

**AGENDA FOR A MEETING OF THE TENDERS SUBCOMMITTEE TO BE HELD IN THE
MANUKAU ROOM AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD,
HENDERSON, WAITAKERE, ON FRIDAY, 3 OCTOBER 2008,
COMMENCING AT 9.00 AM**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFLICTS OF INTEREST

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



4 CONFIRMATION OF MINUTES

Meeting Minutes – Friday, 19 September 2008

RECOMMENDATION

It is recommended that the Tenders Subcommittee resolve to:

Receive the minutes of the meeting of the Tenders Subcommittee held on Friday, 19 September 2008, as circulated, and that they be taken as read and now be confirmed.



5 CONTRACT NO. PK08007B – PLANTING PROGRAMME

GLOSSARY

Bilfinger Berger Services Limited	(BBS)
HEB Construction Limited	(HCL)
Long Term Council Community Plan	(LTCCP)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to award Contract No. PK08007B – Planting Programme for a period of twenty five (25) months from 1 October 2008 to 30 October 2010.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. PK08007B – Planting Programme report.
2. **Approve** the tender from Bilfinger Berger Services Limited for Contract No. PK08007B – Planting Programme in the sum of \$159,628.75 plus \$19,953.59 of GST, totalling \$179,582.34 on the basis of twenty five (25) months, from 1 October 2008 to 30 October 2010.
3. **Approve** the commitment of \$58,568.79 plus \$7,321.09 of GST, totalling \$65,889.88 against the 2009/2010 Annual Plan for Contract No. PK08007B – Planting Programme.
4. **Approve** the commitment of \$7,588.41 plus \$948.55 of GST, totalling \$8,536.96 against the 2010/2011 Annual Plan for Contract No. PK08007B – Planting Programme.
5. **Approve** that authority to enter into Contract No. PK08007B – Planting Programme for the period 1 October 2008 to 30 October 2010 on behalf of Council be delegated to the Group Manager: Asset Management.

BACKGROUND

1. Funding approved through the 2008/2009 Annual Plan has been provided for in the Long Term Council Community Plan (LTCCP) 2006-2016 to purchase, plant and maintain pre-ordered ecosourced native plants. All sites have been selected based on their ecological value and the potential impact of not planting.
2. All plants required as part of this project have been pre-ordered and will be grown by Bilfinger Berger Services Limited (BBS) during 2008/2009 as part of Contract No. PK06011A – Supply of Ecosourced Plants. All plants supplied for this contract are grown in accordance with best horticultural practices and Council's Ecosourcing Code of Practice and Ethics. Audits of ecosourcing records and plant stock health checks are carried out to confirm this.
3. At the meeting of the Tenders Subcommittee held on 8 August 2008, it was resolved to:

The Tenders Subcommittee resolved to:

1. **Receive** the Contract No. PK08007B - Revegetation Programme - Approval To Proceed To Tender report.
2. **Approve** that public tenders are called for Contract No. PK08007B – Revegetation Programme for a contract period spanning three (3) financial years from 1 September 2008 to 30 September 2011.

3. *Approve that the results of the tender evaluation process for Contract No. PK08007B – Revegetation Programme be reported back to the Tenders Subcommittee for approval.”*

1317/2008

4. The correct name for this project is Contract No. PK08007B – Planting Programme.

SCOPE OF WORK

5. The scope of work outlined in this contract involves site preparation, extensive environmental weed control, planting of 32,000 ecosourced plants (supplied by BBS through a separate contract), mulching and follow up maintenance at selected sites in reserves throughout the City, as below:

Clarence Reserve	Whenuapai Hall Reserve
Laurieston Park	Sherwood Park
Paremuka Esplanade	Tirimoana Reserve
Manawa Wetland Reserve	Taipari Strand
Pahi Park	Meadow Glade
Divich Reserve	West Harbour Esplanade
Armada Reserve	Kelvin Strand
Shadbolt Park	

TENDERS RECEIVED

6. Tenders were publicly advertised with twenty two (22) sets of documents being downloaded. Three (3) tenders were received by the closing date of 26 August 2008. These are summarised in Table 1 below:

TENDERER	REG OFFICE	TENDER PRICE (excl.GST)
HEB Construction Limited	Drury	\$154,941.88
Bilfinger Berger Services Limited	North Harbour	\$159,628.75
Rahopara Parks & Gardens Limited	Lynfield	\$172,603.10
Pre Tender Contract Estimate		\$189,809.00

Table 1 – Summary of Tender Prices

TAGS, ERRORS OR OMISSIONS

7. The tender submitted by Rahopara Parks & Gardens Limited contained both errors and tags. Errors were found in the Schedule of Prices and the tenderer confirmed their price. The tags were not investigated as they had no bearing on the outcome of the evaluation.
8. The tender submitted by HEB Construction Limited (HCL) contained both errors and tags. A tender clarification meeting was held on 1 September 2008 with HCL to clarify a substantial error in the Schedule of Prices. HCL were subsequently unable to confirm their tendered price and as a result formally withdrew from the tender process.

TENDER EVALUATION

9. In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in the New Zealand Transport Agency’s “Competitive Pricing Procedures Manual”.

10. These procedures require that where the tender includes Provisional Sums they are deducted from the Tender Sum prior to evaluating each tender.
11. In this contract the value of Provisional Sum is \$25,000. A summary of the evaluation results is shown in Table 2:

Tender Evaluation	Attributes	Exper.	Track Record	Tech. Skill	Resource	Management	Method	Price	Total Weights
		8	8	8	10	8	8	50	100
Tenderer	Tender Sum	Grades							INDEX
HEB Construction Limited									Withdrawn
Bilfinger Berger Services Ltd	\$134,628.75	80	79	77	80	71	77	55	66
Rahopara Parks & Gardens Ltd	\$147,603.10	75	77	68	79	71	72	45	60
Median Tender Price	\$141,115.93								

* Attribute grading as defined by Transit NZ in their CPP Tender Evaluation Manual Effective 1 March 1997

Table 2 - Summary of Tender Evaluation

12. BBS have previously carried out this type of work for Council to a high standard using skilled staff and suitable equipment.

CREDIT CHECK

13. A credit check of BBS rated the company at moderate risk. The quantum value of the contract is relatively low and minimal out-lay for materials or plant is required as the contractual works consist predominately of the provision of skilled labour.

