



Tender Evaluation Report (TER)

Physical Works Supplier Panels: Lowest Price Conforming (LPC)

Procurement & Contact Details		Date
Work Package:	Wynyard Quarter Central - 312-18-706-AC	1/07/2018
Panel Utilised:	Panel One	
Contract Manager:	Luke Donald	
Contact Details:	021 468 697	

Recommendation

Following the evaluation of the Lowest Price Conforming Tender, it is recommended that the Wynyard Quarter Central Work Package contract, be awarded to **Downer New Zealand Limited** for **\$21,947,836.03** (excluding GST).

Task	Name & Position	Signature	Date
Author:	Mac Mataia, Procurement Advisor		10-07-18
Reviewed:	Luke Donald, Principal Engineer, Investigation and Design		10-7-18
Reviewed:	Tarun Ahuja, Investigation and Design Manager Central		12-7-18
Endorsed:	Dave Colquhoun, Procurement Manager, Infrastructure		12-07-18
Endorsed:	Wayne Powell, Manager Probity		12-07-18
Endorsed:	David Nelson, Group Manager, Major Capital		7/9/18
Endorsed:	Mark Lambert, Executive General Manager, Integrated Networks		8/8/18
Approved:	Shane Ellison, Chief Executive Officer		

Note:

- In signing this report, signatories acknowledge, that they have no procurement or project conflict of interest.
- Reviewer and endorser signatories, acknowledge that they have read the TER supporting documents and are comfortable with the approach taken.



Contract Summary

Contract	
Form of Contract:	NZS3910:2013
Contract Type	Measure and Value
Contract amount:	\$21,947,836.03
Contingency:	\$2,500,000.00
Contract start date:	15 days after Award date.
Proposed contract end date:	31/12/2019
Defects liability period	12 months for Construction, 24 Months for Landscaping
Bond conditions:	Performance bond (10% of Contract amount)
Retention:	Yes
Bond in lieu of retention	No

Funding Summary

Funding	
NZTA Funding Status	N/A
WBS code	C.101377
Funding from:	AT and Watercare (Watercare will pay the cost of their works under a Heads of Agreement with AT).
Total budget:	\$68.5m
Less other allocations:	\$8.0m
Balance available:	\$60.5m
Total allocation for this contract	\$24.45m
Unallocated balance remaining	\$35.55m



Procurement Summary

Tender Evaluation Panel & Support

Role	Name & Position	External Resource
Chair:	Mac Mataia, Procurement Advisor	No
Evaluator:	Luke Donald, Principal Engineer, Investigation and Design	No
Evaluator:	Daniel Williams, Alta	Yes
Support		
Subject Matter Expert:	James Ring (Beca)	Yes
Subject Matter Expert:	Scott Greenhalgh (LandLAB)	Yes
Subject Matter Expert:	Gary Forgie, Commercial Manager QS Services	No
Subject Matter Expert:	Simon La Monica, Senior Quantity Surveyor	No
Probity Auditor:	Wayne Powell, Manager Probity	No

Note: The above personnel signed a conflict of interest and confidentiality form, and any notified conflicts were resolved, prior to receiving any tender responses.

Request for Tender

Details	Date & Numbers
Released:	28/05/2018
Closed:	8/06/2018
GETS Number:	19765493
Downloads:	8
Received:	4
Alternatives:	0

Tender Responses Received

Contractor	Panel Member	Initial Price	Conforming
Downer	Yes	\$21,018,589.66	Yes
JFC	Yes	\$21,885,153.51	N/A
HEB	Yes	\$24,035,446.81	N/A
Dempsey	Yes	\$25,702,087.47	N/A

Note: Downer was identified as the lowest price tenderer during the price opening process and met conforming requirements during the assessment process.



Price Adjustment

During the tags and clarification process of Downer's submission, the following provisional sums and quantities were adjusted as per the following:

Additional Provisional Sums:

- Manson's permanent access across linear park - added \$100K Provisional Sum
- Undertake 22kv works next to Datacom - added \$25K Provisional Sum
- Tram Sleeper Replacement - added \$35K Provisional Sum
- Access to Air NZ carpark - added \$45K Provisional Sum
- Access to Gaunt St Businesses - added \$85K Provisional Sum
- Further, access/resequencing for stakeholders - added \$50K Provisional Sum.

