

**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, 7 MAY 2010,
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 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 - 23 April 2010

RECOMMENDATION

It is recommended that the Tenders Subcommittee resolve to:

Receive the minutes of the meeting of the Tenders Subcommittee held on Friday, 23 April 2010, as circulated, and that they be taken as read and now be confirmed.



5 **CONTRACT NO. NL09002A - PROFESSIONAL SERVICES FOR CROWN LYNN
PRECINCT - DESIGN SERVICES - APPROVAL TO AWARD**

GLOSSARY

R20 Consultants Limited	(R20)
Architectus Auckland	(Architectus)
GHD Limited	(GHD)
CPG New Zealand Limited	(CPG)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to award Contract No. NL09002A - Professional Services for Crown Lynn Precinct - Design Services.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. NL09002A - Professional Services for Crown Lynn Precinct - Design Services - Approval to Award report.
2. **Approve** that the tender from GHD Limited for Contract No. NL09002A - Professional Services for Crown Lynn Precinct - Design Services in the sum of \$394,580.00 plus \$49,322.50 GST, totalling \$443,902.50 be accepted.
3. **Approve**, subject to resolution 4 below, that authority to enter into Contract No. Contract No. NL09002A - Professional Services for Crown Lynn Precinct - Design Services on behalf of the Council be delegated to the Group Manager: Project Services.
4. **Note** that resolution 3 above be subject to confirmation by the Auckland Transition Agency.

BACKGROUND

1. The Crown Lynn Precinct in New Lynn is bounded by Clark Street, New Lynn to the north, Margan Avenue, New Lynn to the south, the future extension of Ward Street, New Lynn to the east and Rankin Avenue, New Lynn to the west. The extension of Memorial Drive, Hetana Street and Crown Lynn Place, New Lynn and the construction of new roads in the Crown Lynn Precinct will be the first stage of phase 2 of the New Lynn Transit Oriented Development.
2. Development of a roading network and open space infrastructure in the Crown Lynn precinct is to be undertaken by the Council and by private developers. The first stage of construction will be by the Council in the north-west quadrant of the area shown as Area 2 on the plan attached at page A1 while future roading and streetscape development for the remainder of Area 1 will be undertaken by private developers. Council officers have been in negotiation with landowners in Area 2 and the purchase of the land is expected to be completed between mid 2011 and the end of 2011.
3. The construction of the Area 1 roads and open space infrastructure will commence on the conclusion of the land purchases in this area. In the meantime it is necessary to proceed with the design of the roading and open space infrastructure.
4. Funding was approved by the Council in the Annual Plan 2009/2010 for this work.

SCOPE OF WORK

5. The scope of work includes the provision of professional services for:
- A1
- Concept design of roading and streetscape in the Crown Lynn Precinct shown as Area 1 on the concept plan "Crown Lynn Precinct Proposed Roads" attached at page A1;
 - Preliminary design of roading and streetscape for the area shown as Area 2 on the attached concept plan;
 - Detailed design of roading and streetscape for the area shown as Area 2 on the attached concept plan;
 - Provision of land take plans for each of the properties to be purchased in Area 2;
 - A legal boundary survey of the proposed road corridors for land-take purposes;
 - A legal survey for the proposed stoppage of Crown Lynn Place; and
 - A high level Urban Design Analysis for Area 2.

TENDERS RECEIVED

6. Tenders were publicly advertised on Tenderlink on 12 March 2010. Seven tenders were received by the closing date of 6 April 2010. These are summarised in Table 1 below:

TENDERER	REG OFFICE	TENDER PRICE (excl. GST)
R20 Consultants Limited.	34 Sale Street, Freemans Bay, Auckland	\$184,200.00
CPG NZ Limited	666 Great South Road, Penrose, Auckland	\$399,424.65
Blue Barn Consulting Limited	1 st Floor Central One, 4 Henderson Valley Road	\$433,376.00
GHD Limited	ASB Bank Centre, 135 Albert Street, Auckland	\$434,580.00
AECOM New Zealand Limited	47 George Street, Newmarket, Auckland	\$449,832.00
Reset Urban Design	Level 1, Shed 20 , Princes Wharf, Auckland	\$549,600.00
Architectus Auckland	13 Shortland Street, Auckland	\$775,350.00
Pre-tender contract estimate (based on most up-to-date tender rate)		\$550,000.00
Budget estimate		\$550,000.00

Table 1 - Summary of Tender Prices

TAGS, ERRORS OR OMISSIONS

7. The tender of R20 Consultants Limited (R20) contained one qualification, that as pilot trenching locations are not yet defined and reinstatement costs cannot be reasonably assessed, the tender is conditional on item 2.7 in the Schedule of Prices for pilot trenching (in the amount of \$10,000) being treated as a provisional sum and not a lump sum item. For reasons expanded in paragraph 8 below, this qualification was not pursued as it does not affect the outcome of the tender evaluation.
8. The tender of Architectus Auckland (Architectus) contained the following conditions and qualifications:
- It is assumed that all planning services in relation to the stopping of Crown Lynn Place have already been undertaken. Accordingly, Architectus has allowed only for surveying services in relation to the stopping;

- Architectus have allowed for preparation and lodgement of the resource consent application only. Any attendance post lodgement will be on a time engaged basis;
 - All services are strictly limited to the site Areas 1 and 2 as defined in the tender document;
 - Architectus have assumed that there is sufficient power available and that Vector will undertake any major upgrade works. No allowance has been made to undertake any major utility modifications or upgrades;
 - Architectus have allowed for new lighting and streetscape only (lighting, power to small incidental items);
 - It has been assumed that all other electrical works including relocating high voltage or low voltage cabling, transformers etc will be undertaken by Vector; and
 - Architectus have assumed that Telecom and all other service providers will relocate any existing services.
9. The price submitted by Architectus puts their tender out of contention; these qualifications were not pursued as they would not affect the outcome of the tender evaluation.
10. During the checking of tenders, it was noticed that GHD Limited (GHD) had priced items 2.5 and 3.5 in the Schedule of Prices for the design of irrigation at preliminary and detail design stages. These items were omitted from the scope of works during the tender period by means of notification to tenderers in Notice to Tenderers No. 7 dated 30 March 2010. Tenderers were instructed not to price these items. No other tenderers priced the items. The error was corrected and results in a reduction in the price of the GHD tender to \$394,580.
11. There were no other tags, errors or omissions in the tenders received.