JOB COSTS

		<u>EXCL GST</u>
14. Tender Sum BBS		
2008/2009 financial year (excluding GST)	\$	93,471.55
Contingency	\$	0.00

Total Job Cost	\$	93,471.55
Tender Sum BBS		
2009/2010 financial year (excluding GST)	\$	58,568.79
Contingency	\$	0.00

Total Job Cost	\$	58,568.79
Tender Sum BBS		
2009/2010 financial year (excluding GST)	\$	7,588.41
Contingency	\$	0.00

Total Job Cost	\$	7,588.41

SOURCE OF FUNDING

15. Sources of funding are shown in Tables 3.1, 3.2 and 3.3 below.

Source of Funding 2008/2009

Budget Description (from Annual budget)	Budget	Committed to Other Projects	Allocation to This Project	Unallocated Balance
Rewarewa Stream Project	\$200,000.00	\$177,912.47	\$22,087.53	-
Revegetation Programme	\$214,000.00	\$202,615.98	\$11,384.02	-
Weed & Pest Maintenance	\$904,000.00	\$844,000.00	\$60,000.00	-
Total	\$1,318,000.00	\$1,224,528.45	\$93,471.55	-

Table 3.1 – Source of Funding

Source of Funding 2009/2010

Budget Description (from 2006-2016 LTCCP)	Budget	Committed to Other Projects	Allocation to This Project	Unallocated Balance
Rewarewa Stream Project	\$110,000.00	\$107,197.10	\$2,802.90	-
Revegetation Programme	\$219,000.00	\$163,234.11	\$55,765.89	-
Total	\$329,000.00	\$270,431.21	\$58,568.79	-

Table 3.2 – Source of Funding

Source Of Funding 2010/2011

Budget Description (from 2006-2016 LTCCP)	Budget	Committed to Other Projects	Allocation to This Project	Unallocated Balance
Rewarewa Stream Project	\$60,000.00	\$58,598.55	\$1,401.45	-
Revegetation Programme	\$224,000.00	\$217,813.04	\$6,186.96	-
Total	\$284,000.00	\$276,411.59	\$7,588.41	-

Table 3.3 – Source of Funding

16. The following funding commitments are required:

- A commitment to fund Contract No. PK08007B – Planting Programme for the sum of \$58,568.79 plus \$7,321.09 of GST, totalling \$65,889.88 is requested from the draft 2009/2010 Annual Plan;
- Contract No. PK08007B – Planting Programme for the sum of \$7,588.41 plus \$948.55 of GST, totalling \$8,536.96 is requested from the draft 2010/2011 Annual Plan.

IMPLEMENTATION ISSUES

17. There are no implementation issues arising from this report.

18. As part of Council's contracting process "Quality and Health and Safety is not negotiable" - all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

Report prepared by: Helen Biffin, Parks Contracts Officer: Environmental, Parks Assets.



6 CONTRACT NO. EW06048A - PROJECT TWIN STREAMS ENGINEERING AND PROFESSIONAL SERVICES – APPROVAL TO EXTEND

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to extend Contract No. EW06048A - Project Twin Streams Engineering and Professional Services for 2008/2009, to 30 June 2009.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. EW06048A – Project Twin Streams Engineering and Professional Services – Approval to Extend report.
2. **Approve** that the Contract No. EW06048A – Project Twin Streams Engineering and Professional Services – Contract Renewal as awarded to Thomas Civil Consultants Limited be extended in the sum of \$755,140 excluding GST for the period 1 October 2008 to 30 June 2009.
3. **Approve** that the authority to extend EW06048A – Project Twin Streams Engineering and Professional Services – Contract Renewal for the period 1 July 2008 to 30 June 2009 on behalf of Council be delegated to the Group Manager: Asset Management.

BACKGROUND

1. The stream restoration works being undertaken by Project Twin Streams requires extensive planning in order to ensure the quality of the physical works and, compliance with relevant legislation, District Plan rules and council protocols. Planning of works and events also has to be co-ordinated with the project's community partners to ensure the smooth delivery of the desired Quadruple Bottom Line outcomes.
2. Council approved the award of Contract No. EW06048A – Project Twin Streams Engineering and Professional Services to Thomas Civil Consultants Limited at a Tenders Subcommittee meeting held on 16 December 2006.
3. At its meeting on 15 December 2006, the Tenders Subcommittee awarded the contract on a 1 + 1 + 1 yearly basis as per the following resolution:

The Tenders Subcommittee resolve to

- “1. That the Contract No. EW06048A - Project Twin Streams - Engineering and Professional Services 2006 report be received.*

2. *That subject to a satisfactory credit check, the tender from Thomas Civil Consultants Limited for Contract No. EW06048A - Project Twin Streams - Engineering and Professional Services 2006 in the sum of \$477,372 plus \$59,671 GST, totalling \$537,043 be accepted.*
3. *That authority to enter into Contract No. EW06048A - Project Twin Streams - Engineering and Professional Services 2006 on behalf of Council be delegated to the Group Manager: Asset Management.”*

2546/2006

4. A condition of contract award was that all subsequent renewal would be subject to the Council's continued requirement for the services and the Consultant continuing to perform the services satisfactorily and, due to the annual contract value, any decision to renew the contract being reserved to the Tenders Subcommittee. Provision was also made at renewal to amend the contract scope of services.

DECISION MAKING

5. Project Twin Streams is in now in the process of covenanting private properties, which requires landscape architecture and planting plans as well as covenant agreements with property owners. This is an intensive and extensive undertaking, where negotiations with approximately 80 landowners need to be made.
6. Resource consents are required on an ongoing basis as riparian restoration works are undertaken at existing and new sites. The resource consents are required from segments of each stream, as opposed to a global resource consent for the entire project area, which increases time requirements, and therefore costs.
7. Planting plans need to be prepared for those sites where no plans exist, and which are ready to be planted in the 2008/2009 planting season. As with resource consents, planting plans are prepared for segments of each stream, which also has time and cost implications.
8. The project has built up good relationships and processes for working with involved community groups. An essential component of this relationship is the role of the “Riparian Co-ordinator”. The Riparian Co-ordinator is the planning and liaison person between the Council and the community groups for Project Twin Streams, with one co-ordinator allocated per each of the five streams which are currently being worked on by the project.
9. Thomas Civil Consultants Limited has confirmed in writing that they are willing to carry out the contract for a further nine months.

Contractor's Performance

10. An evaluation of Thomas Civil Consultants Limited's performance to date contains the following features:
 - They have developed a good working relationship with relevant Council staff;
 - They have developed a good working knowledge of the Project Twin Streams project area and its needs thereby enabling better planning/programming of works;
 - They are a well resourced company;
 - They respond quickly to customer complaints;

- They have a strong focus on health and safety; and
 - Their workmanship is to a good standard.
11. The renewal of Contract No. EWS06048A – Project Twin Streams Engineering and Professional Services will provide the Council with benefits, due to cost savings associated with:
- The significantly lower price rates charged by the Contractor in anticipation of a long term working relationship; and
 - Efficiencies gained from the close familiarity of the Contractor's staff with the planning/programming and process requirements of the projects.

RESOURCES

12. This project is being administered by Council officers within Project Twin Streams.
13. Financial resources have been provided in the 2008/2009 Annual Plan, and funded by ARC grant.

