

EXPRESSION OF INTEREST FOR NZS 3916:2013

FOR DESIGN AND BUILD OF THE CHRISTCHURCH ORGANICS PLANT UPGRADE

Council appreciates that the current pandemic creates uncertainty for both Council and the Market. Please respond to the tender question to the best of your abilities.

Changing factors that affect the tender, timelines and the tender responses; will be addressed in an open dialogue with the market whilst the tender progresses and during tender negotiations and award.

Please respond on the assumption that on the date that this tender is intended to be awarded that the State of Emergency in New Zealand is over. The actual current relevant conditions to each tender will be discussed and negotiated upon during the tender negotiations.

EOI Number	TD20/21-24012468
Date of issue:	Thursday, 25 February 2021
Closing Date and Time:	Thursday, 25 March 2021 at 12:00pm (midday)
Electronic submission of Response must be uploaded to:	www.gets.govt.nz website
EOI information contact person:	Caio Lopes – Senior Procurement Specialist Caio.lopes@ccc.govt.nz

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Join us in making Christchurch a city of opportunity for all

Christchurch is New Zealand's second-largest city and the gateway to the South Island.

We are one of the city's largest businesses and the second-largest employer in the South Island, with more than 3,000 staff working in sites across Christchurch and Banks Peninsula.

We provide services and facilities to more than 380,000 residents, plus visitors. From rubbish collection and recycling, to cycle ways, libraries, sports and recreation facilities, events and festivals we do it all – and a lot in between.

Our vision is to make Christchurch a city of opportunity for all – open to new ideas, new people and new ways of doing things – a city where anything is possible.

As one of the largest 'buyers' in the region, our Sustainable Procurement Programme seeks value for money for ratepayers, and also looks to use our spending to advance the social, environmental and economic wellbeing of Christchurch residents.

Alongside the usual procurement goals of value, quality, timeliness, ethical behaviour and fair dealing, we are focused on the principles of sustainability:

- Enhancing the environment
- Fostering local business
- And promoting diversity, acceptance, inclusiveness and access for people of all abilities.

We want to work with like-minded suppliers - businesses with practices that enhance the environment, support the local economy and advance wellbeing in Christchurch. You can find an outline of our expectations of our suppliers in our [Supplier Code of Conduct](#).

Tell us how we can work together to help make Christchurch a city where anything is possible.

Section A – Information and Background

1. Information and background

Christchurch City Council (the Council) is seeking Expressions of Interest (EOI's) from suitably qualified contractors (Respondents) who are interested in delivering upgrade works to the Christchurch Organics Plant located in Bromley.

The main objective of the project is to upgrade the current composting facility to increase the effectiveness of the composting process and also deal with current odour concerns. The upgrade to the facility will be implemented whilst the plant remains operational and with minimum disruption to the operations.

The purpose of this EOI is to communicate to the market the Council's needs to deliver the project, determine the market appetite to participate in a multistage procurement (EOI + RFP), understand Respondents expertise, capability and capacity to start the contracts works from July 2021 at the lowest timeframe possible for.

In order to achieve this, the Council will be releasing preliminary high level scope of works and various resource consenting documents for better understanding of the technical requirements by the Respondents. The Council will also allow for a single interactive session with all interested parties as an opportunity to discuss any technical related project questions/issues. Respondents will also be able to submit questions via GETS Q&A throughout the tender process. Questions that involve Intellectual Property or are commercially sensitive won't be replied to the general public.

The EOI process involves a quality attribute evaluation methodology. EOI submissions should clearly demonstrate the Respondent's proven abilities in relation to the key aspects of the Contract Works. It is anticipated that shortlisted Respondents will then be asked to provide commercial proposals under an RFP process along with project specific questions (i.e. methodology, sustainability).

The following high level steps are anticipated:

- An EOI to establish a group of Respondents;
- Site visit and tender briefing as a way to allow for in-depth understanding of the Plant operations and alignment of expectations;
- Shortlisting of tenderers based on responses to this EOI;
- A closed RFP process with shortlisted EOI Respondents;
- Negotiation and due diligence stages may be undertaken with Respondents;
- An interactive RFP process to align expectations from both parties and discuss value for money initiatives;
- Presentation with Preferred Respondent, if required;
- Recommendations developed and approved;
- Contract award;

It is the Council's intention through this EOI that:

- it gains a clear understanding of the market's capability and capacity to deliver the Contract Works
- Respondents provide clear, concise responses to allow the Council to robustly evaluate Responses and create a shortlist for the RFP stage
- it understands whether further efficiency, effectiveness and value can be delivered by Respondents
- the Council obtains an understanding of any potential innovation in respect of the Contract Works.

The final attribute scores from this EOI will be scaled and used to inform the subsequent RFP scores, as set out in Section C. No pricing information should be provided anywhere in your Response.

2. Indicative Timeline

Below is an indicative timeline for the EOI process. The Council reserves the right to modify the steps and/or dates at any time, at its sole discretion.

EOI release date	Thursday, 25 February 2021
EOI site visit (Bromley Plant)	Thursday, 11 March 2021. Further details are available on GETS.
EOI Group Interactive Session (Tender Briefing)	Monday, 8 March 2021 at 3:00pm. Further details are available on GETS.
Last date for questions and requests for explanatory notices from Respondents via GETS	Monday, 22 March 2021 at 12:00pm (midday)
EOI close date	Thursday, 25 March 2021 at 12:00pm (midday)
EOI evaluation completion	Mid-April 2021
Respondents advised of outcome of EOI	Mid-April 2021
RFP process starts	Mid-April 2021
Contract awarded with Preferred Contractor	Late June 2021

Section B – Scope, Specification and Information Required

Overview and Background of the opportunity:

The Bromley Organics Processing Plant is located at 42 Metro Place, Bromley, Christchurch that processes organic waste from the kerbside green bins, commercial food waste, green waste and riverweed.