TENDER EVALUATION

12. In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in New Zealand Transport Agency's "Competitive Pricing Procedures Manual".
13. 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.
14. In this contract the value of Provisional Sums is \$14,000.
15. A summary of the evaluation results is shown in Table 2:

Tender Evaluation	Attributes	Exper.	Track Record	Tech Skills. & Resources	Manag. Skill	Method.	Price	Contract Number NL09002A
								Total Weights
	Weights	15	20	10	10	15	30	100
Tenderer	Tender Sum							INDEX
GHD Limited	\$380,580.00	70	75	80	70	70	79	75
CPG NZ Limited	\$385,424.65	70	70	80	70	75	78	74

Tender Evaluation	Attributes	Exper.	Track Record	Tech Skills. & Resources	Manag. Skill	Method.	Price	Contract Number NL09002A
								Total Weights
	Weights	15	20	10	10	15	30	100
Tenderer	Tender Sum							INDEX
Blue Barn Consulting Limited	\$419,376.00	65	70	70	70	70	72	70
AECOM	\$435,832.00	75	65	70	70	70	69	69
Reset Urban Design	\$535,600.00	70	70	80	65	70	50	65
Archtectus Limited	\$761,350.00	70	70	75	60	65	8	50
R20 Consulting Limited	\$170,200.00	50	55	60	60	35	100	Disqualified
Engineer's Estimate	\$536,000.00							

Table 2 - Summary of Tender Evaluation

16. The Engineer's estimate in Table 2 above has also been adjusted to reflect the deduction of provisional sums in the amount of \$14,000 from the tender prices.
17. The tender received from R20 has been awarded relatively low scores for experience and track record. The firm is a relatively small one and the tender submission describes the firm as a boutique consultancy. The projects referred to in the experience and track record sections of the submission are smaller in scope than the envisaged Crown Lynn project.
18. The tender of R20 received a score of 35 for the methodology attribute, as the attribute statements from both the principal consultant and the landscape sub-consultant consisted of the list of deliverables from Appendix A in the tender document. In addition, the submission did not address specific requirements set out in the Amendments to Tendering in the tender document, namely programming and phasing of the works, public safety and public relations. The tender is therefore disqualified.
19. The tenders submitted by GHD and CPG New Zealand Limited (CPG) are graded very closely on the non-price attributes with only \$4,844.65 difference in price between the two tenderers. Although CPG have carried out only relatively small contracts for the Council in the past, the firm's proposed landscaping and urban design sub-consultant, Boffa Miskell Limited, are very experienced and have undertaken a number of contracts for the Council. GHD rates equally with CPG on experience, and higher on track record on the basis of contracts successfully executed for the Council. The score for methodology is higher for CPG as GHD did not recognise the time required for Council Subcommittee approval of the concept design. The respective methodology statements were otherwise of similar standard.
20. Both CPG and GHD are capable of carrying out the design services as specified in the tender documents. CPG has proposed carrying out the roading design and utilising a number of specialist sub-consultants for the streetscape, urban design and other aspects of the contract, while GHD has proposed the provision of all services in-house as a one stop shop.

21. Only two tenders, those of AECOM Limited and Architectus were priced close to or above the pre-tender estimate. The price submitted by R20 was significantly lower than the pre-tender estimate and the remainder of the tenders. The remaining tenders ranged from 19 percent to 29 percent lower than the pre-tender estimate. The pre-tender estimate was obtained from the construction estimates provided to Council staff by WT Partnership Quantity Surveyors in April 2009 and has been adjusted to allow for design only with no involvement from the Consultant in the physical works. The submission of prices lower than the pre-tender estimate would appear to reflect the current state of the engineering industry market.
22. The results of the tender evaluation as summarised in Table 2 shows that the tender submitted by GHD achieved the highest index of 75. The tender of GHD is also the lowest priced tender, as a result of the disqualification of the tender of R20.
23. GHD has carried out a number of contracts for Council's Transport Assets section and are currently engaged by the Council on Contract No. TA09036B - Professional Services for NorSGA Transport Infrastructure. References obtained from Council staff and from external clients of GHD indicate a well resourced and well managed consultant.
24. As part of 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

25. A credit check on GHD Limited dated 21 April 2010 revealed no adverse information.

JOB COSTS

26.	excl. GST
Adjusted Tender sum - GHD	\$394,580.00
Contingency	\$ 39,458.00
Consents	\$ 30,000.00

Total Job Cost	\$464,038.00

SOURCE OF FUNDING

27. The Source of funding is shown in Table 3 below:

Budget Description (from annual budget line item) Annual Plan 2009/2010	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance	Potential surplus
Memorial Drive Extension	8AMTA-10- 023	\$286,000.00	\$29,000.00	\$257,000.00	\$0.00	\$0.00
Hetana Street Extension	8AMTA-10- 025	\$167,000.00	\$24,000.00	\$143,000.00	\$0.00	\$0.00
Crown Lynn Place Extension	8AMTA-10- 026	\$302,000.00	\$237,962.00	\$64,038.00	\$0.00	\$155,420.00
	Total	\$755,000.00	\$290,962.00	\$464,038.00	\$0.00	\$155,420

Table 3 - Source of Funding

IMPLEMENTATION ISSUES

28. There are no implementation issues expected with this contract.

AUCKLAND COUNCIL TRANSITION ISSUES

29. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 imposes restrictions on Waitakere City Council's decision making capabilities in respect of section 31(4)(a). This subsection applies to a decision in respect of which the Transition Agency has notified the existing local government organisation under section 20(1) in which it may review any existing local government organisation decisions during the transition period. Accordingly this report is to be tabled to the Auckland Transition Agency for confirmation of award of contract.