SOURCE OF FUNDING

14. Source of funding is shown in table 1 below:

Budget Description (from Annual Budget line item) draft 2008/2009 Annual Plan	Codes	Budget	Committed to Other Projects	Allocation to This Project	Unallocated Balance
Project Twin Streams	8AMEW-07-191/02	\$7,508,000	\$6,752,860	\$755,140	-
	Total	\$7,508,000	\$6,752,860	\$755,140	-

Table 1 – Source of Funding

IMPLEMENTATION ISSUES

15. There are no implementation issues arising from this report.
16. As part of Council's contracting process "Quality and Health and Safety are not negotiable" and all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

Report prepared by: Shuaib Chota, Sustainable Engineering Manager.



7 **CONTRACT NO. EW08011A SUPPLY OF ECO- SOURCED PLANTS FOR PROJECT TWIN STREAMS 2009/2010 AND 2010/2011**

GLOSSARY

Project Twin Streams	(PTS)
Auckland Regional Holdings Limited	(ARH)
Bilfinger Berger Services (New Zealand Limited)	(BBS)
Signature Plants	(SP)
Oratia Native Plant Nursery Limited	(ONPN)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to award Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 for a period of two (2) years from 1 November 2008 to 1 November 2010.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 report.
2. **Approve** that the Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 be awarded to Bilfinger Berger Services (New Zealand) Limited in the sum of \$929,502.00 excluding GST for the period 2009/2010 and 2010/2011.
3. **Approve** that \$408,981.10 be committed to Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 for the 2009/2010 financial year.
4. **Approve** that \$408,981.10 be committed to Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 for the 2010/2011 financial year.
5. **Approve** the authority to enter into Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 on behalf of the Council be delegated to the Group Manager: Asset Management.

BACKGROUND

1. Project Twin Streams (PTS) is a large, innovative project that formally began works in 2003. Its focus is on restoring six streams (Henderson Creek and Pixie, Lower Opanuku, Lower Oratia, Swanson and Waikumete streams) and their environs, principally through innovative stormwater management and weeding and planting of stream banks. Over time this focus broadened into a “Quadruple Bottom Line” approach, which recognises and weaves together the social, economic, cultural, spiritual and environmental aspects of the project.
2. At the end of 2004, a local community organisation was contracted to engage local residents in the aims of PTS, including local stewardship of the streams. There are now six (6) community organisations contracted in five (5) areas within the catchments to work with local residents to restore the streams and improve the sustainability of our ecosystems.

3. PTS has regional funding of \$39.5 million over ten (10) years from 2002 to 2012, which is held by Auckland Regional Holdings Limited ((ARH) formerly Infrastructure Auckland). In order to facilitate and enhance the stream restoration programme and community participation process, technical assistance needs to be supplied to the community groups to provide them with experienced mentors/supervisors who can offer:
- weed identification knowledge;
 - weed removal skills;
 - an understanding of plant species and communities and their distribution zones; and
 - proper planting techniques.

SCOPE OF WORK

4. In terms of the ARH grant terms and conditions, PTS is required to successfully deliver the stream restoration program on the six (6) streams by 2012. The supply of plants is essential to this program in order to achieve this objective.
5. Waitakere City Council has a policy of using eco-sourced plants for its restoration projects, in order to preserve the genetic diversity of flora from within the local region. Contractors must therefore be able to provide plants eco-sourced from within the local area. The contractor is required to:
- source seeds;
 - germinate plants and grow to required standards; and
 - deliver plants to stated sites.
6. Community groups are constantly being engaged by PTS to assist with and take responsibility for the restoration of their local stream. While community groups may have the interest to become involved, they do not necessarily have the skills or knowledge to do so. To empower community groups to become involved and grow their skill sets, it is essential that the groups are provided with resources that will impart these skills and knowledge. The provision of this service has been primarily awarded to other contractors involved with the rehabilitation of the PTS streams. However, in case of emergencies or shortfall, the plant supply contractor may be required to provide such community support on an as required basis.

TENDERS RECEIVED

7. Tenders were publicly advertised with eleven (11) sets of documents being uplifted. Five (5) tenders were received by the closing date of 2 September 2008. Two of the Tenderers submitted tenders with two options. All tenders are summarised in Table 1 below:

TENDERER	REG OFFICE	TENDER PRICE (excl. GST)
Oratia Native Plant Nursery Limited	Oratia	\$1,225,995.75
Signature Plants Limited (Tender Option 1)	Mt. Wellington	\$1,032,638.30
Bilfinger Berger (New Zealand) Services Limited (Tender Option 1)	North Harbour	\$929,502.00
Signature Plants Limited (Tender Option 2)	Mt. Wellington	Non-conforming
Bilfinger Berger (New Zealand) Services Limited (Tender Option 2)	North Harbour	Non-conforming
Kauri Park Nursery	Maungataroto	Non-conforming
Homestead Nurseries	Parakai	Non-conforming
Pre-tender contract estimate		\$1,092,000.00

Table 1 - Summary of Tender Prices

TAGS, ERRORS OR OMISSIONS

8. The tender from Bilfinger Berger Services (New Zealand) Limited (BBS) contained no tags, errors or omissions.

TENDER EVALUATION

9. In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in the New Zealand Transport Agency's "Competitive Pricing Procedures Manual".
10. These procedures require that where the tender includes Provisional Sums (work valued by the Principal and placed within the Schedule of Prices) they are deducted from the Tender Sum prior to evaluating each tender.
11. There is no Provisional Sum in this contract.
12. The "one envelope process" manual was followed.
13. Kauri Park Nursery and Homestead Nurseries did not price all the scheduled items. In addition, some of the priced items did not allow for the full scheduled number of plants. For these reasons the tenders from Kauri Park Nursery and Homestead Nurseries were deemed to be non-conforming and considered no further.
14. Signature Plants' (SP) tender (Tender Option 2) was not priced in accordance with the contract schedules and specifications. The offer involved deviating from the specified type of plant container. This is not considered satisfactory since the ongoing quality and health of the plants after planting would be adversely affected. As such the tender could only be considered if deemed acceptable to Council, and only equitable if offered to all tendering parties. For these reasons the alternative tender of SP (Tender Option 2) was deemed to be non-conforming and considered no further.
15. The alternate tender from (BBS) (Tender Option 2) was based on the annual running costs of its nursery. The proposal was for the Contractor to be paid on a monthly basis for the period of the contract. The plants would only be required in May of each year, meaning that Council would be paying for plants which had not been propagated, and may not be available at the appropriate standard at delivery time. This would incur a significant risk in being able to provide specified plants. For these reasons, the Tender Option 2 of BBS was deemed to be non-conforming and was considered no further. A summary of the evaluation results is shown in Table 2:

Tender Evaluation	Attributes	Exper.	Track Record	Tech. Skill	Resour.	Manag. Skill	Method.	Price	Contract Number EW08011A
									Total Weights
	Weights	10	8	8	8	9	7	50	100
Tenderer	Tender Sum				Grades				INDEX
Bilfinger Berger Services (New Zealand) Limited (Tender Option 1)	\$929,502.00	90	85	90	85	85	80	60	73
Signature Plants (Tender Option 1)	\$1,032,638.30	75	80	80	75	75	85	50	64
Oratia Native Plant Nursery Limited	\$1,225,995.75	90	90	90	85	85	85	31	59

Tender Evaluation	Attributes	Exper.	Track Record	Tech. Skill	Resour.	Manag. Skill	Method.	Price	Contract Number EW08011A
									Total Weights
	Weights	10	8	8	8	9	7	50	100
Tenderer	Tender Sum				Grades				INDEX
Bilfinger Berger Services (New Zealand) Limited (Tender Option 2)								100	Disqualified
Signature Plants (Tender Option 2)								100	Disqualified
Kauri Park Nursery								100	Disqualified
Homestead Nurseries								100	Disqualified
Med.n Tender Price	\$1,032,638.30								

Table 2 - Summary of Tender Evaluation

16. Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 is to propagate and supply local, eco-sourced plants and trees of specified size and species. All complying tenderers are established nurseries with proven experience, track records, technical skills, resources and management skills in this area. This is reflected in the high scores achieved across all non-price related attributes – a score equivalent to or above 75% was allocated for all non-price related attributes for all tenderers.
17. The basic difference between the successful and unsuccessful tenderers for Contract No. EW08011A – Supply of Eco–Sourced Plants for Project Twin Streams 2009/2010 and 2010/2011 was the price submitted. The price difference between the lowest and highest priced tenderers (BBS and Oratia Native Plant Nursery Limited (ONPN), respectively) is directly related to the scheduled rates for plants.
18. The results of the tender evaluation as summarised in Table 2 shows that the tender submitted by BBS was the successful tender. BBS had the highest overall index score (73) and was also the lowest priced tenderer.
19. BBS has supplied quality, locally grown, eco-sourced plants to Waitakere City Council for over fourteen (14) years (as Techscape Limited prior to 2007), and is the incumbent plant supply contractor for the project.
20. BBS follow the code of eco-sourcing practice and ethics; they have reliable, permanent and skilled management and staff, good propagation facilities and nursery space to provide the eco-sourced plants.
21. SP is a relatively new supplier of locally sourced native plants within the city, and have provided high quality plants to PTS in 2007/2008 on a sub-contractor basis. SP also has:
 - an excellent code of eco-sourcing practice and ethics;
 - reliable staff and skilled management; and
 - good propagation facilities and nursery space to provide the eco-sourced plants.
22. The high tender price submitted by SP was a key factor in its tender being unsuccessful, coming in as the second highest rank tenderer with an index rating of 64.

23. ONPN has also supplied quality, locally grown eco-sourced plants to Waitakere City Council over fourteen (14) years, four (4) of these as suppliers to PTS. ONPN has been allocated high non-price attribute gradings on the knowledge that:
- they follow an excellent code of eco-sourcing practice and ethics;
 - they have reliable permanent and skilled management and staff; and
 - the nursery has good propagation facilities and space to provide the eco-sourced plants.
24. However, due to the much higher price submitted by ONPN, they achieved the lowest index rating (59), putting them out of contention for the tender.

CREDIT CHECK

25. A credit check on BBS dated 2 September 2008 revealed no adverse information.

JOB COSTS

26. For the 2008/2009 financial year (excluding GST)	
Tender sum – BBS	\$185,900.00
Contingency	\$ 18,590.00
Engineering and Supervision	Nil

Total Job Cost	\$204,490.00
For the 2009/2010 financial year (excluding GST)	
Tender sum – BBS	\$371,801.00
Contingency	\$ 37,180.10
Engineering and Supervision	Nil

Total Job Cost	\$408,981.10
For the 2010/2011 financial year (excluding GST)	
Tender sum – BBS	\$371,801.00
Contingency	\$ 37,180.10
Engineering and Supervision	Nil

Total Job Cost	\$408,981.10

SOURCE OF FUNDING

27. Source of funding is shown in Tables 3.1 - 3.3 below:

Budget Description (from Annual Budget line item) 2008/2009 Annual Plan	Codes	Budget	Committe d to other projects	Allocation to this project	Unallocated balance
Project Twin Streams	8AMEW-07-191/02/01	\$6,988,000	\$1,811,000	\$204,490	\$4,991,100
	Total	\$6,988,000	\$1,811,000	\$185,900	\$4,991,100

Table 3.1 – Funding source for the 2008/2009 financial year.

Budget Description (from Annual Budget line item) 2008/2009 Annual Plan	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance
Project Twin Streams	8AMEW-07-191/02/01	\$4,235,000	\$2,079,000	\$408,981.10	\$1,747,018.90
	Total	\$4,235,000	\$2,079,000	\$371,801.00	\$1,747,018.90

Table 3.2 – Funding source to be committed for the 2009/2010 financial year.

Budget Description from the Long Term Council Community Plan 2006 - 2016	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance
Project Twin Streams	8AMEW-07-191/02/01	\$2,740,000	Nil	\$408,981.10	\$2,331,018.90
	Total	\$2,740,000	Nil	\$371,801	\$2,331,018.90

Table 3.3 – Funding source to be committed for the 2010/2011 financial year.

28. The budgets for the 2009/2010 and 2010/2011 financial years are currently being reviewed by the Council and have not yet been finalised.
29. All costs associated with this contract are recoverable from grant provided by the ARH.

IMPLEMENTATION ISSUES

30. As part of Council's contracting process "Quality and Health and Safety is not negotiable" - all Contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

Report prepared by: Shuaib Chota, Manager – Sustainable Engineering.



8 CONTRACT NO. TA08004C – MINOR SAFETY PROJECTS 2008/2009 STAGE 2

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to award Contract No. TA08004C – Minor Safety Projects 2008/2009 Stage 2.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. TA08004C - Minor Safety Projects 2008/2009 Stage 2 report.
2. **Approve** that the tender for Contract No. TA08004C – Minor Safety Projects 2008/2009 Stage 2 be awarded to other than the lowest priced tender, because the Weighted Attributes Tender Evaluation Method requires the tendering authority to enter into a contract only with the tender that scores the highest overall index.

3. **Approve** that the tender from Traffic Systems Limited for Contract No. TA08004C - Minor Safety Projects 2008/2009 Stage 2 in the sum of \$214,226.93 plus \$26,778.37 GST, totalling \$241,005.30 be accepted.
4. **Approve** that authority to enter into Contract No. TA08004C – Minor Safety Projects 2008/2009 Stage 2 on behalf of the Council be delegated to the Group Manager: Project Services.