The facility started accepting material from the kerbside green bins in 2009. It is operated under contract by Living Earth, a division of Waste Management NZ Ltd. The site operates under a resource consent (CRC080301.1) issued by Environment Canterbury for discharge to air, which expires in 2033. A condition of consent requires that there be no offensive or objectionable odour beyond the boundary of the site.

There are presently 18 aerated in-vessel composting tunnels with a capacity of about 60,000 tonnes per year. The current resource consent allows for a maximum of 90,000 tonnes to be processed through the tunnels with maturation and curing outside and 30,000 tonnes of green waste to be composted outside in managed windrows each year. The Principal proposes to increase the design annual tonnage to the consented maximum of 90,000 tonnes per year, if possible.

Organic waste input tonnages and their source for the 2018/19 financial year are presented below. These are generally indicative of recent organic waste annual tonnages and source.

Incoming Material Source	Tonnes (FY18/19)
Council Kerbside Material	51,706
Green waste from Metro Place Transfer Station	7,215
Riverweed	635
Commercial food waste	3,646
Other green waste	6,322

Current organic waste composting operations are summarized as follows:

- Tipping of commercial food waste and kerbside organic materials on sorting floor
- Green waste from Metro Place Transfer Station brought in from outside tipping area and shredded and stockpiled as bulking agent
- All raw incoming feedstocks, bulking agent and recirculated screened oversized blended and run through shredder with 250mm basket
- Shredded material loaded into tunnels (at peak season to a height of 3.5m)
- Tunnel decant and reload approximately ½ way through process cycle (4 tunnels into 3, process duration 14 days at peak season)
- Tunnel decant to maturation windrows outside, typically in the order of 2 weeks
- Windrow turning periodically, anywhere between 3 and 5 days with decreasing frequency as compost matures
- Windrow stockpiling of mature compost until sold, typically in the order of 10 - 12 weeks

There are a number of constraints associated with the range and variation of key organic waste stream design parameters that require consideration and addressing in the upgrade design and construction phase planning including:

- Current peak season organic waste tonnages exceeding existing compost process capacity resulting in higher than desired composting temperatures due to inadequate air flow and therefore incomplete composting in-tunnel requiring maturation of compost outdoors

- Higher heat within the compost tunnel resulting in biofilter being loaded at higher temperature than desirable
- C:N ratios generally have lower C than typical, which is further exacerbated by a significant increase in grass content in Spring, requiring use of high C supplement
- Waste stream density is generally higher than typical, which is further exacerbated by a significant increase in grass content in Spring
- Due to high costs in diverting organic waste to landfill, it is the Principal's preference to keep the plant operational during the construction phase. Details on constraints during the construction phase (to keep the Plant operational) will be provided in the Request for Proposal

Detailed analysis of historical seasonal variations in organic waste volumes, C:N ratios and density will be provided in Request For Proposal in addition to the definition of the design values or ranges for these parameters.

The facility has been the subject of odour complaints in the Bromley area since its original construction and this upgrade is required to achieve compliance with Regulatory Authority Resource Consent conditions related to odour for the design waste stream tonnages, density and C:N ratios.

Recent enforcement action from the Regulatory Authority requires that the Principal achieve compliance with the Resource Consent conditions by January 2022. It is acknowledged that the compost plant upgrade project will not be completed by this time, Respondents are encouraged to consider if and how compliance with odour consent conditions can be achieved in this timeframe, without compromising compost quality requirements. The Request for Proposal will provide additional information on the importance of meeting this Resource Consent compliance requirement and any specific Tender evaluation aspects in this regard.

The Principal is approaching the market via this EOI to identify Design-Build Contractors with the experience and capability to design and build the upgrade of the current composting tunnels, associated air handling and odour treatment and construction of an additional building to provide an enclosed area for compost maturation and screening.

Additional Information:

The following information is provided to assist Tenderers to understand the site, problems and work undertaken to date:

- Attachment A - BECA Report, 2015 - Odour Reduction Options (Redacted)
- Attachment B - Budget Cost Estimates Report - OPP Redevelopment
- Attachment C - CEA Ltd Report
- Attachment D - Option Comparison - OPP Redevelopment Report
- CRC080301.1 - Resource Consent for Discharge to Air
- CRC080302.1 - Resource Consent for Discharge of Water
- CRC080888 - Resource Consent for Land Use
- Decision report to Council - Organics plant upgrade
- Resolution of Council -Made at 3W & Waste Infrastructure & Environment Committee
- Aerial photo of the Organics Processing Plant with annotations

Scope of Upgrade Works

Physical Works

The scope of upgrade works anticipated under this project are summarized below:

1. New air distribution pipework and nozzles within the floor of all compost tunnels

2. New air inlet and outlet ducting to all compost tunnels, including new blowers and connection to make-up air and discharge air ducting
3. New automated in-tunnel compost temperature monitoring and air-flow control system
4. New automated in-tunnel moisture sensing and control system
5. New compost tunnel doors to all compost tunnels
6. New return air and make-up air ducting and any required blowers or fans
7. New blowers or fans and associated ducting to biofilter
8. New or upgraded existing biofilter with partitioning into at least two compartments
9. Demolition of existing workshop and construction of new workshop, if required for new Processing Hall building extension
10. New Processing Hall building extension to house maturing compost as required to achieve Tenderers compost process design, plus storage of mature compost (with volume to be advised by the Principal) and relocated compost screen
11. Air handling to new Processing Hall building extension to maintain negative pressure
12. General civil works associated with the above, to tie into existing surfaces and services
13. New electrical Main Switchboard, wiring and controls for new equipment and facilities and potentially, a new transformer and/or main supply upgrade

It is expected that all upgrade works will require new plant and materials, however the Principal may consider re-use of existing plant and materials where this offers cost savings or programme efficiency. This will be detailed in the Request for Proposal documents.