Report prepared by: Duncan Miller, Senior Project Engineer, Special Projects.



6 CONTRACT NO. SP09005A - WESTGATE TOWN CENTRE LIBRARY, TOWN SQUARE, SHARED SPACE AND BUS INTERCHANGE - PROFESSIONAL SERVICES - REGISTRATION OF INTEREST

GLOSSARY

Northern Strategic Growth Area	(NorSGA)
New Zealand Retail Property Group	(NZRPG)
Infrastructure Funding Agreement	(IFA)
Auckland Transition Agency	(ATA)
Registration of Interest	(ROI)
metres squared	(m ²)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to short-list five pre-approved design teams to tender for Contract No. SP09005A - Westgate Town Centre Library, Town Square, Shared Space and Bus Interchange - Professional Services.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. SP09005A - Westgate Town Centre Library, Town Square, Shared Space and Bus Interchange - Professional Services - Registration of Interest report.
2. **Approve**, subject to resolution 3 below, that authority to invite tenders from the following five design teams for Contract No. SP09005A - Westgate Town Centre Library, Town Square, Shared Space and Bus Interchange - Professional Services - Registration of Interest be delegated to the Group Manager: Project Services:
 - Warren and Mahoney Architects Limited;
 - Architectus Bowes Clifford Thomson Limited;
 - Jasmx Limited;
 - Athfield Architects Limited; and
 - ASC Architects Limited.

3. **Note** that resolution 2 above be subject to confirmation by the Auckland Transition Agency.

BACKGROUND

1. The Massey North Town Centre Special Area and Massey North Employment Special Area together encompass approximately 160 hectares of land to the north of Hobsonville Road. The area is bounded to the west by the existing State Highway 16 and to the east by the new State Highway 16 alignment to Kumeu.
2. Massey North has long been identified as the third of Waitakere's significant sub-regional centres. Projected population growth has been outstripped, with growth at Westgate much stronger than anticipated by the Auckland Regional Growth Strategy.
3. The Massey North Urban Concept Plan area forms part of a wider project area within the Northern Strategic Growth Area (NorSGA) corridor. Through the Northern and Western Sectors Agreement, which sets the growth management framework for Rodney, Waitakere and North Shore, the Regional Growth Forum agreed in principle that Metropolitan Urban Limits be shifted north to the new State Highway 18 alignment.
4. There is now a need to undertake the detailed design of the new mixed-use 'main street' based Westgate Town Centre, which is the key component of the Massey North Town Centre Special Area. The proposed development is currently progressing through its planning phase. The project will revolve around an integrated design of the central public space, bus interchange and adjacent new library in the heart of the proposed new Westgate Town Centre. The land incorporating the two major precincts, namely Precinct A and B, within this new "green field" town centre are owned, planned and developed by New Zealand Retail Property Group (NZRPG), a private development company. The site of the proposed Westgate Town Centre, comprising an area of approximately 25 hectares will be located in Precinct A.
5. On 7 September 2009, the Finance and Operational Performance Committee resolved to agree to the Chief Executive Officer signing the Infrastructure Funding Agreement (IFA) with NZRPG (minute 1538/2009). The IFA sets out the Council's intent to purchase land for the Westgate Town Centre library site, town square and the key roading networks. The IFA with NZRPG also sets out the agreed design constraints for some elements of the project, such as the treatment of the town square and piazza (owned by NZRPG) and the shared space street environment.
6. The Auckland Transition Agency (ATA) confirmed the Council's decision to enter into an IFA with NZRPG (Decision ATA 0217) on 17 November 2009.
7. NZRPG have submitted a Comprehensive Development Plan application for Precinct A, which is currently being processed via a limited notification process. This application must be processed prior to the lodgement of a resource consent or subdivision application for specific construction activities within the precinct. A hearing to determine this application is likely to occur in July 2010.
8. The built form of the proposed development will be characterised by a fine grain, with a minimum two storey scale with the design of buildings and public spaces being of the highest quality. Streets and spaces focused on the pedestrian experience are considered to be a fundamental ingredient in the successful creation of this main street-based town centre.

9. The design for the Westgate Town Centre Library, Town Square, Shared Space and Bus Interchange elements will be undertaken by a suitably qualified and experienced design team constituting architecture, urban design, landscape architecture, environmentally sustainable design, resource planning, crime prevention through environmental design, injury prevention through environmental design and traffic engineering.
10. An independent quantity surveyor will be engaged by the Council under a separate contract for cost estimating and budget tracking purposes.
11. The selection of the design teams was undertaken through the Registration of Interest (ROI) process for the following reasons:
 - (a) This project is of high importance to the Council, as the selected design team will be responsible for the design of the prestigious Westgate Town Centre, which will establish the Council's vision for the wider NorSGA programme and act as a catalyst for the future development in the area;
 - (b) This approach has the advantage of providing the Council with a single point of responsibility for delivering the required scope of work; and
 - (c) This is a high profile, high cost, high risk project and it is crucial that a design team with suitable relevant experience and a good track record in delivering these types of projects is selected.
12. Following the approval of this ROI by the Tenders Subcommittee, the five short-listed design teams shall be invited to submit their tenders. The submissions will include initial ideas, project appreciation statement, methodology and price, from which a winning proposal will be selected to proceed to concept design, detail design and construction supervision. The short-listed five design teams will be paid a contribution of \$5,000 each towards the cost of preparing their tender submissions.
13. On completion of the evaluation of the tender submissions, the selected single design team will be required to work collaboratively with the Council and NZRPG in the development of three concept designs options. The three concept designs will be presented to the Council for consideration and for the approval of a single concept design. The three concept designs are expected to be delivered at the end of September 2010 and approval by the Council will be sought in the month of October 2010.