BACKGROUND

1. Contract No TA08004C – Minor Safety Projects 2008/2009 Stage 2 is a contract to provide physical works for the 2008/2009 minor safety programme. This physical works programme is part of the Council's traffic safety improvements within the streets in Waitakere. The work addresses the community outcome for Sustainable and Integrated Transport to provide a safe network that supports quality sustainable design.

SCOPE OF WORK

2. The Minor Safety works included in the contract are as follows:
 - Construction of new roundabout at Huia Road / Woodlands Park Road Intersection;
 - Pedestrian facility improvements at Great North Road / Te Atatu Road Intersection;
 - New Kea Crossing at Oriel Avenue at West Harbour Primary School;
 - Pedestrian facility improvements at Margan Avenue / Hutchinson Avenue Intersection;
 - Mobility parking at Manui Place; and
 - Pedestrian refuge island at Sel Peacock Drive.

TENDERS RECEIVED

3. Tenders were publicly advertised on Tenderlink with thirty six (36) sets of documents being uplifted. Nine (9) tenders were received by the closing date of Tuesday, 28 August 2008. These are summarised in Table 1 below:

TENDERER	REG OFFICE	TENDER PRICE (excl. GST)
InfrastructureNZ Limited	North Harbour	\$212,715.20
Traffic Systems Limited	Mission Bay	\$214,226.93
Rixon Contracting Limited	Glen Innes	\$225,306.69
Arrow Civil Engineers Limited	Onehunga	\$233,700.00
H & H Contractors Limited	New Lynn	\$249,526.50
Site Works Limited	Lincoln North	\$274,129.00
HEB Construction Limited	Drury	\$294,024.77
Contract Landscape Limited	Kumeu	\$310,885.00
Transfield Services Limited	New Market	\$311,911.10
Pre-tender contract estimate		\$229,703.00

Table 1 - Summary of Tender Prices

4. The lowest tender is 7.4% below the pre-tender contract estimate.

TAGS, ERRORS OR OMISSIONS

5. The tender from Infrastructure New Zealand Limited contained two (2) tags that were subsequently removed prior to completing the evaluation process.
6. Tenders submitted by Arrow Civil Engineers Limited and Rixon Contracting Limited contained arithmetic errors of minor nature. The errors had no impact on the final outcome of the tender evaluation so the matter was not pursued.

TENDER EVALUATION

7. In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in the New Zealand Transport Agency's "Competitive Pricing Procedures Manual".
8. These procedures require that where the tender includes Provisional Sums (work valued by the Principal and placed within the Schedule of Prices) they are deducted from the Tender Sum prior to evaluating each tender.
9. In this contract the value of Provisional Sums is \$2000.
10. The "Two envelope process" as described in Section 2.7 of the above manual was followed. Under this method, only the first tender envelope is opened and the non-price attributes evaluated for all tenders before the second envelope containing the tender price is opened, and the tender prices duly included in the evaluation.
11. A summary of the evaluation results is shown in Table 2:

Tender Evaluation	Attributes	Experience	Track Record	Tech Skills	Resources	Manag. Skills	Methodology	Price	Contract Number TA08004 C	
									Total Weights	
	Weights	6	10	3	4	4	3	70	100	
Tenderer	Tender Sum	Grades							INDEX	
Infrastructure NZ Limited	\$210,715.20	58	54	60	53	51	42	65	62	
Traffic Systems Limited	\$212,226.93	85	72	76	72	75	75	64	68	
Rixon Contracting Limited	\$223,306.69	46	65	52	65	52	40	60	59	
Arrow Civil Engineers Limited	\$231,700.00	61	57	57	62	55	48	56	57	
H & H Contractors Limited	\$247,526.50	80	75	74	71	75	72	50	58	
Site Works Limited	\$272,129.00	52	64	60	62	58	59	40	46	
HEB Construction Limited	\$292,024.77	76	65	70	67	74	69	32	43	
Contract Landscape Limited	\$308,885.00	52	64	61	69	60	43	25	35	
Transfield Services Limited	\$309,911.10	74	58	63	73	74	80	25	38	
Median Tender Price	\$247,526.50									

Table 2 - Summary of Tender Evaluation

12. The tenders were assessed by the evaluation team based on the tender submission, information from referees and recent experiences with Council where appropriate.
13. Infrastructure New Zealand Limited were the lowest tenderer but had less experience and only average performance on recent contracts for Council. This resulted in lower scores in a number of attributes. Two of their recent contracts had run extensively over the completion dates. They also submitted a poor Methodology statement in comparison to Traffic Systems Limited.
14. Traffic Systems Limited has done a large number of contracts with the Council to a high standard and has proven themselves in this type of work. The verbal referees for Traffic Systems Limited indicated that they were a good contractor to work with and that they would recommend using them to others.
15. Traffic Systems Limited have at least two (2) other similar contracts active with the Council. We have discussed the programming of these contracts with Traffic Systems Limited and Council officers are satisfied that Traffic Systems have sufficient resources to undertake this project

CREDIT CHECK

16. A credit check on Traffic Systems Limited dated 15 July 2008 revealed no adverse information.

JOB COSTS

17. Excl. GST		
Tender sum – Traffic Systems Limited		\$214,226.93
Contingency		\$ 21,422.69
Engineering and Supervision		\$ 33,000.00

Total Job Cost		\$268,649.62

SOURCE OF FUNDING

18. Source of funding is shown in Table 3 below:

Budget Description (from Annual Budget line item) 2008/2009 Annual Plan	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance
Minor Safety Professional Services	8AMTA-07-032	\$37,000.00	\$15,800.00	\$21,200.00	\$0.00
Minor Safety Physical Works	8AMTA-07-034	\$897,000.00	\$520,000.00	\$247,449.62	\$129,550.38
	Total			\$268,649.62	

Table 3 – Source of Funding

IMPLEMENTATION ISSUES

19. As part of Council's contracting process "Quality and Health and Safety is not negotiable" - all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

Report prepared by: Keerthi Mayakaduwa, Senior Roading Engineer.



9 **CONTRACT NO. TA07014C – HENDERSON VALLEY ROAD DRAINAGE EXTENSIONS STAGE 3**

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to award Contract No. TA07014C – Henderson Valley Road Drainage Extensions Stage 3.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. TA07014C - Henderson Valley Road Drainage Extensions Stage 3 report.
2. **Approve** that the tender from HEB Construction Limited for Contract No. TA07014C - Henderson Valley Road Drainage Extensions Stage 3, in the sum of \$315,167.89 plus \$39,395.99 GST, totalling \$354,563.88 be accepted.
3. **Approve** that authority to enter into Contract No. TA07014C - Henderson Valley Road Drainage Extensions Stage 3, on behalf of the Council be delegated to the Group Manager: Project Services.