Live Operations Considerations

As this is an operational facility there are a range of interfaces and constraints that will require consideration and that may impact design, construction sequencing and programme. These are identified at this stage to assist Tenderers understand the complexity of this upgrade and include but are not limited to:

- The composting tunnels and biofilter are under-capacity during peak season at present
- The facility must continue to accept organics and operate during construction to minimize disposal costs and impacts
- Organics can be diverted to landfill at cost if required (costs will be detailed in the Request for Proposal)
- Odour generation cannot be worsened during construction
- Large air handling ducting on the roof of the compost tunnels
- Existing site is fully utilized for compost windrows
- Vehicle movements including incoming organic waste trucks, internal loader movements and trucks carting mature compost from site

Design

The Design-Build Contractor will be required to design all components of the upgrade project including but not limited to:

- a. Compost process design to achieve design specifications, including compost tunnel air flow rates, air distribution, blowers, ducting, temperature control, moisture control, leachate collection and discharge, etc.
- b. Biofilter upgrade and/or new biofilter to achieve design specifications, including air flow rates, media composition and depth and provision of at least 22 separate biofilter cells.
- c. Processing Hall building extension, including ground improvement (if required), foundations, structure, cladding, HVAC, general services and interface to surrounding buildings, pavements and stormwater system
- d. Compost screen relocation, including foundations, power supply and operational movements

- e. Overall facility operational movements including organic waste unloading, processing, shredding, tunnel loading, tunnel unloading, movement to maturation hall, screening and storage of finished compost and loading of finished compost into trucks for distribution

The Design-Build Contractor will be required to manage and administer the design and design review process, with all design submissions to be subject to the Principals Technical Advisor's review and acceptance.

The Request for Proposal will outline Tender design submission and detailed design process requirements.

The Design-Build Contractor will be required to prepare project technical specifications utilizing the relevant AS/NZS Standards, or other industry accepted international standards where AS/NZS Standards are not available or appropriate. The Request for Proposal will outline requirements.

Respondents are not required to undertake any design or prepare specifications as part of the EOI phase, however it is expected that Respondents demonstrate their experience and ability to undertake these activities.

Consents and Approvals

The Design-Build Contractor will be required to review and confirm all consent and approvals requirements and thereafter, prepare, lodge and gain all necessary consent and approvals for the upgrade. These may include but not be limited to:

- a. Building Consent from Christchurch City Council for new structures (Processing Hall extension, workshop and modifications to existing tunnel structure)
- b. Contaminated land preliminary site investigation and confirmation from Christchurch City Council whether National Environmental Standards approvals are required or not
- c. Land use consent for new buildings from Christchurch City Council
- d. Evidence of compliance or modification of trade waste discharge consents from Christchurch City Council
- e. Traffic management plan approval from Christchurch Transport Operations Center
- f. Construction phase discharge consent (dust, stormwater, sediment, etc.) from Environment Canterbury
- g. Evidence of compliance with air discharge consent requirements to Environment Canterbury

Respondents are not required to undertake a planning review as part of the EOI phase, however it is expected that Respondents demonstrate their experience and ability to undertake these activities.

Compost Plant Operation

The Design-Build Contractor will not be required to operate the plant once completed, however compost process and operational performance requirements will need to be demonstrated, so it is anticipated that the Contractor will have involvement in commissioning and initial operation of the upgraded compost facility until such time as performance requirements are satisfied.

Operational performance requirements will be detailed in the RFP but are likely to be based on building negative pressure, no fugitive odour emissions, biofilter odour emissions, compost maturity and operational efficiency.

Respondents are not required to undertake an operational interface review as part of the EOI phase, however it is expected that Respondents demonstrate their experience and ability to undertake these activities.

Sustainability

The Principal will seek to incorporate sustainability initiatives that are demonstrated to be cost effective and/or provide value. Sustainability objectives and/or requirements will be detailed in the RFP.

Respondents are not required to undertake a sustainability review as part of the EOI phase, however it is expected that Respondents demonstrate their experience and ability to undertake these activities.

Section C – Schedule of Conditions to EOI

Clause number references refer to Section D (EOI Conditions)

Clause	Description	Condition						
3.2	EOI Information Contact Person	Name: Caio Lopes – Senior Procurement Specialist Email: caio.lopes@ccc.govt.nz						
3.3	Last date for questions and requests for explanatory notices	Monday, 22 March 2021 at 12:00pm (midday)						
4.1	Closing Date and Time	Thursday, 25 March 2021 at 12:00pm (midday)						
4.1	Address for submission of Response (Electronic <u>ONLY</u>)	Address for submission of electronic Response: Responses must be uploaded via the www.gets.govt.nz website						
5.1	EOI Evaluation Methodology	<p>Tenders will be evaluated using a weighted attribute methodology. All submissions will be assessed in a consistent manner as per the stated methodology.</p> <p>The Council may, in its sole discretion, not consider further any Tender which receives a “Fail” on any attribute. A score of less than 35 percent any weighted attribute will be considered a “Fail”.</p> <p>A de-selection process will apply as follows:</p> <p>Non-price attributes will be evaluated, pass/fail questions where indicated will be evaluated in the first instance, failure to pass this section could result in a non-compliant tender. The Council reserves the right not to evaluate non-compliant submissions further.</p> <p>The weighted attribute for both non-price and price will be calculated and the decision will be made by the evaluation team which tenderers to select for interview.</p> <p>The Council reserves the right to interview Tenderers as deemed necessary and will amend scores after the interview as required based on the information provided by the tenderer.</p> <p>NON-PRICE ATTRIBUTES</p> <table border="0"> <tr> <td>A</td> <td>Health, Safety & Wellbeing</td> <td>Pass/Fail</td> </tr> <tr> <td>B</td> <td>Financial Viability</td> <td>Pass/Fail</td> </tr> </table>	A	Health, Safety & Wellbeing	Pass/Fail	B	Financial Viability	Pass/Fail
A	Health, Safety & Wellbeing	Pass/Fail						
B	Financial Viability	Pass/Fail						

		<p>C Expertise 50.00%</p> <p>D Capability 20.00%</p> <p>E Capacity 30.00%</p> <p>TOTAL 100%</p>
5.2	Information to be submitted with the Response (Electronic <u>ONLY</u>)	<p>Electronic Submission:</p> <p>Uploaded to www.gets.govt.nz website:</p> <ul style="list-style-type: none"> • Appendix 2 (Form of Response) • Appendix 3 (Respondent's Response Form and Declaration including all information required in Parts A and B of this Appendix). • Appendix 4 (Conflict of Interest Declaration).