SCOPE OF WORK

14. The appointed design team will be responsible for delivering three concept design options followed by the detailed design of the approved concept design. The scope of services shall include:
 - (a) Consultation with key stakeholders;
 - (b) Design of a landmark library with a floor area of 3700 metres squared (m²) located within a 1485m² site on the western edge of the town square;
 - (c) Design of a multi-use, predominantly 'hard' town square of 1100m² area, located at the intersection of Tahī Drive and Waru Street (provisionally named streets);
 - (d) Design of a privately owned (but open to the public) piazza located on the eastern side of Tahī Drive, opposite the intersection with Waru Street, to be designed as a single space integrated with the town square and shared space;

- (e) Design of a shared space street environment at the intersection of Tahī Drive and Waru Street, extending along Tahī Drive from the southern boundary of the town square to 6 metres north of the tangent point with the curve at the northern intersection of Tahī Drive and Waru Street, and for the length of the town square along Waru Street;
- (f) Design of a bus interchange located on the northern and southern sides of Waru Street, extending for approximately 45 metres and commencing from the western edge of the shared space;
- (g) Design of a drop-off zone of approximate length of 10 to 15 metres and a taxi stand of approximate length of 10 to 15 metres on the southern side of Waru Street;
- (h) Design of the remainder of the Waru Street road up to the boundary of the adjacent property;
- (i) Collaborative liaison with the project quantity surveyor and sub-consultants throughout the concept design process;
- (j) Attendance at fortnightly progress meetings and presentation of design and cost updates;
- (k) Presentation of the three concept options to the Project Control Group, including the delivery of a comprehensive concept report incorporating cost estimates and planning reports;
- (l) Attendance at a meeting of the full Council to present the three concept design options and respond to any technical questions;
- (m) Attendance at any community workshops as required presenting the concept design options and addressing any questions on behalf of the Council; and
- (n) Provision of the Engineer's representative during implementation of physical works.

TENDERS RECEIVED

- 15 A ROI invitation was issued via Tenderlink on 1 April 2010 and advertised in the New Zealand Herald on 7 April 2010. Eighty sets of documents were uplifted and 14 registrations of interest were received by the closing dated of 20 April 2010. These are summarised in Table 1 below:

REGISTRANTS (alphabetical order)	REGISTERED OFFICE
AECOM New Zealand Limited	Newmarket, Auckland
Architectus Bowes Clifford Thomson Limited	Auckland
ASC Architects Limited	Newton, Auckland
Athfield Architects Limited	Auckland
Avery Team Architects Limited and Boon Goldsmith Bhaskar Brebner Team Architects Limited	Parnell, Auckland
Beca Carter Hollings and Ferner Limited	Auckland
Creative Spaces Limited	Parnell, Auckland
IGNITE Architects Limited	Auckland
Isthmus Group Limited	Auckland
Jasmax Limited	Parnell, Auckland
Opus International Consultants Limited and Architecture Brewer Davidson Limited	Auckland
Soul Environments Limited	Auckland
The Buchan Group	Auckland
Warren and Mahoney Architects Limited	Auckland

Table 1 - Summary of Registrants

TAGS, ERRORS OR OMISSIONS

16. The registrants submitted three copies of their ROIs before the due closing date.
17. Warren and Mahoney Architects Limited did not enclose the signed covering letter with their submission. On discovering this omission, the applicant telephoned the Council requesting to forward the signed covering letter via email after the ROI closing date. Council officers considered and accepted their request.
18. A number of the ROIs omitted to provide some of the information requested in the ROI invitation. Details of these omissions are given below.

TENDER EVALUATION

19. In accordance with the conditions of registration, submissions were evaluated in line with the Weighted Attribute Method contained in the New Zealand Transport Agency's "Procurement Manual".
20. A summary of the evaluation results is shown in Table 2 below:

Registration of Interest Evaluation	Experience	Track Record	Technical Skills	Resources	Management Skills	Contract no SP09005A
						Total Weights
	35	35	10	10	10	100
Registrant	Grades					INDEX
Warren and Mahoney Architects Limited	90	82	82	78	77	84
Architectus Bowes Clifford Thomson Limited	90	75	85	82	82	83
Jasmax Limited	80	74	77	78	75	77
Athfield Architects Limited	85	67	82	72	85	77
ASC Architects Limited	80	72	75	77	77	76
Creative Spaces Limited	82	72	68	68	77	75
Isthmus Group Limited	77	70	80	77	77	75
Avery Team Architects Limited and Boon Goldsmith Bhaskar Brebner Team Architects Limited	75	68	75	70	73	72
Soul Environments Limited	68	67	75	68	63	68
Beca Carter Hollings and Ferner Limited	63	65	72	72	75	67
IGNITE Architects Limited	71	62	65	60	72	66
AECOM New Zealand Limited	62	62	63	68	73	64
The Buchan Group	69	60	63	57	65	64
Opus International Consultants Limited and Architecture Brewer Davidson Limited	70	57	63	60	73	64