BACKGROUND

1. Henderson Valley Road Drainage Extensions is part of an on-going programme of improvements to road drainage systems. These are usually in the form of new kerb and channel or swale drains. The work addresses the community outcome for Sustainable and Integrated Transport to provide a safe network that supports quality sustainable design. Previous stages one (1) and two (2) were completed in 2006 and 2008.
2. Contract No. TA07014C - Henderson Valley Road Drainage Extensions Stage 3 includes the section from 182 Henderson Valley Road to 164 Henderson Valley Road (South side) and a piped drainage system through Henderson Valley Park (Pony Club area).

SCOPE OF WORK

3. The works included in the contract are as follows:
 - Construction of swale drains and drainage connections;
 - Network drainage improvements, including construction of piped drainage;
 - Construction of edge beam and associated pavement works; and
 - Driveway reconstructions and ancillary works.

TENDERS RECEIVED

4. Tenders were publicly advertised on Tenderlink with Twenty (20) sets of documents being uplifted. Fourteen (14) tenders were received by the closing date of Tuesday, 2 September 2008. These are summarised in Table 1 below:

TENDERER	REGISTERED OFFICE	TENDER PRICE (excl.GST)
HEB Construction Limited	Drury	\$ 315,167.89
John Fillmore Contracting Limited	Mangere,	\$ 335,853.70
InfrastructureNZ Limited	North Harbour	\$ 335,888.00
Rixon Contracting Limited	Glen Innes	\$ 374,927.91
H&H Contractors Limited	Glendene	\$ 389,035.00
Fulton Hogan Limited	Silverdale	\$ 399,997.18
Dempsey & Wood Civil Contractors Limited	Penrose	\$ 424,664.00
Ocilla Projects Limited	Parnell	\$ 442,225.25
McKenzie & Parma Limited	Takanini	\$ 453,875.56
Downer EDI Works Limited	Mt Wellington	\$ 467,447.00
Hawkins Infrastructure Limited	Parnell	\$ 486,896.75
March Construction Limited	Kelston	\$ 491,695.50
Contract Landscapes Limited	Kumeu	\$ 645,384.00
Asset Construction Limited	Howick	\$ 670,085.00
Pre-tender contract estimate		\$ 361,230.50

Table 1 - Summary of Tender Prices

5. The lowest tender is 12.75 % below the pre-tender contract estimate.
6. The lowest tenders are significantly lower than the pre-tender estimate which was based on prices from similar projects last year. This can be attributed to the current competition in the market, mainly due to severe downturn in subdivision projects that many of these contractors have been working on.

TAGS, ERRORS OR OMISSIONS

7. Several of the contractors had tags or clarifications in their tenders. Where requested these were removed while others had no financial impact.
8. HEB Construction Limited had no tags with their tender.
9. HEB Construction Limited had a minor arithmetic error in their tender. On request they confirmed that, their submitted tender price was correct.
10. Tender submissions by McKenzie & Parma Limited, Rixon Contracting Limited, Ocilla Projects Limited, Asset Construction Limited and John Fillmore Contracting Limited contained arithmetic errors of a minor nature. The errors had no impact on the final outcome of the tender evaluation so the matters were not pursued.

TENDER EVALUATION

11. In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in the New Zealand Transport Agency's "Competitive Pricing Procedures Manual".
12. These procedures require that where the tender includes Provisional Sums (work valued by the Principal and placed within the Schedule of Prices) they are deducted from the Tender Sum prior to evaluating each tender.
13. In this contract the value of Provisional Sums is \$2000.

14. The “Two envelope process” as described in Section 2.7 of the above manual was followed. Under this method, only the first tender envelope is opened and the non-price attributes evaluated for all tenders before the second envelope containing the tender price is opened, and the tender prices duly included in the evaluation.
15. A summary of the evaluation results is shown in Table 2:

Tender Evaluation	Attributes	Expe- rience	Track Record	Tech. Skills	Reso- urces	Man- age. skills	Metho- dology	Price	Total Weight
Tenderer	Weight	8	8	4	3	4	3	70	100
	Tender Sum	Grades							INDEX
HEB Construction Limited	\$313,167.89	78	64	71	71	71	75	77	76
John Fillmore Contracting Limited	\$333,853.70	69	67	68	69	64	51	73	71
InfrastructureNZ Limited	\$333,888.00	64	57	64	52	55	58	73	69
Rixon Contracting Limited	\$372,927.91	43	53	48	61	48	44	64	59
H&H Contractors Limited	\$387,035.00	76	74	72	71	72	68	60	64
Fulton Hogan Limited	\$397,997.18	74	75	73	77	75	80	58	63
Dempsey & Wood Civil Contractors Limited	\$422,664.00	61	57	62	62	59	77	52	55
Ocilla Projects Limited	\$440,225.25	44	48	46	42	40	46	48	47
McKenzie & Parma Limited	\$451,875.56	71	64	68	70	70	61	45	52
Downer EDI Works Limited	\$465,447.00	77	74	77	79	82	68	42	52
Hawkins Infrastructure	\$485,896.75	74	73	72	71	75	72	37	48
March Construction Limited	\$489,695.50	53	73	55	67	50	45	36	43
Contract Landscapes Limited	\$643,384.00	56	55	59	66	60	43	1	18
Asset Construction Limited	\$668,085.00	46	57	43	40	50	40	-5	11
Median Tender Price	\$431,444.63								

Table 2 - Summary of Tender Evaluation

16. The tenders were assessed by the evaluation team based on the tender submission, information from referees and recent experiences with Council where appropriate.
17. HEB Construction Limited has carried out multiple road construction contracts for council in recent years, generally to a very good standard. They recently completed Universal Drive Extension Stage 1, Railside Avenue Upgrade, Sturges Road Park and Ride Carpark and several other contracts. The staff nominated for this contract is well known to Council staff and have performed well in the past.

CREDIT CHECK

18. A credit check on HEB Construction Limited dated 10 September 2008 revealed no adverse information.

JOB COSTS

19. Excl. GST

Tender sum – HEB Construction Limited	\$315,167.89
Contingency	\$31,366.79
Engineering and Supervision	\$29,732.50

Total Job Cost	\$376,267.18

SOURCE OF FUNDING

20. Source of funding is shown in Table 3 below:

Budget Description 2008/2009 Annual Plan	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance
Stormwater Network Upgrades	8AMEW-07-163	\$3,571,000.00	\$559,000.00	\$39,000.00	\$2,973,000. 00
Road Drainage Extensions	8AMTA-07- 128	\$370,000.00	\$0.00	\$338,000.00	\$32,000.00
	Total			\$377,000.00	

Table 3 – Source of Funding

IMPLEMENTATION ISSUES

21. As part of Council's contracting process "Quality and Health and Safety is not negotiable" - all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

Report prepared by: Jagath Rupasinghe, Roding Engineer.