Section D – EOI Conditions

The General Conditions of this EOI.

1. DEFINITIONS

The following words and expressions (where they appear in this EOI and/or any attachments) have the meanings set out below:

Closing Date and Time means the deadline for Responses to be received as set out Section C

Confidential Information means information that (a) is by its nature confidential, (b) is marked as "Confidential" or (c) is provided "In Confidence"

Contract Works means the contract works set out in Section B

Council means the Christchurch City Council

EOI means this Expression of Interest process

EOI Documents means the documents which are issued to Respondents

EOI Information Contact Person means the person identified in Section C

Evaluation Methodology means the methodology set out Section C

GETS means the Council Tender Portal at www.gets.govt.nz

Respondent means the person or entity that submits, or expresses an interest in submitting, a Response in response to this EOI

Response means the Respondent's submission responding to this EOI process

Response Box means the address specified in Section C for submission of Responses

RFP means the Request for Proposal

RFP/RFP Process means the process that may be conducted following the EOI where selected Respondents are invited to submit a proposal for the Contract Works

RFP means the Request for Tender

Schedule of Conditions to EOI means the schedule in Section C

Working Day means a calendar day other than any Saturday, Sunday or public holiday in Christchurch.

2. PREPARING A RESPONSE

EOI Documents

- 2.1** EOI Documents issued to Respondents for use in the preparation of a Response remain the property of the Council.
- 2.2** Any information provided by the Council to Respondents has been provided to assist Respondents in preparing Responses. The Council does not represent or warrant the completeness or accuracy of such information. Respondents shall rely on all information at their own risk and are responsible for the interpretation of the information.

Respondents to inform themselves

- 2.3** Each Respondent shall be deemed to have examined the EOI Documents and any other information supplied in writing and if applicable, inspected any relevant site and surroundings. The Respondent shall have undertaken all reasonable and practicable investigations and measurements, familiarised itself with the requirements of all relevant authorities, and have satisfied itself as far as is practicable as to the correctness and sufficiency of its Response for the Contract Works before submitting a Response.

3. COMMUNICATIONS DURING THE EOI PROCESS

- 3.1** All communications to Respondents from the Council will be via GETS.
- 3.2** The EOI Information Contact Person identified in Section C is the only person authorised to receive questions, requests for information or other communications by Respondents or related parties regarding this EOI. Any such questions, requests for information or other communications must be submitted in the forum facility via the administrator's Tender Portal at www.gets.govt.nz and should not be directly sent to the EOI Information Contact Person, unless clause 3.7 below applies.
- 3.3** The EOI Information Contact Person may be contacted via GETS, before the last date for questions and requests for explanatory notices as specified in the indicative timeline in Section A. Questions submitted to the forum will only be responded to during business hours.
- 3.4** The Council shall not be bound by any statement, written or verbal, made by any person including the EOI Information Contact Person unless that statement is subsequently expressly incorporated in writing in any agreement that may that may be entered into following the RFP/RFP Process.
- 3.5** Where the EOI Documents issued to Respondents are ambiguous or unclear to a Respondent, it may request the issue of an explanatory notice. If an explanatory notice is issued, it shall be communicated via GETS to all Respondents and shall upon issue become part of the EOI Documents. Requests for information or clarifications that relate solely to the Respondent's Response will be provided to the Respondent requesting the information for clarification only.
- 3.6** In the absence of an explanatory notice, Responses may be submitted subject to any reasonable interpretation of any ambiguity or uncertainty in the EOI Documents. Any such interpretation and any assumptions made must be detailed in the Statement of Departures included as Appendix 5.
- 3.7** For enquiries that the Respondent considers to be of a private or confidential nature, the Respondent should contact the EOI Information Contact Person directly at the address listed in Section C.
- 3.8** After the date for submission of Responses has closed, the EOI Information Contact Person may further communicate with Respondents directly in order to set meeting times, and advise the outcomes of the evaluation process.

4. SUBMISSION OF RESPONSE

Closing Date and Time

- 4.1** The Council requires that Responses are submitted by the Closing Date and Time detailed in Section C. Each Response shall be identified as a Response for the particular EOI and addressed as required by the Schedule of Conditions to the EOI. While every care will be taken to place Responses in the Response Box, the Council has no responsibility for failure to do so before the Closing Date and Time.

Extension of Closing Time and Date

- 4.2** Responses cannot be uploaded onto the Council Tender Portal after the Closing Date and Time. If the Response arrives after the latest date and time required for Responses, it may be considered as invalid. However, the Council reserves the right to accept a late submission or extend the Closing Date and/or Time for the uploading of Responses at its sole discretion. Any late Response in respect of which the Council chooses not to exercise its discretion shall be returned to the Respondent unopened.

Required Method for Submitting Responses

- 4.3** The Council requires that in the event that Responses are uploaded to GETS, the files submitted are created in MS Office (the Council's software) and are zipped when multiple files are being submitted.
- 4.4** Where Responses are electronically submitted, Respondents are allowed to upload a maximum of 50 MB per Response.