Table 2 - Summary of Tender Evaluation

21. The ROI document for this process specified the information required and the format of the registrant's submissions. This document also identified that only the highest five ranked registrants would be invited to tender for the project.
22. The evaluation was carried out with the collaboration of three teams. Each team comprised of Council officers representing library services, urban planning and project management. The evaluation panel was chosen on the basis of their expertise, qualifications and knowledge of the project.
23. Scores for the attributes were determined on the basis of information provided in each ROI relevant to this project, information gathered from the referees nominated by the registrants and on any recent Council experience with the registrants.
24. The results of the ROI evaluation summarised in Table 2 show that the ROI submitted by Warren and Mahoney Architects Limited achieved the highest overall score of 84. This registrant has consistently performed well on a number of similar projects for the Council.
25. The second, third, fourth and fifth highest scoring registrants were Architectus Bowes Clifford Thomson Limited, Jasmax Limited, Athfield Architects Limited and ASC Architects Limited. These registrants demonstrated good relevant experience and past performance on similar projects in the recent past.
26. The remaining nine submissions were allocated lower overall scores for one or more of the following reasons:
 - Lack of relevant experience;
 - Moderate or poor track record;
 - Insufficient information provided regarding specialist sub-consultants; and
 - Insufficient information provided regarding company management skills.
27. As part of Council's contracting process "Quality, Health and Safety and Environmental compliance are not negotiable" - all registrants have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent stages of the procurement process.

PROPOSAL

28. The registrants with the five highest index scores will be short-listed for invitation to tender for the professional services required to design the Westgate Town Centre Library, Town Square, Shared Space and Bus Interchange.
29. The actual tenders will be evaluated using the weighted attributes method, which will take into account methodology and price.
30. It is proposed to issue tender documents during mid May 2010, with a tender period of four weeks to allow adequate time for tenderers to produce their submissions.

JOB COST

31. The job costs will be reported in the Tender Evaluation Report.

RESOURCES

32. The amounts shown in Table 3 below have been provided in the Annual Plan 2009/2010 and the Long Term Council Community Plan 2009-2019 for this project:

LTCCP Line Item	2009/2010 Budget (\$000's)	2010/2011 Forecast (\$000's)	2011/2012 Forecast (\$000's)	2012/2013 Forecast (\$000's)	2013/2014 Forecast (\$000's)	2014/2015 Forecast (\$000's)	Total Budget (\$000's)
Massey North Library	470	6,355	6,825	0	0	0	13,650
Civic Space	55	0	0	0	138	180	373
Integrated Arts	50	50	200	200	0	0	500
Town Square	773	0	0	0	619	0	1,392
Bus Interchange	0	284	0	0	0	0	284

Table 3 – Source of Funding

33. The ATA approved on 3 December 2009 the bringing forward of future years funding for site preparation and design process within the Massey North Town Centre.
34. Table 4 below shows the current estimated implementation time line of the key project stages to the 31 October 2010:

Activity / Project Stage	Estimated Completion
Invite tenders	May 2010
Approval of contract award by Tenders Subcommittee	July 2010
Completion of concept design	September 2010
Approval of concept design by the Council	October 2010

Table 4: Estimated Implementation Timeline

35. The ROI document for this process specified the information required and the format of the registrant's submissions. This document also identified that only the highest five ranked registrants will be invited to tender for the project.

IMPLEMENTATION ISSUES

36. This report is seeking approval to invite tenders from a short-list of five registrants to provide professional services for the Westgate Town Centre Library, Town Square, Shared Space and Bus Interchange project. Due to the establishment of the new Auckland Council on 1 November 2010 and associated staff reorganisation, it is proposed that this project be progressed to a concept design stage and approved by the Council prior to 31 October 2010. The completion and approval of the concept design will allow a complete package of work to be handed to the new Auckland Council before proceeding with the detailed design and the implementation of the physical works.

AUCKLAND COUNCIL TRANSITION ISSUES

37. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 section 31(4)(b) imposes restrictions on Waitakere City Council's decision making capabilities in respect of a decision to adopt or amend a long-term council community plan or to adopt an annual plan.

38. The Auckland Transition Agency notified Council on 29 June 2009 that it approved the Long Term Council Community Plan 2009-2019, but issued a notice under section 20 and 31(1)b of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, that any decision with regards to the wider NorSGA region project required specific ATA confirmation prior to implementation.

Report prepared by: Saby Viridi, Senior Engineer, Special Projects.



7 CONTRACT NO. PK08004A - VEGETATION CONTROL - PROGRAMMED MANAGEMENT - APPROVAL TO EXTEND

GLOSSARY

Wildland Consultants Limited (WCL)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to extend Contract No. PK08004A - Vegetation Control - Programmed Management for 12 months to 30 June 2011.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. PK08004A - Vegetation Control - Programmed Management - Approval to Extend report.
2. **Approve** that the Contract No. PK08004A - Vegetation Control - Programmed Management as awarded to Wildland Consultants Limited be extended in the sum of \$53,184.74 excluding GST for the period 1 July 2010 to 30 June 2011.
3. **Approve** the commitment of \$58,484.74 excluding GST for the 2010/2011 financial year for Contract No. PK08004A - Vegetation Control - Programmed Maintenance.
4. **Approve** that authority to extend Contract No. PK08004A - Vegetation Control - Programmed Management for the period 1 July 2010 to 30 June 2011 on behalf of the Council be delegated to the Acting Group Manager: Asset Management.

BACKGROUND

1. The scope of work includes the following:
 - Preparation of weed management and planting programmes;
 - Preparation of resource consent applications for vegetation alteration which may be required for revegetation and weed control programmes; and
 - Auditing of operational contractual works.
2. The scope of works requires a multi-skilled approach and as the workload is dependant upon seasonal patterns it is more effective to outsource the programmed management.