Total additional Provisional Sum = 340K.

Total additional Provisional Sums adjustment applied across all tenderers equals to \$340K.

Quantity Changes against quoted item rates:

Quantity Change	Quantity Change Amount
Increase in contaminated grounds (due to assessment by consultant and draft consent conditions) –	4200 m3
Watermain connect & seats	1
The quantity changes applied across all tenderers.	

Description	Downer	JFC	HEB	Dempsey
Total off-site and profit percentage.	9%	Did not provide a total off-site and profit percentage.	14.7%	12%
Contaminated grounds quoted rate	\$127	\$122.9	\$144.7	\$51.26
Street Furniture: Single Rubbish bin including footing quoted rate.	\$1,965	\$2,181.15	Did not provide a rate for this item.	\$2,487.45
Watermain Connect quoted rate.	\$5,698.52	\$5,803.08	Did not provide a rate for this item.	Did not provide a rate for this item.

Quantity Change Description	Downer	JFC	HEB	Dempsey
Contaminated Ground	$\$127 \times 9\% + \$127 \times 4200 = \$581,406.00$	$\$122.9 \times 4200 = \$516,348.00$	$\$144.70 \times 14.7\% + \$144.70 \times 4200 = \$697,077.78$	$\$51.26 \times 12\% + \$51.26 \times 4200 = \$241,597.44$
Street Furniture: Single Rubbish bin including footing	$\$1,965 \times 9\% + \$1,965 \times 1 = \$2,141.85$	$\$2,181.15 \times 1 = \$2,181.15$	-	$\$2,487.45 \times 12\% + \$2,487.45 \times 1 = \$2,785.94$
Watermain Connect	$\$5,228 \times 9\% + \$5,228 \times 1 = \$5,698.52$	$\$5,803.08 \times 1 + \$5,803.08 = \$5,803.08$	-	-
Total Quantity Cost Adjustment	\$589,246.33	\$524,332.23	\$697,077.78	\$244,383.38



Final Prices after adjustments

No	Tenderer	Initial Price	Quantity Cost Adjustment	Provisional Sums Adjustment	Final Price
1	Downer New Zealand Limited	\$ 21,018,589.66	\$589,246.33	\$340,000.00	\$21,947,836.03
2	John Fillmore Contracting Limited	\$21,885,153.51	\$524,332.23	\$340,000.00	\$22,749,485.74
3	HEB Construction Limited	\$24,035,446.81	\$697,077.78	\$340,000.00	\$25,072,524.59
4	Dempsey Wood Civil Limited	\$25,702,087.47	\$244,383.38	\$340,000.00	\$26,286,470.86

Evaluation Approach

Procedure & Method	
Procedure Followed	Procurement Procedure - RFT: LPC (Appendix 3)
Evaluation Method	Scoring Schedule - Scored out of 100% (Appendix 2)
Pass Requirement	Equal or above 45%

Evaluation Results

Attribute	Criteria Description	Requirements Met
Skills	Proposed nominated key personnel, adequately meet role qualifications and experience requirements, and do not pose an unacceptable risk to AT's Project.	Yes
Methodology	Proposed methodology, provides sufficient assurance that the contractor has an adequate understanding of project requirements, and does not pose an unacceptable risk to AT's Project.	Yes
Resources	Proposed resources (people, plant & equipment) are adequate and support the Programme, and do not pose an unacceptable risk to AT's Project.	Yes



Clarifications & Tags

Details		Output
Condition of Contract Clarifications	Number of clarifications	12
	All clarification satisfactory resolved	Yes
Tags	Number of tags	111
	All tags satisfactory resolved	Yes

Supporting Documents

Appendix	Document
1	Procurement Plan
2	RFT & Response Template
3	Procurement Procedure - RFT - LPC & Scoring Schedule
4	Notices & Tag Register
5	Probity Report
6	Delegation of TER signing minutes