Rules and Guidelines for Electronic Response Submissions

- 4.5** The electronic Tender Box clock operates in New Zealand Standard Time (NZST).
- 4.6** Electronic submissions can only be submitted via the electronic file upload facility on www.gets.govt.nz.
- 4.7** All electronic files are to be clearly named referencing the Respondent's company name and the Council's EOI title and number reference.
- 4.8** It is recommended that the Respondents begin the uploading of Response files allowing sufficient time for the upload to be fully completed before the Response Closing Date and Time. This is particularly important if the Respondent is submitting large size files.
- 4.9** In cases where a Response cannot be uploaded by the Closing Date and Time due to GETS system outages or communication link failures beyond the control of the Respondent, the Respondent should notify the EOI Information Contact Person as soon as possible. The Council will consider the circumstances and whether or not to accept a late submission on a case by case basis and at its sole discretion.
- 4.10** If any of the files submitted are not readable by the Council (such as due to file or data corruption), the Council will consider the circumstances on a case by case basis. The Council may at its sole discretion ask the Respondent to resend a readable version. If this request is made, evidence that there have been no changes to the file content since the Closing Date and Time may be sought from the Respondent.
- 4.11** If technical support is required relating to the functioning of the website www.gets.govt.nz, the Respondents should contact the GETS Helpdesk during business hours by phoning 0508 438 743 or emailing info@gets.govt.nz

Form of Responses

- 4.12** Responses shall be prepared in the form and contain all of the information required by the EOI Documents.
- 4.13** The Responses shall be signed by or on behalf of the Respondent.

- 4.14** The cost of preparing and submitting a Response shall be borne by the Respondent.
- 4.15** The Council may request any Respondent to clarify and/or adjust aspects of its Response, and also reserves the right to negotiate with any Respondent.

Respondent Warranties

- 4.16** The Respondent warrants that:
- (a) all information provided by the Respondent is complete and accurate; and
 - (b) the provision of information to the Council, and the use of it by the Council for the evaluation of Responses, in any subsequent RFP Process or for the negotiation of any resulting contractual agreement, will not breach any third party intellectual property rights.

Form of Agreement

- 4.17** The successful Respondent (if any) through any subsequent RFP process that may be issued by Council will be required to carry out the Contract Works subject to the terms and conditions of a NZS 3916:2013 based contract with the Council's Special Conditions.

5. EVALUATION

Evaluation Methodology

- 5.1** Subject to the provisions of these Conditions of EOI, the intended method of evaluation and weightings (where applicable) are as set out in Section C.
- 5.2** Where applicable, each Respondent shall submit with their Response full details of the non-price attributes as set out in Section C.
- 5.3** The final attribute scores from this EOI may be scaled and used to inform the scores in any subsequent procurement process such as a RFP.

6. SHORTLISTED RESPONSE

Shortlisted Response

- 6.1** A Respondent shall be notified in writing by the Council if its Response is shortlisted.
- 6.2** Making the shortlist does not constitute an acceptance by the Council of the Respondent's Response, or imply or create any obligation on the Council to issue a RFP or any other procurement process to that Respondent.
- 6.3** The Council may at any time without being liable to the Respondent, cease discussions with any Respondent and not proceed with a RFP or any other procurement process.

Unsuccessful Responses

- 6.4** A Respondent shall be notified by the Council if its Response is not shortlisted within 20 Working Days of the selection of the shortlisted Responses to proceed to the next stage of the process.

7. RESERVATION OF COUNCIL'S RIGHTS

- 7.1** The Council reserves the right at its sole discretion to:

- (a) waive or change the requirements of this EOI process from time to time without prior (or any) notice being given;
- (a) waive any non-conformities or other irregularities or informalities in the EOI process;
- (b) seek clarification and/or an adjustment of aspects of a Respondent's Response;
- (c) immediately disqualify any Respondent that does not submit a compliant Response;
- (d) re-invite Responses on the same or any alternative basis;
- (e) amend or change the evaluation methodology and/or the weighting and/or any criteria;
- (f) to shortlist none or any of the Responses;
- (g) at any time withdraw the EOI; or
- (h) not proceed with any RFP or other procurement process.

8. NO OBLIGATIONS

8.1 No legal or other obligations shall arise between the Respondent and the Council in relation to the conduct or outcome of the EOI process.

8.2 The Council and its agents or advisors will not be liable in contract or tort or in any other way for any direct or indirect damage, loss or cost incurred by any Respondent or other person in respect of the EOI process.

9. GENERAL INFORMATION

The Council to Make Enquiries

9.1 The Council reserves the right to make enquiries regarding the Respondent and to consider relevant information obtained from any source in the evaluation of the Response. The Council may verify with any third party any information included in the Response or disclosed to the Council in connection with the Response, including carrying out a credit check on the Respondent.

Canvassing of Council Officers and/or Elected Members of the Council

9.2 Any attempt made by a Respondent to influence the outcome of the EOI process by canvassing, lobbying or otherwise seeking support of the Council officers or elected representatives of the Council, shall be deemed valid grounds for the exclusion of that Response from the evaluation process.

Ethics

9.3 By submitting a Response, Respondents acknowledge that they have not and shall not engage in any practices that gives one party an improper advantage over another, and/or engage in any unfair and unethical practices, in particular any collusion, secret commissions or such other improper practices.

Confidentiality

9.4 The information supplied by the Council (either itself or through its consultants, agents or advisors) in connection with this Response, any subsequent RFP Process, or any contract that arises out of the subsequent RFP Process, is confidential. Respondents should not release or disclose any of the information to any other person (other than their employees or advisors), without the prior written consent of the Council. Any publicity or media statements also require the Council's prior written consent.

9.5 The Council may, at its discretion, require any Respondent to sign a Confidentiality Agreement before releasing any Confidential Information to the Respondent. The Respondent agrees to sign the Confidentiality Agreement, if required to do so.

9.6 The Council is subject to the Official Information Act 1982 and the Local Government Official Information and Meetings Act 1987. Information provided by a Respondent may be required to be disclosed under those Acts.