3. The Council approved the award of Contract No. PK08004A - Vegetation Control - Programmed Maintenance to Wildland Consultants Limited (WCL) at a Tenders Subcommittee meeting held on 7 March 2008 where it was resolved as follows:

- “1. That the Contract No. PK08004A - Vegetation Control - Programmed Management report be received.
2. That the tender from Wildland Consultants Limited for Contract No. PK08004A - Vegetation Control - Programmed Management in the sum of \$106,369.48 plus \$13,296.18 GST, totalling \$119,665.66 be accepted.
3. That the commitment to the 2008/2009 financial year for Contract No. PK08004A - Vegetation Control - Programmed Management totalling \$ 58,484.74 plus GST be approved.
4. That the commitment to the 2009/2010 financial year for Contract No. PK08004A - Vegetation Control - Programmed Management totalling \$58,484.74 plus GST be approved.
5. That authority to enter into Contract No. Pk08004A - Vegetation Control - Programmed Management on behalf of Council be delegated to the Group Manager: Asset Management.”

236/2008

DECISION MAKING

4. Contract No. PK08004A - Vegetation Control - Programmed Management is a two year contract with an expiry date of 30 June 2010. The contract also has provision for a one year extension based on the satisfactory performance by the Contractor and subject to the Council's approval.
5. It is confirmed that the contract was subject to the appropriate tender process.
6. All funding tables for this contract are in line with revised contract periods.
7. The extension was valued using existing contract rates plus escalation allowance. These rates were compared against rates received recently in other contracts, and as they compared favorably it was considered most beneficial to Council to extend the contract for a further 12 months.
8. The total accumulation of this contract and contract extensions approved, and now sought, showing the cost of the contract sum to date are shown in Table 1 below:

Year 2008/2009	Original Contract Sum	\$53,184.74
Year 2009/2010		\$53,184.74
Year 2010/2011	Extension 1	\$53,184.74

Table 1 - Total accumulative amount

9. WCL has confirmed in writing that they are willing to carry out the contract for a further 12 months.

CONTRACTOR'S PERFORMANCE

10. An evaluation of WCL performance to date contains the following features:
 - During the course of the contractor relationship with the Council, there have been no performance related issues;

- Confirmation that the rationale for extension provides an ability for the Council to retain institutional knowledge over the period of transition, and to ensure certainty of service delivery over the period of transition;
- They have developed a good working relationship with relevant Council officers;
- 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 generally to a very good standard.

CREDIT CHECK

11. A credit check on WCL dated 1 April 2010 revealed no adverse information.

JOB COSTS

12.		excl. GST
	Contract sum (12 months) - (Wildland Consultants Limited)	\$53,184.74
	Contingency	\$ 5,300.00

	Total Job Cost	\$58,484.74

SOURCE OF FUNDING

13. The budget sums are inflation adjusted. The contract sums do not include a sum for inflation. Source of funding is shown in Table 2 below:

Budget Description (from annual budget line item) 2010/2011 Financial Year	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance	Potential surplus
Weed & Pest Maintenance	5190-74000	\$1,070,000.00	\$1,024,149.50	\$45,850.50	\$0.00	\$0.00
Subs Vegetation Control	5490-74000	\$370,00.00	\$357,365.76	\$12,634.24	\$0.00	\$0.00
	Total	\$1,440,000.00	\$1,381,515.20	\$58,484.74	\$0.00	\$0.00

Table 2 - Source of Funding

IMPLEMENTATION ISSUES

14. There are no implementation issues expected with this contract.

AUCKLAND COUNCIL TRANSITION ISSUES

15. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Helen Biffin, Team Leader, Parks Environmental Contracts.



8 **CONTRACT NO. PK09001A - CONTAINMENT PEST PLANT CONTROL - APPROVAL TO EXTEND**

GLOSSARY

Targeted Pest Solutions Limited (TPS)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to extend Contract No. PK09001A - Containment Pest Plant Control for 12 months to 30 June 2011.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. PK09001A - Containment Pest Plant Control - Approval to Extend report.
2. **Approve** that the Contract No. PK09001A - Containment Pest Plant Control as awarded to Targeted Pest Solutions Limited be extended in the sum of \$146,686.16 excluding GST for the period 1 July 2010 to 30 June 2011.
3. **Approve** the commitment of \$161,246.16 excluding GST for the 2010/2011 financial year for Contract No. PK09001A - Containment Pest Plant Control.
4. **Approve** that authority to extend Contract No. PK09001A - Containment Pest Plant Control for the period 1 July 2010 to 30 June 2011 on behalf of the Council be delegated to the Acting Group Manager: Asset Management.

BACKGROUND

1. The scope of work includes the control or contain the following weed species in 381 parks and reserves Citywide as follows:

Containment Pest Plants (removal)

- Bathurst bur (*xanthium spinosum*);
- Bushy asparagus (*asparagus densiflorus*);
- Evergreen buckthorn (*Rhamnus alaternus*);
- Kahili ginger (*Hedychium gardnerianum*);
- Mignonette vind (*Anredera cordifolia*);
- Moth plant (*Araujia sericifera*);
- Nodding thistle (*Carduus nutans*);
- Smilax (*Asparagus asparagoides*);
- Variegated thistle (*Silybum marianum*);
- Woolly nightshade (*Solanum maruritianum*); and
- Yellow ginger (*Hedychium flavescens*).

Containment Pest Plants (boundary control)

- Australian sedge (*Carex longbrachiata*);
- Gorse (*Ulex europaeus*); and
- Ragwort (*Senecio jacobaea*).

