



Rialtas Áitiúil Éireann
Local Government Ireland

Call for Expression of Interest for the delivery of Social and Affordable Housing via Advance Purchase Agreements.

A brief guide for home builders and housing developers



Comhairle Chontae na Gaillimhe
Galway County Council



Rialtas na hÉireann
Government of Ireland



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1.0 Introduction

‘Housing for All - a New Housing Plan for Ireland’ is the government’s housing plan to 2030.

It is a multi-annual, multi-billion-euro plan which will improve Ireland’s housing system and deliver more homes for people with different housing needs.

It is an objective of Galway County Council to create sustainable communities by encouraging a mix of mixed tenure (i.e., affordable, and social) and mono tenure (i.e., affordable, or social) housing. This call for Expressions of Interests is to deliver both social and/or affordable housing on private lands through Advance Purchase Agreements.

In this call, home builders and housing developers are being asked to consider offering properties with planning permission, where construction of the development or a phase of a development has not yet commenced, to local authorities under an advance purchase turnkey arrangement, with payment on completion, primarily for affordable housing purposes.

Please note that the requirements under Part V of the Planning and Development Act 2000 as amended will apply in the normal way to all proposals.

Joint venture arrangements that include an Approved Housing Body will also be considered.

Funding is available to Galway County Council via the Department of Housing, Local Government and Heritage for both Social and Affordable housing delivery subject to select criterion.

2.0 Affordable Housing Funding (AHF)

2.1 Affordable Purchase

Where appropriate proposals for affordable or mixed tenure dwellings are received and considered acceptable, Galway County Council can seek Affordable Housing Funding (AHF) from the Department of Housing, Local Government and Heritage (DHLGH).

The Affordable Housing Fund (AHF) provides Exchequer funding support to local authorities to assist in meeting the cost of delivery of affordable homes via an equity share in the property. The AHF funding is dependent on several criteria and 3 funding limits. Please refer to the below table.

Funding Limit Categorisation¹

Scheme density	Funding limit
Dwellings in schemes with a net density of over 50 dwellings per hectare in cities designated under the National Planning Framework	€100,000
Dwellings in schemes with a net density of over 35 dwellings and under 50 dwellings per hectare in all urban areas	€75,000
Dwellings in schemes with a net density of less than 35 dwellings per hectare	€50,000

¹ Depending on the nature of the constraints and the efforts to address this in designing the proposed scheme, account may be taken of the impact of the constraint in calculating the proposal’s density and /or scheme layout.



The AHF funding must achieve a minimum 15% discount on open market values of comparable new build properties for affordable purchase, with the benefit of the applied for AHF funding considered.

The calculation of the 15% discount is set out in the below examples.

Example 1

Achieves minimum 15% discount is achieved on open market values of comparable new build properties.

Local Authority Affordable Housing	
Cost of Provision (all-in costs) ²	€220,000
Affordable Housing Funding (AHF)	€50,000
Purchaser contribution (i.e. Mortgage and deposit)	€170,000
Open market values of comparable new build	€200,000
Discount 15.00%	€30,000

Example 2

Achieves minimum 15% discount is achieved on open market values of comparable new build properties.

Local Authority Affordable Housing	
Cost of Provision (all-in costs) ²	€400,000
Affordable Housing Funding (AHF)	€75,000
Purchaser contribution	€325,000
Open market values of comparable new build	€410,000
Discount: 20.73%	€85,000

Example 3

Does not achieve minimum 15% discount is achieved on open market values of comparable new build properties.

Local Authority Affordable Housing	
Cost of Provision (all-in costs) ² Cost of Provision (all-in costs) ²	€400,000
Affordable Housing Funding (AHF)	€50,000
Purchaser contribution Purchaser Equity Cost	€350,000
Open market values of comparable new build	€410,000
Discount: 14.63%	€60,000

2.2 Social Housing Delivery

Where appropriate proposals for social housing are received and considered acceptable, Galway County Council will seek funding from the Department of Housing, Local Government and Heritage for this acquisition. Applicants are advised to review Galway County Councils Housing Delivery Action Plan 2022 to 2026 and Galway County Councils website which

² The all-in cost of the development includes, land costs, construction costs, design fees and other costs such as development levies, utilities, financing costs, sales, marketing, profit etc.

identifies the social housing demand/need for Galway County
<https://www.galway.ie/en/services/housing/supplydemand/>

2.3 Background information

2.3.1 Areas of Need

Proposals are invited for the advance purchase of properties for affordable, mixed tenure or social housing across the functional area of Galway County Council.