Due Diligence

9.7 As part of the EOI process, the Council, together with its agents, professional advisors and/or consultants, may carry out due diligence investigations of any or all of the parties that submit a Response.

9.8 Where due diligence investigations are undertaken by Council, any information which is marked confidential will be acknowledged as confidential however the Respondent acknowledges that the Council is subject to the Local Government Official Information and Meetings Act 1987 under which the Council is required to treat each request for information in accordance with the provisions of that Act.

9.9 By submitting a Response, a Respondent consents to the Council (and its agents, professional advisors and consultants) carrying out all due diligence investigations of the Respondent as may be required by the Council, acting reasonably. The Respondents will promptly provide all information and answer all questions as may be required by the Council, acting reasonably, in carrying out such investigations subject only to:

- (a) confidentiality obligations owed to unrelated third parties (which if applicable, must be identified and, if then requested by the Council, the Respondent will take all reasonable steps to have such confidentiality waived to enable disclosure to the Council); or
- (b) the rules of any stock exchange on which the Respondent or its parent company is listed (which, if applicable, must be identified).

9.10 By submitting a Response, each Respondent expressly acknowledges and agrees that the Council shall not have any obligation to issue any subsequent RFP Process to any Respondent if the Council is not satisfied, in its sole and exclusive discretion, with the outcome of its due diligence investigations regarding that Respondent.

Conflict of Interest

9.11 Respondents shall complete the declaration at Appendix 4 and disclose any potential Conflict of Interest that may arise. The Council shall, at its sole discretion, determine whether a conflict may prevent a Respondent's Response from being evaluated.

Appendix 1 – Key Information required from Respondents

The checklist below sets out the information that must accompany any Response. Please tick to indicate that the documentation is included.

Note: This form is for Respondent's use only and does not need to be returned to the Council with the Response.

Document	Included
Appendix 2 - Form of Response	<input type="checkbox"/>
Appendix 3 - Respondent's Response Form and Declaration including: <ul style="list-style-type: none">• Part A – Profile of Organisation• Part B – Referees• Part C – Response to the Council's requirements	<input type="checkbox"/>
Check form of Response submission (hardcopy only, electronic only, hardcopy or electronic) has been adhered to	<input type="checkbox"/>

Appendix 2 – Form of Response

Response for:	Design and Build of the Christchurch Organic Plant Upgrade
EOI Number:	TD20/21-24012468

1. We, being the Respondent named below, acknowledge and agree:
 - a. to be bound to the terms and conditions detailed in Section D: EOI Conditions;
 - b. that we are interested in participating in this EOI process and any subsequent RFP process;
 - c. that we have downloaded and examined the Specifications that have been provided in relation to the EOI and taken those into consideration in the submission of our Response;
 - d. that we have downloaded and examined all the Notices to Respondents (referred to as "Addendum in GETS) issued in relation to the EOI by the Council via GETS:
(please circle the Notices you have downloaded)

Notice to Respondents number:

1 2 3 4 5 6 7 8 9 10

 - e. that we have downloaded and examined all the Questions & Answers posted on GETS in relation to the EOI:

 Questions & Replies 1 to (please state the last number)
 - f. that allowance for the impact of changes from the Notices is considered in the Response;
 - g. that we understand that the Council is not bound to shortlist the lowest priced, highest scoring or any Response received nor to proceed with a RFP Process.
 - h. that we have completed the requirements stated in Appendix 3 – Respondent's Response Form.
 - i. that we have signed and agree to the requirements stated in Appendix 4 – Conflict of Interest Declaration.
2. We understand that no legal or other obligations shall arise between the Respondent and the Council in relation to the conduct or outcome of the EOI process.
3. We attach the information required to be submitted with this EOI (as set out in the Key Information Required From Respondents in Appendix 1), and confirm that all such information is complete and accurate.
4. We nominate the following person to communicate on our behalf in relation to the EOI process and our Response:

Name of Respondent:	
Name of contact person:	
Position of contact person:	
Contact person's address:	

Contact person's telephone number:	
Contact person's email address:	
Signed by authorised signatory of the Respondent:	
Name and title of authorised signatory:	
Date:	

Appendix 3 – Respondent's Response Form

Part A - Profile of Organisation

Respondent's organisational profile	
Full legal name:	
Trading name: (if different)	If applicable
Type of entity (legal status):	Sole trader / partnership / limited liability company / other please specify
Company registration number:	If applicable, registered number for a company
GST registration number:	NZ GST number / if overseas please state
Country of residence:	Insert country where organisation is resident for tax purposes
Physical address for service of notices:	
Postal address:	If different from above
Location of head office	City in New Zealand / if overseas please specify city and country
Name of parent company:	If applicable, provide details of parent company
Consortium or joint venture:	<p>If applicable, include details of:</p> <ul style="list-style-type: none"> the basis of the consortium or joint venture agreement, indicating the lead company and any respective liabilities of the members of the consortium or joint venture; and confirmation that the liability of members of an unincorporated joint venture must be joint and several
Council Interests:	If applicable, provide details of any interest held by a councillor of the Council or a Council employee in the Respondent's business, company or consortium
Website details:	If applicable – www.
Type of business:	Brief description of the type of business the organisation specialises in
Year established:	

Part B – Response to the Council’s requirements

To evaluate whether each Respondent has the capability and capacity to provide the Contract Works required, each Respondent will need to answer all questions in Part B below in full. Each question must be answered independently.

Respondents are asked to provide responses to questions relevant to the delivery of the Contract Works, based on the information contained within Section B – Scope and Specification.

Responses to the questions are limited to a total of 50 pages in total. A4, single sided, 10 point size font. The overall response should be sufficient to be read and interpreted on its own and should not rely upon the content of attached marketing and promotional material.