2. The contract requires weekly work programmes and reporting on work progress. Information is required about populations of weeds found and controlled, and populations of additional weed species. There is also provision in this contract for service requests for weed control in parks and reserves to be carried out. The existing contract is due to expire on 30 June 2010.
3. The Council approved the award of Contract No. PK09001A - Containment Pest Plant Control to Targeted Pest Solutions Limited (TPS) at a Tenders Subcommittee meeting held on 1 May 2009 where it was resolved as follows:

“The Tenders Subcommittee resolved to:

1. **Receive** the Contract No. PK09001A - Containment Pest Plant Control report.
2. **Approve** that, subject to a satisfactory credit check, the tender from Targeted Pest Solutions Limited for Contract No. PK09001A - Containment Pest Plant Control in the sum of \$146,646.16 plus \$18,330.77 GST, totalling \$164,976.93 be accepted.
3. **Approve** the commitment of \$146,646.16 excluding GST to the draft Annual Plan 2009/2010 for Contract No. PK09001A - Containment Pest Plant Control.
4. **Approve** the commitment of \$146,646.16 excluding GST to the draft Annual Plan 2010/2011 for Contract No. PK09001A - Containment Pest Plant Control.
5. **Approve** that authority to enter into Contract No. PK09001A - Containment Pest Plant Control on behalf of the Council be delegated to the Deputy Director: City Services.
6. **Approve** that authority to award cumulative contract variations to Contract No. PK09001A - Containment Pest Plant Control, up to the value of the contingency sum of \$14,640.00 plus GST for each year of the contract, on behalf of the Council be delegated to the Deputy Director: City Services.”

626/2009

DECISION MAKING

4. Contract No. PK09001A - Containment Pest Plant Control is a one year contract with an expiry date of 30 June 2010. The contract also has provision for a one year extension based on the satisfactory performance by the Contractor and subject to the Council’s approval.
5. It is confirmed that the contract was subject to the appropriate tender process.
6. All funding tables for this contract are in line with revised contract periods.
7. The extension was valued using existing contract rates plus escalation allowance. These rates were compared against rates received recently in other contracts, and as they compared favorably it was considered most beneficial to Council to extend the contract for a further 12 months.
8. The total accumulation of this contract and contract extensions approved, and now sought, showing the cost of the contract sum to date are shown in Table 1 below:

Year 2009/2010	Original Contract Sum	\$146,646.16
Year 2010/2011	Extension 1	\$146,646.16

Table 1 - Total accumulative amount

9. TPS has confirmed in writing that they are willing to carry out the contract for a further 12 months.

CONTRACTOR'S PERFORMANCE

10. An evaluation of TPS performance to date contains the following features:
- During the course of the contractor relationship with the Council, there have been no performance related issues.
 - Confirmation that the rationale for extension provides an ability for the Council to retain institutional knowledge over the period of transition, and to ensure certainty of service delivery over the period of transition.
 - They have developed a good working relationship with relevant Council staff.
 - They are a well resourced company.
 - They respond quickly to customer complaints.
 - They have a strong focus on health and safety.
 - Their workmanship is generally to a very good standard.

CREDIT CHECK

11. A credit check on TPS dated 1 April 2010 revealed no adverse information.

JOB COSTS

	excl. GST
Contract sum (12 months) - (Targeted Pest Solutions Limited)	\$146,646.16
Contingency	\$ 14,640.00

Total Job Cost	\$161,286.16

SOURCE OF FUNDING

13. The budget sums are inflation adjusted. The contract sums do not include a sum for inflation. Source of funding is shown in Table 2 below:

Budget Description (from annual budget line item) 2010/2011 Financial Year	Codes	Budget	Committed to other projects	Allocation to this project	Unallocated balance	Potential surplus
Weed & Pest Maintenance	5190-74000	\$1,070,000.00	\$908,713.84	\$161,286.16	\$0.00	\$0.00
	Total	\$1,070,000.00	\$908,713.84	\$161,286.00	\$0.00	\$0.00

Table 2 - Source of Funding

IMPLEMENTATION ISSUES

14. There are no implementation issues expected with this contract.

AUCKLAND COUNCIL TRANSITION ISSUES

15. The decision making proposed in this report is not constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, as it does not directly or because of its consequences: significantly prejudice the reorganisation, significantly constrain the powers or capacity of the Auckland Council or any subsidiary of the Auckland Council following the reorganisation, or have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

Report prepared by: Helen Biffin, Team Leader: Parks Environmental Contracts.



9 CONTRACT NO. EW04135C - ON-SITE WASTEWATER MANAGEMENT SYSTEMS - INSPECTION AND CLEANING - APPROVAL TO EXTEND

GLOSSARY

Interclean Liquid Waste Disposal (ILWD)

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Tenders Subcommittee to extend Contract No. EW04135C - On-Site Wastewater Management Systems - Inspection and Cleaning for 15 months from 1 April 2011 to 30 June 2012.

RECOMMENDATIONS

It is recommended that the Tenders Subcommittee resolve to:

1. **Receive** the Contract No. EW04135C - On-Site Wastewater Management Systems - Inspection and Cleaning - Approval to Extend report.
2. **Approve** the ability to negotiate the extension of Contract No EW04135C - On-Site Wastewater Management Systems - Inspection & Cleaning for the period 1 March 2011 to 30 June 2012 on behalf of the Council be delegated to the Acting Group Manager: Asset Management.
3. **Approve**, subject to resolution 5 below, the commitment of \$195,000.00 excluding GST as provided in 4 months of the draft Annual Plan 2010/2011.
4. **Approve**, subject to resolution 5 below, the commitment of \$805,000.00 excluding GST as provided in the 2011/2012 financial year.
5. **Note** that recommendations 3 and 4 above for Contract No. EW04135C - On-Site Wastewater Management Systems - Inspection and Cleaning be subject to final confirmation by the Auckland Transition Agency.