2.3.2 Proximity to Services/Amenities

Ideally, proposals should be well located and be within walking distance of primary services such as school, shop, community facility etc.

2.4 Submission Process

A single stage process will be used.

In the submission, information in relation to the proposed site location will be sought. (See Expressions of Interest Form for further details).

Only those submissions which are deemed acceptable to the Local Authority following evaluation of submissions will be considered.

2.4.1 Submissions:

Applicants are invited to complete the Expression of Interest Form attached to this guidance document and any other information they consider relevant to their Expression of Interest. Applicants are advised to review the criteria against which their submission will be assessed against prior to making their submission.

2.4.2 Evaluation of Submissions

Submissions will be shortlisted against the below Pass/Fail criteria. Only those submissions which achieve a Pass mark against all criteria, will move to the second stage of the process.

The Pass/Fail criteria are as follows:

1	Location and suitability of the site,	Pass/fail
2	Land zoning status (if applicable). Zoning must be compatible with residential development;	Pass/fail
3	All necessary utilities available, e.g. water, sewage, electricity, communications; etc.	Pass/fail
4	Sustainable Communities	Pass/fail

Following shortlisting, successful applications will be evaluated and ranked based on the following criterion:

- Number and mix of units proposed, and density in phase or phases.
- Alignment with Galway County Councils Housing Delivery Action Plan
- A timeframe/programme for the completion of the proposed development.
- Any other relevant information.

All successful applications will be ranked in order based on the above criterion and the Local Authority will revert with confirmation that the scheme has been selected or declined.

Applicants of approved submissions will then be required to make available to Galway County Council detailed construction drawings and costings of their submissions.

All costs and expenses incurred by applicants relating to and including the engagement of design consultants, securing planning permission, etc. is to be considered as 'work at risk' and no recovery of any costs from Galway County Council will be entertained. Galway County Council will have no financial liability prior to the signing of a contract.

3.0 Contractual arrangements

Where agreement is reached between the proposer and Galway County Council on the scheme of development, a project specific Development Agreement will be required between the parties regarding the advance purchase of any affordable properties and will be determined by the characteristic of each development.

The conveyance of any social housing included in the proposal will be by way of a standard 'Contract for Sale', with a deposit payment of 10% being paid (in escrow) on execution of the contract. Please note that Part V of the Planning and Development Act 2000 as amended applies

The turnkey contract agreement is not and should not be construed as a building agreement or public works contract.

The acceptance of any proposal(s) by Galway County Council shall be subject to the final agreement of satisfactory terms of contract with the developer and will also be subject to the availability of funding and the approval of the Department of Housing, Local Government and Heritage.

4.0 Confidentiality

Galway County Council will use its best efforts to hold confidential any information provided by proposers, subject to its obligations under law, including the Freedom of Information Act 1997 and 2003. [LA] will consult with proposers about sensitive information before deciding on any FOI request received. Similarly, Galway County Council requires that all information provided pursuant to this invitation will be treated in strict confidence by tenderers.



5.0 Irish legislation

Applicants should be aware that national legislation applies in other matters such as Official Secrets, Data Protection and Health and Safety.

Applicants must have regard to statutory terms relating to minimum pay and to legally binding industrial or sectorial agreements in formulating proposals.

6.0 Meetings

Galway County Council reserves the right to meet with Proposers if considered necessary, for the purposes of clarification of information received as part of the submission.

7.0 Conflict of interest

Any conflict of interest or potential conflict of interest on the part of an Applicant, individual employees, agents, or subcontractors of an Applicant must be fully disclosed to Galway County Council, as soon as the conflict or potential conflict is or becomes apparent. In the event of any conflict or potential conflict of interest, the Local Authority may invite Applicants to propose means by which the conflict might be removed. The Local Authority will, at its absolute discretion, decide on the appropriate course of action, which may in appropriate circumstances, include eliminating an Applicant from the process or terminating any contract entered into by an Applicant.

8.0 Applicant exclusion

An Applicant shall be excluded if, to Galway County Council knowledge at the time of the award decision, it has been convicted of an offence involving participation in a proscribed criminal organisation or corruption, fraud or money laundering.