10 CONTRACT NO. TA07043B – ROUTLEY DRIVE KERB AND FOOTPATH UPGRADES

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to award Contract No. TA07043B – Routley Drive Kerb and Footpath Upgrades.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. TA07043B – Routley Drive Kerb and Footpath Upgrades report.
2. **Approve** that the tender for Contract No. TA07043B – Routley Drive Kerb and Footpath Upgrades be awarded to other than the lowest priced tender, because the Weighted Attributes Tender Evaluation Method requires the tendering authority to enter into a contract only with the tender that scores the highest overall index.

3. **Approve** that the tender from Auckland Civil Limited for Contract No. TA07043B – Routley Drive Kerb and Footpath Upgrades, in the sum of \$446,397.80 plus \$55,799.73 GST, totalling \$502,197.53 be accepted.
4. **Approve** that authority to enter into Contract No. TA07043B – Routley Drive Kerb and Footpath Upgrades, on behalf of the Council be delegated to the Group Manager: Project Services.

BACKGROUND

1. This work has been commissioned to provide a complete renewal of a 500 metre section of Routley Drive kerbing and footpath that is in poor condition. The project satisfies the community outcome of providing a safe network that encourages walking and supports lifestyles.

SCOPE OF WORK

2. The works included in the contract are as follows:
 - Replacement of kerb, channel and footpath;
 - Stormwater drainage upgrades;
 - Associated seal and pavement reinstatements and driveway reconstructions; and
 - Ancillary works.

TENDERS RECEIVED

3. Tenders were publicly advertised on Tenderlink with thirty five (35) sets of documents being uplifted. Thirteen (13) tenders were received by the closing date of Tuesday, 9 September 2008. These are summarised in Table 1 below:

TENDERER	REGISTERED OFFICE	TENDER PRICE (excl.GST)
Rixon Contracting Limited	Glen Innes	\$444,418.10
Auckland Civil Limited	Glenfield	\$446,397.80
T.G. Paterson Contracting Limited	Whangaparoa	\$471,527.00
InfrastructureNZ Limited	North Harbour	\$523,838.00
Downer EDI Works Limited	Mt Wellington	\$540,939.57
John Fillmore Contracting Limited	Mangere	\$544,732.00
H&H Contractors Limited	Glendene	\$554,118.00
North Harbour Paving & Construction Limited	Beachhaven	\$586,227.23
HEB Construction Limited	Drury	\$609,883.30
Smith & Davies Civil Limited	Northcote	\$613,452.00
Hibiscus Contractors Limited	Silverdale	\$623,052.70
Traffic Systems Limited	Mission Bay	\$638,355.00
Walsh Contractors Limited	Kumeu	Disqualified
Pre-tender contract estimate		\$601,986.00

Table 1 - Summary of Tender Prices

4. The lowest tender is 26.17 % below the pre-tender contract estimate.
5. The lowest tenders are significantly lower than the pre-tender estimate which was based on prices from similar projects last year. This can be attributed to the current competition in the market, mainly due to the severe downturn in subdivision projects that many of these contractors have been working on.
6. Walsh Contractors had not submitted non-priced attributes. Hence, they were disqualified and subsequently removed from the tender evaluation process.

TAGS, ERRORS OR OMISSIONS

7. Several of the contractors had tags or clarifications in their tenders. These had no financial impact and as a result were not pursued.
8. Auckland Civil Limited had no tags or errors in their tender submission.
9. Tender submissions by T.G. Paterson Limited, Hibiscus Contractors Limited, H&H Contracting Limited, Rixon Contracting Limited, Smith & Davies Civil Limited and Downer EDI Works Limited contained arithmetic errors of a minor nature. These errors had no impact on the final outcome of the tender evaluation so the matters were not pursued.

TENDER EVALUATION

10. In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in the New Zealand Transport Agency's "Competitive Pricing Procedures Manual".
11. These procedures require that where the tender includes Provisional Sums (work valued by the Principal and placed within the Schedule of Prices) they are deducted from the Tender Sum prior to evaluating each tender.
12. In this contract the value of Provisional Sums is \$2000.
13. The "Two envelope process" as described in Section 2.7 of the above manual was followed. Under this method, only the first tender envelope is opened and the non-price attributes evaluated for all tenders before the second envelope containing the tender price is opened, and the tender prices duly included in the evaluation.
14. A summary of the evaluation results is shown in Table 2:

Tender Evaluation	Attributes	Expe- rience	Track Record	Tech. Skills	Reso- urces	Man- age. skills	Metho- dology	Price	Total Weight
Tenderer	Weight	8	8	4	3	4	3	70	100
	Tender Sum	Grades							INDEX
Rixon Contracting Limited	\$442,418.10	51	58	48	61	48	45	69	64
Auckland Civil Limited	\$444,397.80	69	67	63	74	70	64	69	69
T.G. Paterson Contracting Limited	\$469,527.00	69	62	61	68	72	68	64	65
InfrastructureNZ Limited	\$521,838.00	64	57	61	53	55	60	55	56
Downer EDI Works Limited	\$538,939.57	77	74	77	79	79	75	52	59
John Fillmore Contracting Limited	\$542,732.00	69	66	65	70	63	51	51	55
H&H Contractors Limited	\$552,118.00	76	74	73	71	72	69	49	56
North Harbour Paving & Construction Limited	\$584,227.23	72	75	75	69	66	75	43	52
HEB Construction Limited	\$607,883.30	78	64	71	71	71	73	39	49
Smith & Davies Civil Limited	\$611,452.00	63	53	68	67	45	67	38	45
Hibiscus Contractors Limited	\$621,052.70	66	62	64	64	51	47	37	44
Traffic Systems Limited	\$636,355.00	76	76	77	72	74	63	34	46
Median Tender Price	\$ 547,425.00								

Table 2 - Summary of Tender Evaluation

15. The tenders were assessed by the evaluation team based on the tender submission, information from referees and recent experiences with Council where appropriate.
16. Rixon Contracting Limited were the lowest Tenderer but their lesser experience with council and poor documentation, resulted in lower scores in all attributes compared to Auckland Civil Limited.
17. Auckland Civil Limited is a well resourced and highly regarded contractor in the Auckland region. They have previously completed many contracts in Waitakere City to a good standard.

CREDIT CHECK

18. A credit check on Auckland Civil Limited dated 17 September 2008 revealed no adverse information.

JOB COSTS

19. Excl. GST

Tender sum – Auckland Civil Limited	\$446,397.80
Contingency	\$50,000.00
Engineering and Supervision	\$40,000.00

Total Job Cost	\$536,397.80

SOURCE OF FUNDING

20. Source of funding is shown in Table 3 below:

Budget Description 2008/2009 Annual Plan	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance
Routley Drive Kerb & Footpath	8AMTA-08-011	\$800,000.00	\$0.00	\$537,000.00	\$263,000.00

Table 3 – Source of Funding

IMPLEMENTATION ISSUES

20. As part of Council's contracting process "Quality and Health and Safety is not negotiable" - all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

Report prepared by: Jagath Rupasinghe, Roding Engineer.