BACKGROUND

1. Council has a duty to monitor the environmental effects of wastewater in rural areas of the City. The Contract is for pumping out of on-site wastewater treatment systems including septic tanks. This also includes long drops and grease traps together with an inspection of, and reporting of, the condition of the on-site wastewater treatment systems over a three year cycle. High-tech systems are not included in this contract.

2. Over 5,498 tanks are currently serviced every three years. The cost of this service is recovered by means of a rate called the Rural Sewerage Charge. The Rural Sewerage Charge is collected as an annual rate charged on the property and the service is delivered every three years. The current contractor InterClean Liquid Waste Disposal (ILWD) has been cleaning and inspecting the septic tanks for the last 12 years and has gained local knowledge which significantly contributes to the efficiency and effectiveness of the programme. The current Rural Sewerage Charge is \$148.00 per annum, equivalent to \$444.00 every three years. Any increase in costs will directly affect this charge
3. At the Tenders Subcommittee meeting held on 12 November 2004 it was resolved as follows:

“The Tenders Subcommittee resolved to:

- “2. *That approval be given to invite tenders for a three-year contract, with option for extension of a further three years, for the Septic Tank Pump Out and Inspection Contract.”*

1928/2004

4. At the Tenders Subcommittee meeting held on 2 May 2008 it was resolved as follows:

“2. **Approve** the Group Manager: Asset Management is given the authority to enter into negotiations with InterClean Liquid Waste Disposal to extend Contract EW04315C - On Site Wastewater management Systems - Inspection and Cleaning for a further three years until 31 March 2011.

“3. **Defer** the decision to extend EW04315C - On Site Wastewater Management Systems - Inspection and Cleaning be extended with InterClean Liquid Waste Disposal for a further three years until the outcome of negotiations between the Group Manager: Asset Management and InterClean Liquid Waste Disposal are reported back to the Tenders Subcommittee .”

“4. **Approve** the extension of EW04315C - On Site Wastewater management Systems - Inspection and Cleaning with InterClean Liquid Waste Disposal on a month by month basis.”

674/2008

DECISION MAKING

5. The current contract allows for the extension of this contract following negotiations. The costs of service are included in the Long Term Council Community Plan 2009-2019. This Contract was tendered and was awarded to Liquid Waste Disposal which was substantially lower cost than the other tenderers. ILWD has performed well on the contract for the last 3 years and have met the stated KPI's including being under budget.
6. The current contractor, now ILWD, has significant experience and knowledge of the customers, historical records of locations of tanks and has performed this service satisfactorily. The current septage under this contract is disposed with Resource Consents and Trade Waste discharge consents in place. Solids are composted and not to landfill which is in line with the eco city vision.
7. ILWD, has introduced new innovations to improve efficiency of the service. For example Navman satellite tracking/ monitoring tracks each truck to assist with scheduling.

8. Customer survey reports indicate high levels of satisfaction with the current service provided.
9. The following table highlights some of the wider issues:

		Social	Economic	Environment	Cultural
Option 1	Disadvantages				
	Advantages	Confidence in delivery and customer service	Known costs which are budgeted. ILWD were lowest tender in 2005. Costs are borne by owners through Rates	Current discharge consent in Manukau	Residents rely on service
	Resources	No increase	Changes limited by contract	No change	No change

10. This decision does not affect Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.
11. The extension of this contract provides the ability for the Council to retain institutional knowledge and ensure certainty of service delivery during the transition period.
12. The total accumulation of this contract and contract extensions approved, and now sought, showing the cost of the contract sum to date are shown in Table 1 below:

Year 2004/2008*	Original Contract Sum	\$1,789,640.65
Year 2008/2011*	Extension 1	\$1,789,640.65
1/4/2011 - 30/6/2012	Extension 2 (15 months)	\$1,000,000.00
	Total	\$4,579,281.30

* These dates relate to the 1st April to the 31st March each year and are therefore not a Council financial year.

Table 1 - Total accumulative amount

CONTRACTOR'S PERFORMANCE

13. An evaluation of ILWD performance to date contains the following features:
 - During the course of the contractor relationship with the Council, there have been no performance related issues;
 - They have developed a good working relationship with relevant Council staff;
 - 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 generally to a very good standard.

CREDIT CHECK

14. A credit check on ILWD will be requested as part of the negotiation.

JOB COSTS

15. Job Costs will be defined during the negotiation phase of this contract. However, all costs of this service are received through the rated Rural Sewerage Charge.

SOURCE OF FUNDING

16. Source of funding is shown in Table 2 below:

Budget Description (from annual budget line item) Annual Plan 2008/2009	Codes	Budget	Committed to other projects	Allocation to this project
Draft Annual Plan 2010/2011	6600	\$780,000	Nil	\$780,000
2011/2012 financial year	6600	\$805,000	Nil	\$805,000
	Total			\$1,585,00

Table 2 - Source of Funding

IMPLEMENTATION ISSUES

17. There are no implementation issues expected with this contract.

AUCKLAND COUNCIL TRANSITION ISSUES

18. The Local Government (Tamaki Makaurau Reorganisation) Act 2009 imposes restrictions on Waitakere City Council's decision making capabilities in respect of s31 Decision making during transition period

- (4) This subsection applies to a decision—
- (i) to enter into any contract (other than an employment agreement)—
 - (i) that imposes, or will continue to impose, any obligation on the existing local authority after 30 June 2011; and
 - (ii) the consideration for which is, or is equivalent to, \$20,000 or more:

19. Therefore this extension requires confirmation by the Auckland Transition Agency.

Report prepared by: Ann-Marie Worth, Service Delivery Manager: EcoWater.

