facility? 	9		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/> <small>Terminate application. Advise in writing.</small>
	<ul style="list-style-type: none"> does the principal consider that the application has merit? 	5.6.3		Principal	Yes <input type="checkbox"/> <small>Confirm with AMU</small>	No <input type="checkbox"/> <small>Terminate application. Advise in writing.</small>
6	Revenue forecast: <ul style="list-style-type: none"> has the market rate of similar facilities in the community been investigated to gauge expected revenue? 	10		Principal/AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7	Statement of requirement <ul style="list-style-type: none"> have the principal and stakeholders developed Statement of Requirement (Scope) for the proposed use? 	2.3		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8	Agreement on implementation timeline: <ul style="list-style-type: none"> have the principal and stakeholders developed an agreed implementation time frame? 	2.4		Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>

STAGE 3 PROCUREMENT PROCESS

Step	Action	Procedures Reference	Procurement Guide Reference	Responsibility	Yes	No
9	Request for Tender Documents <ul style="list-style-type: none"> have all parts of the RFT documents been prepared and reviewed? 		3.1	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
10	Evaluation Criteria <ul style="list-style-type: none"> has non-price and price evaluation criteria been determined? has overall weighting of price: non price been determined? 		3.2	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			3.2	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
11	Tender Advertisement <ul style="list-style-type: none"> has the local AMU been contacted to advertise tender through e-tendering? is advertised title of the proposed service compliant? 		3.3	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			3.3	AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
12	Managing Tender Process <ul style="list-style-type: none"> have any queries/ clarification during tender been responded to by issue of Addendum as required? 		3.4	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
13	Tender Evaluation Team (TET) <ul style="list-style-type: none"> has a Tender Evaluation Team been organised before tender opening? have all members or any other participant in the tender process signed a Code of Conduct document? 		3.5	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			3.5	Principal/TET	Yes <input type="checkbox"/>	No <input type="checkbox"/>
14	Tender Evaluation Plan (TEP) <ul style="list-style-type: none"> have evaluation criteria consistent with Request for Tender (RFT) documents been developed? has a TEP been prepared and signed by all TET members? has AMU approved the TEP? 		3.6	Principal/TET	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			3.6	Principal/TET	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			3.6	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
15	Tender Evaluation Report <ul style="list-style-type: none"> have any non-compliant submission been clarified or set aside? has each submission been assessed and scored against the Tender Evaluation Plan (TEP)? as a result of the assessment, has a definitive tender submission been identified and report completed accordingly? 		3.7	Principal/TET	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			3.7	Principal/TET	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			3.7	Principal/TET	Yes <input type="checkbox"/>	No <input type="checkbox"/>

STAGE 4 POST TENDER REQUIREMENTS: PROJECT DEED - CONSTRUCTION

Step	Action	Procedures Reference	Procurement Guide Reference	Responsibility	Yes	No
16	Has Legal Services Directorate been contacted to draft the Project Deed ? <ul style="list-style-type: none"> does the Project Deed contain /meet the Statement of Requirements? 		2.3	AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
17	Execution of Agreement <ul style="list-style-type: none"> have Working with Children Checks and/or Child Protection Declaration for children related services or involving children been submitted and approved prior to signing the deed? (if required) does the person signing the contract have the authority to do so? has the document been forwarded to Asset Management Directorate for signing and filing? 		2.4 3.8 3.8	Principal AMU Principal/ AMU	Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/>	No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/>
18	The Local Asset Management Unit will supervise the development of facilities on behalf of the school.			AMU		
19	During the project deed and development period: <ul style="list-style-type: none"> have clear lines of communication been established between the developer and school? has a copy of the agreement been filed? have current copies of insurance, licence, registration as required been submitted and filed? have any complaints received been dealt with or escalated appropriately? have the school and AMU been notified of any changes of circumstance from the operator? has a Development Control Group been established? 		5 4.2 4.2 4.3 4.4	Principal Principal Principal Principal/AMU Principal/AMU Principal/AMU	Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/>	No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/>

STAGE 5 POST TENDER REQUIREMENTS: LICENCE FOR JOINT USE

20	Has Legal Services Directorate been contacted to draft the licence for joint use? <ul style="list-style-type: none"> does the licence for joint use contain/meet the Statement of Requirements? 		2.3	AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
21	Execution of Agreement <ul style="list-style-type: none"> have Working with Children Checks and/or Child Protection Declaration for child related services/ or involving children been submitted and approved before signing the licence? (if required) 		2.4	AMU/ECEC	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Return to
Legal Services

Return to
Step 15

STAGE 5 POST TENDER REQUIREMENTS: LICENCE FOR JOINT USE

Step	Action	Procedures Reference	Procurement Guide Reference	Responsibility	Yes	No
	<ul style="list-style-type: none"> does the person signing the contract have the authority to do so? 		3.8	AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/> Contact Legal Services for advice
	<ul style="list-style-type: none"> has the document been forwarded to Asset Management Directorate for signing and filing? 		3.8	Principal/AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> has an Operations Control Group been established? 			Principal/AMU	Yes <input type="checkbox"/>	No <input type="checkbox"/>
22	During the licence period:					
	<ul style="list-style-type: none"> have clear lines of communication been established between contractor and school? 		5	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> has a security deposit as per agreement been collected? 		10.4	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> has a copy of the agreement been filed? 		4.2	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> have current copies of insurance, licence, registration as required been submitted and filed? 		4.2	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> have any complaints been received and have they been dealt with or escalated appropriately? 		4.3	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> has the school been notified of any changes of circumstance from the operator? 		4.4	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> note date of expiry of agreement. Contact AMU at least 6 months before the end of the agreement. 		4.5	Principal	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Note here the date of expiry of the lease/licence: _____