11 **CONTRACT NO. SP07013A – KEN MAUNDER FOOTBRIDGE REPLACEMENT – PROFESSIONAL SERVICES**

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to award contract SP07013A Ken Maunder Footbridge Replacement– Professional Services to Duffill Watts Consulting Group for the lump sum fee of \$66,500 plus G.S.T.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. SP07013A Ken Maunder Footbridge Replacement – Professional Services report.
2. **Approve** that the tender from Duffill Watts Consulting Group for Contract No. SP07013A Ken Maunder Footbridge Replacement – Professional Services report in the sum of \$66,500 plus \$8,312.50 GST, totalling \$74,812.50 be accepted.
3. **Approve** the commitment of \$33,250 excluding GST to the draft Annual Plan 2009/2010 for Contract No. SP07013A Ken Maunder Footbridge Replacement – Professional Services contract.
4. **Approve** that authority to enter into Contract No. SP07013A Ken Maunder Footbridge Replacement – Professional Services on behalf of the Council be delegated to the Group Manager: Project Services

BACKGROUND

1. A structural survey of the pipe bridge across the Whau River from Queen Mary Avenue to Ken Maunder Park was undertaken in March 2007. Substantial rot was found in the joists and bearers and the bridge was closed in April 2007 for safety concerns. Following structural and geotechnical surveys it was found that the existing pipe structure could not meet current building code requirements. Extensive public consultation took place which confirmed the need for the bridge to be replaced. At their meeting on 4 December 2007, the Infrastructure and Works Committee approved a truss style bridge for the replacement of the Ken Maunder Park Footbridge (resolution no. 3867/2007).
2. Duffill Watts Consulting Group (formerly TSE Group) was awarded a variation to contract PK06018A on 17 April 2008 to complete final design, surveys and consultations to enable consents to be obtained and tender documents prepared for the new Ken Maunder Bridge.
3. In order to progress the construction of the new bridge it will be necessary to engage a consultant engineer. It is desirable to ensure the continuity of the engineering consultant from the design phase of the project through to implementation of the physical works phases of the project. In accordance with the Waitakere City Council's procurement policy it is permitted, to appoint an engineering consultant by the sole / preferred supplier method where: *"The firm has satisfactorily carried out an earlier phase of the work and it is desirable and more efficient to maintain continuity."*
4. For the above reasons Duffill Watts Consulting Group is proposed as the sole preferred supplier to for this contract.

5. Bridge construction is scheduled to span two financial years for which Tenders Subcommittee approval is sought to commit funding to the draft Annual Plan 2009/2010.

SCOPE OF WORK

6. The engineering consultant will be appointed as Engineer's Representative to the contract and will manage and supervise the daily activities of the physical works contract. As such, the engineering consultant will be responsible for administering all aspects of the physical works contract including monitoring, construction, routine inspections of the works and materials at regular intervals, particularly prior to covering up of areas (e.g. prior to concrete pours), and as necessary to clarify any design issues and to be satisfied that the works are being carried out in accordance with the contract documents including any conditions of consent. Duffill Watts Consulting Group will provide the producer statement required in terms of the building consent conditions.

TENDERS RECEIVED

7. A tender was invited from Duffill Watts Consulting Group with one (1) set of documents being uplifted. One (1) tender was received by the closing date of 19 August 2008. The tender price received is summarised in Table 1 below:

TENDERER	REG OFFICE	TENDER PRICE (excl. GST)
Duffill Watts Consulting Group	Building 8, 666 Great South Road, Penrose, Auckland 1542	\$62,900
Pre-tender contract estimate		\$68,000

Table 1 - Summary of Tender Prices

TAGS, ERRORS OR OMISSIONS

8. There were a number of tags in the tender document. The first two (2) tags were considered to have no impact on the contract and therefore acceptable. The third tag concerning contract timeframes was clarified in an email to the consultant who accepted the explanation and the tag was removed. The fourth tag excluded the services of architect, landscape architect or arborist. It was deemed appropriate that during physical works of landscaping, the contract would be monitored by Waitakere City Council staff and an architect was unnecessary. The cost of removing the arborist exclusion tag was \$3,600. This was acceptable and necessary for the successful monitoring of the physical works.
9. After analysis of this tender and negotiation with the consultant in accordance with the procedures laid down in the Council's Procurement Manual, the tender price was revised to that summarised in Table 2 below:

TENDERER	REG OFFICE	TENDER PRICE (excl. GST)
Duffill Watts Consulting Group	Building 8, 666 Great South Road, Penrose, Auckland 1542	\$66,500
Pre-tender contract estimate		\$68,000

Table 2 – Revised Summary of Tender Prices

10. The lowest tender is 2% below the pre-tender contract estimate.

TENDER EVALUATION

11. In accordance with the conditions of tendering, tenders were evaluated in line with the Lowest Price Conforming Tender Method contained in the New Zealand Transport Agency's "Competitive Pricing Procedures Manual".
12. According to this method, the tenders are ranked in ascending order based on prices. The tenders are then assessed against each of the non – price attributes to determine the tender acceptability. Each attribute is scored on a pass / fail basis. Determination of acceptability commences with the lowest priced tender and ceases when the first conforming tender is determined.
13. A summary of the evaluation results is shown in Table 3 below:

Tender Evaluation	Attributes	Exper	Track Record	Tech Skills.	Resources	Manag Skills.	Method	Lowest Price Conforming Tender
Tenderer	Tender Sum				Grade s			
Duffill Watts Consulting	\$66,500	Pass	Pass	Pass	Pass	Pass	Pass	Yes

Table 3 - Summary of Tender Evaluation

14. This contract is a continuation of the parks contract PK06018A. Duffill Watts Consulting Group has performed effectively throughout the design and consents stages of this project.
15. Waitakere City Council policy was adhered to with regard to following a sole supplier method of procurement.
16. As part of the Council's contracting process "Quality, Health and Safety and Environmental compliance are not negotiable" - all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

CREDIT CHECK

17. A credit check on Duffill Watts Consulting Group dated 2 September 2008 revealed no adverse information

JOB COSTS

18. **Excl. GST**
- | | |
|---|----------|
| Tender sum – Duffill Watts Consulting Group | \$66,500 |
| Contingency | \$6,650 |
| | ----- |
| Total Job Cost | \$73,150 |

SOURCE OF FUNDING

19. Source of funding is shown in Table 4 below:

Budget Description (from Annual Budget line item) 2007/2008 Annual Plan	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance
Ken Mander Footbridge Replacement	8AMPK-08-004	\$750,000	0	\$750,000	0
	Total			\$750,000	

Table 4 – Source of Funding

IMPLEMENTATION ISSUES

20. The Auckland Regional Council has publicly notified the resource consent application. This may delay the start of the physical works contract.

Report prepared by: Tim Sherring, Senior Engineer, Special Projects.

