

## **APPENDIX 4 - FUNDER SUPPORT LETTERS (MODEL CERTIFICATES)**

**MODEL CERTIFICATE A: FUNDER SUPPORT LETTER (EXISTING FACILITIES)**

**MODEL CERTIFICATE B: FUNDER SUPPORT LETTER (NEW FACILITIES)**

**MODEL CERTIFICATE C: PRINCIPAL BANK SUPPORT LETTER**

## MODEL CERTIFICATE A: FUNDER SUPPORT LETTER (EXISTING FACILITIES)

Housing HLI,  
Block 1, Floor 3,  
Civic Offices,  
Wood Quay,  
Dublin 8.

Dear [●]

### **Design and delivery of a sustainable integrated mixed tenure housing development at O'Devaney Gardens, Dublin 7 (the "Project")**

[Bank name] are pleased to provide this letter, in support of [Economic Operator / Consortium's Name] tender (the "Tender") for the Project in response to the Invitation to Participate in Dialogue issued by the Council on [●] ("ITPD"). Capitalised terms used in this letter have the same meanings as are attributed to them in the ITPD.

In support of the [Economic Operator's / Consortium's] Tender, we confirm the following:

1. we have completed all aspects of our due diligence in support of its Tender (which the [Economic Operator / Consortium] has confirmed to us complies with the requirements of the ITPD), subject only to the items in this letter;
2. we have had a relationship with the [Economic Operator / Consortium] for [insert years] and provide corporate facilities of which €[●] ([amount in words] Euro) are term facilities;
3. as of the date of this letter, sufficient headroom exists within these term facilities which are available to the [Economic Operator / Consortium] to fund the construction of the Project. Specifically, €[●] ([amount in words] Euro) have been ring-fenced for sole use in respect of this Project;
4. these ring-fenced term facilities will be available to the [Economic Operator / Consortium] until at least twelve months after the completion of the Project as identified in the Financial Model;
5. the Financial Model is in accordance with the terms and conditions of these ring-fenced term facilities available to the [Economic Operator / Consortium] and we are satisfied with all the inputs to the Financial Model on the basis of the commercial terms agreed between the Council and the [Economic Operator / Consortium]; and
6. as of the date of this letter the [Economic Operator / Consortium] is in full compliance with the terms of all corporate facilities available to it. Furthermore there are no impediments to the [Economic Operator / Consortium] drawing these ring-fenced term facilities to fund the construction of the Project per the timetable identified in the Financial Model.

For the avoidance of any doubt, this letter does not constitute an offer of finance or a legally binding commitment of any kind to provide finance.

This letter shall be governed by and construed in accordance with Irish law and any disputes arising from it shall be submitted to the jurisdiction of the courts of Ireland.

This letter is intended for your exclusive use and may not be relied upon or used by any other person. This letter is provided on the condition that the contents will be treated as strictly private and confidential and shall not be disclosed or quoted in whole or in part to any person other than the Council, the NDFA and/or their respective advisers.

Yours sincerely

## MODEL CERTIFICATE B: FUNDER SUPPORT LETTER (NEW DEBT FACILITY(IES))

Housing HLI,  
Block 1, Floor 3,  
Civic Offices,  
Wood Quay,  
Dublin 8.

Dear [●]

### **Design and delivery of a sustainable integrated mixed tenure housing development at O'Devaney Gardens, Dublin 7 (the "Project")**

[Bank name] are pleased to provide this letter, in support of [Economic Operator / Consortium's Name] tender (the "Tender") for the Project in response to the Invitation to Participate in Dialogue issued by the Council on [●] ("ITPD"). Capitalised terms used in this letter have the same meanings as are attributed to them in the ITPD.

In support of the [Economic Operator's / Consortium's] Tender, we confirm the following:

1. based on our initial due diligence of the financial model provided to us by [Economic Operator / Consortium], [Bank Name] would be willing, subject to documentation, to consider the provision of funding in relation to the development of the Project and we have issued [Bank Name] Senior Management Approved Heads of Terms ("Heads of Terms") outlining prospective term facilities to sufficient to the [Economic Operator / Consortium] in support of its Tender (which the [Economic Operator / Consortium] has confirmed to us complies with the requirements of the ITPD);
2. we have had a relationship with the [Economic Operator / Consortium] for [insert years] and our Heads of Terms (see Appendix [x]) set out a Term Facility of €[●] ([amount in words] Euro) for sole use in respect in respect of this Project;
3. as of the date of this letter the [Economic Operator / Consortium] is in full compliance with the terms of all corporate facilities available to it.

For the avoidance of any doubt, this letter does not constitute an offer of finance or a legally binding commitment of any kind to provide finance.

This letter shall be governed by and construed in accordance with Irish law and any disputes arising from it shall be submitted to the jurisdiction of the courts of Ireland.

This letter is intended for your exclusive use and may not be relied upon or used by any other person. This letter is provided on the condition that the contents will be treated as strictly private and confidential and shall not be disclosed or quoted in whole or in part to any person other than the Council, the NDFA and/or their respective advisers.

Any formal agreement by [Bank Name] to provide funding will be subject to Credit Committee approval, standard due diligence and completion of appropriate documentation.

Yours sincerely

## MODEL CERTIFICATE C: PRINCIPAL BANK SUPPORT LETTER<sup>1</sup>

Housing HLI,  
Block 1, Floor 3,  
Civic Offices,  
Wood Quay,  
Dublin 8.

Dear [●]

### **Design and delivery of a sustainable integrated mixed tenure housing development at Kilcarbery, Dublin (the “Project”)**

[Bank name] are pleased to provide this letter, in support of [Economic Operator / Consortium’s Name] tender (the “**Tender**”) for the Project in response to the Invitation to Participate in Dialogue issued by the Council on [●] (“**ITPD**”). Capitalised terms used in this letter have the same meanings as are attributed to them in the ITPD.

In support of the [Economic Operator’s / Consortium’s] Tender, we confirm the following:

1. we are [one of (if applicable)] the principal account bank(s) of [Consortium Name] and have had a relationship with the [Economic Operator / Consortium] for [insert years];
2. as of the date of this letter [Economic Operator / Consortium Name] has €[●] ([amount in words] Euro) of cash balances available to it which are free and clear of any restrictions; and
3. as of the date of this letter the [Economic Operator / Consortium] is in full compliance with the terms of all our banking facilities available to it.

This letter shall be governed by and construed in accordance with Irish law and any disputes arising from it shall be submitted to the jurisdiction of the courts of Ireland.

This letter is intended for your exclusive use and may not be relied upon or used by any other person. This letter is provided on the condition that the contents will be treated as strictly private and confidential and shall not be disclosed or quoted in whole or in part to any person other than the Council, the NDFA and/or their respective advisers.

Yours sincerely

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<sup>1</sup> To be one of the principal account banks identified in the annual financial statements of the Economic Operator / Consortium. Where the Economic Operator / Consortium consists of more than one member, a letter in respect of each member is required. The Economic Operator / Consortium may be asked to provide a refresh of the letter(s) in the same or substantially the same terms at a date on or prior to financial close.