A. Health, Safety and Wellbeing (Pass/Fail)

Health, Safety and Wellbeing is everyone's responsibility. Consulting, cooperating and coordinating with Contractors is an approach that Council will take to support the health, safety and wellbeing of workers, inclusive of encouraging workplace representation and engagement and to meet any requirements under the Health and Safety at Work Act 2015. This commitment includes selecting Respondents who ensure they maintain a safe and healthy work environment and operate in accordance with good practice.

At this stage, the Council is only interested in knowing if Contractor do hold H&S documentation. Contractors are not required to submit any formal evidence unless otherwise requested by the Council.

Question Number	Question	Response (circle)
A.1	Do you have a current Organisational Health, Safety & Wellbeing Policy that commits to meeting the requirements of the Health and Safety at Work Act 2015 signed by a Senior Leader and can provide a copy of it to the Council, if requested?	Y / N
A.2	Do you have a formal documented Health, Safety & Wellbeing system in your organisation that meets the requirements of the Health and Safety at Work Act 2015? a) Is the system and associated processes shared with your workers, other PCBU's and their workers and do such workers and other PCBU's receive training on this system and associated processes? b) Can you provide evidence of the response in a) above to the Council, if requested?	Y / N
A.3	Do you hold a current Health, Safety & Wellbeing accreditation/certification against a recognised standard or programme. e.g.; HSW AS/NZ Standards or alternative International standards	Y / N
A.4	Have you completed a Health, Safety & Wellbeing pre-qualification assessment with an external service provider?	Y / N
A.5	Are your leaders visible in the workplace? Do your leaders empower workers to "speak up" for health, safety and wellbeing and how do you recognise their contributions?	Y / N

B. Financial Viability (Pass/Fail)

The Council is seeking assurance from Respondents that they have sufficient financial strength to meet their obligations under the Contract.

Question Number	Question
B.1	<p>Provide details to the following questions (where the answer is yes, please provide details):</p> <ul style="list-style-type: none"> • Are there any significant events, matters or circumstances which may significantly affect the operations of the Tenderer's business? • Are there any proceedings, either actual or threatened, against the Tenderer, its parent company or any director of the company, or associated entities or have there been any in the past five years? If so, what remedial action has been taken in respect to these proceedings? (include details of any bankruptcy actions or insolvency proceedings) • Are there any de-registration actions against the Tenderer's company, its parent or associated entities, or have there been any in the past five years? <p>Are there any factors which could adversely impact on the financial ability of the Tenderer to successfully perform the obligations stated in this EOI?</p>

C. Expertise (Relevant Experience) (Weighting 50%)

The Council wishes to understand the Respondents previous experience with similar nature, size, and scale projects to the Contract Works.

Question Number	Question									
C.1	<p>Relevant Experience</p> <p>Provide up to 3 most recent relevant contract examples to evidence the Respondent's previous experience providing works of a similar nature to the Contract Works under this EOI and the Respondent's performance against the contract.</p> <p>The relevant experience should be in the form set out below with one table provided for each contract.</p> <table border="1" data-bbox="309 1177 2033 1375"> <thead> <tr> <th data-bbox="309 1177 1111 1230">Specific Details</th> <th data-bbox="1111 1177 2033 1230">Description of Relevant Experience & Track Record</th> </tr> </thead> <tbody> <tr> <td data-bbox="309 1230 1111 1283">Name and type of works/projects provided.</td> <td data-bbox="1111 1230 2033 1283"></td> </tr> <tr> <td data-bbox="309 1283 1111 1335">Client / Customer Name</td> <td data-bbox="1111 1283 2033 1335"></td> </tr> <tr> <td data-bbox="309 1335 1111 1375">Dates: provide the dates the contract ran / is running for.</td> <td data-bbox="1111 1335 2033 1375"></td> </tr> </tbody> </table>		Specific Details	Description of Relevant Experience & Track Record	Name and type of works/projects provided.		Client / Customer Name		Dates: provide the dates the contract ran / is running for.	
Specific Details	Description of Relevant Experience & Track Record									
Name and type of works/projects provided.										
Client / Customer Name										
Dates: provide the dates the contract ran / is running for.										

Question Number	Question
	<p>Scale: provide detail of the value of the works/projects and whether they were completed on time and within agreed budget (if not, please provide details of why not) and what was operating capacity prior/post construction.</p> <p>Relevance to the Contract Works: provide details of how the other works/projects illustrate the Contractor's experience and ability as a company to provide the expertise required to successfully design and complete the Contract Works. Projects that can demonstrate the most relevance will include the following elements at a minimum:</p> <ul style="list-style-type: none"> • Similar plants operating over 50,000 tonnes of input per year. Ideally with input predominantly from a municipal kerbside collection of food and garden waste; • Odour management and control (ideally within close proximity to a sensitive receiving environment); • Details on what was the input (eg waste streams) and output (eg maturity or quality of compost) from the facility; • Compliance to composting standards (eg NZS 4454:2005 or equivalent and ideally organic output certification); • Experience working in a live environment whilst having other areas of the complex operational; • Experience or understanding of construction in New Zealand, building code compliance etc. <p>Sub-consultant / Subcontractors: provide details of any sub-consultant / subcontractor that assisted with the delivery of the Contract Works and identify the role undertaken by the sub-consultant / subcontractor.</p>
C.2	<p>Track Record & Lessons Learnt</p> <p>Provide a statement on how the relevant experience above relevant experience will add value to the Council's project. Provide details of the Contractor's significant achievements in delivering similar contract works such as value-added initiatives and cost savings achieved, and an overview on projects lessons learnt.</p>

D. Capability (Proposed Personnel) (Weighting 20%)

The Council wishes to gain details on the proposed key personnel, their skills and experience, as well the possible proposed subcontractors.