An Applicant may be excluded if s/he:

- is subject to a bankruptcy or insolvency procedure or process of a kind specified in Regulation 53, paragraph (5) of the European Communities (Award of Public Authorities' Contracts) Regulations 2006 or
- has been found guilty of professional misconduct by a competent authority that is authorised by law to hear and determine allegations of professional misconduct against persons that include the Applicant or has committed grave professional misconduct provable by means that the Local Authority can demonstrate or
- has not fulfilled an obligation to pay a social security contribution as required by a law of Ireland or the country or territory where the Applicant ordinarily resides or carries on business or
- has not fulfilled an obligation to pay a tax or levy imposed by or under a law of Ireland or the country or territory where the Applicant ordinarily resides or carries on business or
- has provided a statement or information to the Local Authority or another contracting authority knowing it to be false or misleading or has failed to provide to the Local Authority or another such authority, a statement or information that is reasonably



required by the Local Authority or other authority for the purpose of awarding the public contract concerned.

9.0 Funding Support

It may be noted that various funding parties have been informed of this call for expression of interest. The Home Building Finance Ireland (HBFI) who have advised of their interest in supporting affordable housing delivery. Funding may be available via the HBFI amongst other sources.

10.0 Queries

Queries can be made by submitting questions by email at dflood@galwaycoco.ie

Any queries made that give rise to any new information or clarification, may be issued to all Applicants depending on relevance. The identity of the Applicant who raised the initial query shall not be disclosed to other interested parties.

11.0 Reference documents

The following documents may be of assistance to parties interested in making a submission under this call for proposals:

- Quality Homes for Sustainability Communities and Delivering Homes Sustaining Communities, 2007 (<https://www.gov.ie/en/publication/60868-quality-housing-for-sustainable-communities/> & <https://www.opr.ie/wp-content/uploads/2019/08/2007-Delivering-Homes-Sustaining-Communities-Hsing-Policy-1.pdf>)
- Standard Specification for Materials and Finishes for Social Housing (<http://www.housing.old.gov.ie/housing/quality-housing-design-series/employers-requirements-detail-design-quality-housing-0>)
- Design Standards for New Apartments - Guidelines for Planning Authorities (http://www.housing.old.gov.ie/sites/default/files/publications/files/december_2020_-_design_standards_for_new_apartments.pdf)
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) 2009 (<https://www.gov.ie/en/publication/a8c85-sustainable-residential-developments-in-urban-areas-guidelines-for-planning-authorities-may-09/>)
- Design Manual For Urban Roads and Streets, 2019 (<https://www.gov.ie/en/publication/3360b1-design-manual-for-urban-roads-and-streets/>)
- Building Control Regulations 1997 – 2015, as amended.



12.0 Return of submissions

Submissions can be made in writing or by email and should include all information requested. Written submissions should be enclosed in a sealed envelope marked and addressed as follows:

“Expressions of Interest for the Provision of Turnkey Housing Developments to Galway County Council - F.A.O. Daithi Flood”

Emails submission should be issued to dflood@galwaycoco.ie

Galway County Council would encourage interested parties that believe they fit within the above criteria and that are interested in exploring a forward purchasing agreement with Galway County Council to submit complete the Expression of Interest Application Form as soon as possible.

The closing date for receipt of submissions is Friday the **5th of April 2024.**

13.0 Disclaimer

Galway County Council has prepared and issued this document for the sole purpose of inviting expressions of interest from potential vendors. This document does not purport to be, in any way, comprehensive in respect of all matters relevant to the Local Authority requirements.

Nothing in this document constitutes an offer to enter into a contract, or a commitment or representation to enter into a contractual arrangement. No legal relationship or other obligation shall arise between the [LA] and any interested party until formal legal agreements have been put in place and any deposit paid.

Galway County Council reserves the right to withdraw its request for Expressions of Interest and to alter any aspect of it at its sole discretion.

Each completed Expression of Interest which is returned to Galway County Council constitutes agreement to, and acceptance of, this disclaimer.



Sample stage 1 Marking Sheet

Evaluation of Turnkey affordable and mixed tenure submission – Marking sheet								
Fields to be complete by LA			Fields to be filled by Evaluation Panel					
	Name	Address of site	Location and suitability	Land zoning status	Necessary utilities available	Social Housing Need / Affordability Gain	Outcome Pass or Fail	Comments
1								
2								
3								
4								
5								
6								
7								
8								
Signed:								
Signed:								
Signed:								
Date								