Question Number	Question																																																		
D.1	<p>Organizational Chart</p> <p>Please provide your envisaged management organisational chart, including lines of communication between the operational/delivery.</p>																																																		
D.2	<p>Proposed Key Personnel:</p> <p>List in table format (using the form below, single sided, 10 point size) key personnel proposed for the Contract Works. Indicate their physical location, time commitment for the duration of the Contract and provide an indication of how their previous experience is relevant to the Contract Works. Technical experience should briefly indicate formal qualification and training relevant to the Contract Works. Practical experience should briefly describe length and type of experience relevant to the Contract Works.</p> <table border="1"> <thead> <tr> <th>Name</th> <th>Job Title</th> <th>Responsible for:</th> <th>Physical Location</th> <th>Time Commitment</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Name	Job Title	Responsible for:	Physical Location	Time Commitment																																													
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D.3	<p>Mini CVs</p> <p>Include CVs of proposed key personnel for the delivery of the Contract Works (CVs must show details and dates for specific appointments, experience and relevant experience). Maximum page limit of one A4 page, single sided, and 10 point size for each CV.</p>																																																		
D.4	<p>Proposed Subcontractors:</p> <p>Provide the name, address and specialisation of any key Subcontractors and/or Partners (in case of a Joint Venture or Consortium) that the Respondent proposed to use for the delivery of the Contract Works including the design element. Provide details of the nature and extent of their involvement in the delivery of the Contract Works. This should include clear details on any overseas parties.</p>																																																		

Question Number	Question
D.5	<p>Stakeholder Management</p> <p>Explain how you will demonstrate stakeholder management and communications skills with a focus on collaboratively working with the Council project team and the various multiple stakeholders (i.e., Living Earth, nearby residents, community boards, etc) to ensure the best outcome for the project.</p>

E. Capacity (Logical Approach) (Weighting 30%)

The Council wishes to understand the Respondent's ability to develop a logical approach to deliver the Contract Works, to identify projects risks and how it should be mitigated.

Question Number	Question
E.1	<p>Sequencing of Events</p> <p>Provide a high level indicative Programme with a logical critical path. Council is keen to understand constraints, long lead items and envisaged sequencing.</p>
E.2	<p>Risk Management</p> <p>Please provide an overview on the key risks associated to this project and what is the Respondent's proposed mitigation plan.</p>
E.3	<p>Risk allocation</p> <p>Of the risks identified, please confirm if there are actions that you would expect the Principal (CCC) to take/adopt to help you mitigate the corresponding risk?</p>
E.4	<p>Supply Chain</p> <p>Set out the following:</p> <ul style="list-style-type: none"> • A table of the items in your supply chain which will be required for this contract with a procurement lead time greater than a week and their estimated lead time (from order to delivery). • Subcontractors that are on the critical path of your tender programme. <p>Describe the following:</p> <ul style="list-style-type: none"> • How you will coordinate and manage the design process to ensure that upgraded compost plant will operate to the specified design parameters

Question Number	Question
	<ul style="list-style-type: none"> • How you will co-ordinate and manage your materials and plant supply chain to ensure that the to be agreed programme is met • How you propose to reduce the impact on the Operational Handover date and subsequent Practical Completion due to delays in your materials and plant supply chain • How you will co-ordinate and manage your Subcontractor supply chain to ensure that the to be agreed programme is met <p>How you propose to reduce the impact on the Operational Handover Date and subsequent Practical Completion due to delays in your Subcontractor supply chain</p>

Appendix 4 – Conflict of Interest Declaration

Note: This form must accompany each submitted Response.

Response for:	Design and Build of Christchurch Organic Plant Upgrade
EOI Number:	EOI 20/21-24012468

CONFLICT OF INTEREST DEFINITION:

A conflict of interest is a situation in which a Respondent could gain (or be seen to gain) an unfair advantage through an association with an individual or organisation. Associations include financial, personal, professional, family-related or community-related relationships.

- An actual conflict of interest is where there already is a conflict
- A potential conflict of interest is where the conflict is about to happen or could happen
- A perceived conflict of interest is where other people might reasonably think there is a conflict

QUESTIONNAIRE:

Note: Each organisation involved in a joint Response must submit a *separate* questionnaire and declaration.

	Question	Response (Select one answer for each question. Select "potentially" if others could perceive that a conflict exists.)
1	Does any person in the Respondent's organisation have a close friend or relative who they are aware is (or could be) involved in any evaluation or decision-making relating to this EOI process?	[yes] / [no] / [potentially]
2	Has any person in the Respondent's organisation recently offered any special discounts, gifts, trips, hospitality, rewards or favours to any person they are aware is (or could be) involved in any evaluation or decision-making relating to this EOI process? (e.g. free travel, free samples for personal use)	[yes] / [no] / [potentially]
3	Is the Respondent aware of any person involved in any evaluation or decision-making relating to this EOI process having a financial interest in the Respondent's organisation? (e.g. the person is an employee of, or a shareholder in, the Respondent's organisation)	[yes] / [no] / [potentially]
4	Is the Respondent aware of anything that might give the appearance that any person involved in the evaluation stage or decision-making stage of this EOI process is biased towards or against the Respondent's organisation? (e.g. the person has used the Respondent's organisation's corporate box)	[yes] / [no] / [potentially]

5	Is the Respondent aware of any other arrangement it currently has, or clients it currently provides works to that may give rise to a conflict with the EOI?	[yes] / [no] / [potentially]
6	Is there anything else that the Council should know?	[yes] / [no]

If the Respondent answered "yes" or "potentially" to any of the questions above, please set out the details of the situation below.

Declaration	Yes	No
I am authorised to provide this information and sign this form.	<input type="checkbox"/>	<input type="checkbox"/>
The information provided in this form is true and correct.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that if the information I have provided is not true and correct, the Council may terminate any future contract (if the Council has reasonably relied on the accuracy of information provided in this questionnaire), at any time and with immediate effect by written notice.	<input type="checkbox"/>	<input type="checkbox"/>

Signed by authorised signatory of the Respondent:	
Name and title of authorised signatory:	
Date:	