

From: [BDC Lgoima](#)
To: [REDACTED]
Bcc: [Steve Gibling](#); [Mike Williams](#)
Subject: Official Information Request for Project Management Office Information - Various Ref: OIA 090/23
Date: Friday, 6 October 2023 2:31:00 pm
Attachments: [image006.png](#)
[Question 2 -Proposal for Services - PMO Peer Review and Gap Analysis - Redacted.pdf](#)
[Question 4 - Email BDC - TPA - Redacted.pdf](#)
[Question 6 - Tiphead Procurement Plan - Redacted.pdf](#)

Dear [REDACTED]

We refer to your official information request dated 18 August 2023 for information relating to the Project Management Office.

The information you have requested is marked in blue below and as attachments for questions 2, 4 and 6:

After careful review and consideration of your request below, please find BDC's responses to your seven questions:

Question 1. A copy of council's budget for the PMO review which Team Projects Advisory carried out in 2021. If the council did not have a budget, why not?

*This request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: The budget for the PMO Review conducted by Team Projects Advisory (TPA) was allocated from the Infrastructure Services cost code for professional services. There was no separate budget.***

Question 2. A copy of the terms of reference the council set Team Projects Advisory for the PMO review.

*Please find **enclosed** and marked "2" a proposal from Team Projects Advisory (TPA) to Council dated 12 October 2021. This proposal is to assist Buller District Council in a peer review and gap analysis of the Project Management Office (PMO). This proposal is based on a verbal communication by the GM Infrastructure Services. Subsequently, TPA were engaged by Council to conduct the "health check" of the PMO, assess how it was operating after 9 months. This was with a view to assuring central government that Council (through the PMO) was in a position to be able to deliver centrally funded projects. The objective of TPA's review was to find areas for improvement of the PMO's structures and processes. TPA were tasked to review the PMO records and to interview both PMO and Council personnel before producing a report. Some personal details have been redacted to protect the privacy of natural persons (section 7(2)(a)). The remainder of this request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)).*

Question 3. A copy of the PMO review produced by Team Projects Advisory.

This request is refused on the ground that the PMO Review is confidential, disclosure of it would be likely to prejudice the supply of similar information from the same source, and it is in the public interest that such information should continue to be supplied (LGOIMA, section 7(2)(c)).

In addition, the PMO Review discusses employment and staffing matters and as such parts of the report are also withheld on the additional ground of protection of privacy of natural persons (LGOIMA, section 7(2)(a)).

Question 4. A copy of council's request to Team Projects Advisory to produce a procurement plan and peer review for tiphead revetment.

*Please find **enclosed** and marked "4" an email from Council to Team Projects Advisory dated 8 August 2022, which seeks review and comment on the Tiphead Procurement Plan. Some personal details have been redacted to protect the privacy of natural persons (section 7(2)(a)). The remainder of this request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: The procurement plan was the responsibility of the project manager and not Team Projects Advisory. Note: TPA were only asked to review the document and work with the project manager to make any amendments that were required.***

Question 5. A copy of the procurement plan and peer review for tiphead revetment prepared by Team Projects Advisory (July 2022).

*This request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: This question is answered below (Question 6).***

Question 6. A copy of the revised tiphead procurement plan and project management review prepared by Team Projects Advisory (November 2022).

*Please find **enclosed** and marked "6" a copy of the tiphead procurement plan which was revised by Team Projects Advisory and dated 16 November 2022. Some personal details have been redacted to protect the privacy of natural persons (section 7(2)(a)). The remainder of this request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: BDC are unsure as to what "project management review" you are referring to?***

Question 7. A copy of the project review carried out by Team Projects Advisory on the tiphead revetment (December 2022).

*This request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: is this question referring to the same project management review as (Question 6) above and if so the same "Note:" stands?***

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact the Buller District Council by return email to lgoima@bdc.govt.nz.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly at

<https://bullerdc.govt.nz/district-council/your-council/request-for-official-information/responses-to-igoima-requests/> with your personal information removed.

Kind regards

Mike Williams | Acting GM Infrastructure Services
DDI 03 788 9652 | Mobile 027 204 0796 | Email mike.williams@bdc.govt.nz

Buller District Council | Phone 0800 807 239 | bullerdc.govt.nz
PO Box 21 | Westport 7866

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"2"

Buller District Council
PO Box 21
Westport 7866

12th October 2021

FAO Mike Williams

Dear Mike,

Project Management Office – Peer Review and Gap Analysis

Thank you very much for your recent approach and for the opportunity to submit a proposal to assist Buller District Council in a peer review and gap analysis of your Project Management Office (PMO).

Background

With the PMO established around 9 months ago, BDC now wishes to review how the PMO is operating, with the objective of identifying and implementing any adjustments found to be necessary to improve both organisational and operational efficiencies.

BDC is liaising with [REDACTED] of IQANZ and [REDACTED] of TEAM Projects to respectively undertake a Health Check and Gap Analysis on the PMO.

The areas of focus are to be:

- Managerial – supervision, leadership, culture, task assigning, performance management, business strategy
- Resources – needs analysis, recruitment & retention, engagement models, onboarding
- Capital Delivery – work programmes, baselines, statusing, change management, H&S, risk, progress reporting
- Business Improvement – systems, processes, procedures, tools, corporate alignment, procurement, reconciliations, auditing, compliance

Proposed Approach

We identify readily with the above, in relation to similar work we have recently been doing with other authorities, most notably [REDACTED].

In compiling and structuring our proposal, we take the opportunity to offer some advice regarding the sequence and timing of introducing such changes as may be found necessary.

The establishment of any new Project Management Office requires a structured evolution; it is not realistic – or indeed fair on those operating within the PMO – to introduce new processes, procedures and changes with immediate effect, and expect things to change instantaneously. To be most effective, we would recommend a structured, change-managed approach with clearly articulated milestones and appropriate support mechanisms in place to help effect the changes. Typically this can be achieved within a 6 month timeframe.

Change falls into two categories; procedural change and organisational change.

The former relates to establishing clear, consistent and easy to use processes for project delivery and upward reporting. This needs to be at both project and programme level.

The latter relates to getting buy-in from both direct users and parties affected by the PMO; key to this is to engage all parties early and to ensure that all processes, changes and reporting requirements are designed to be easy to use, and importantly to make their life easier.

We would group Capital Delivery and Business Improvement as procedural change, and Managerial and Resources as organisational change, and suggest an approach to the review that aligns with this distinction.

Our proposed approach is summarised below:

GAP ANALYSIS

Procedural Review

- Review current processes and procedures in place for;
 - Prioritisation of projects (from business cases, Strategy & Planning team, LTP, Annual Plan)
 - Procurement (to comply with Government Rules of Sourcing and industry best practice)
 - Project Delivery (Project management, design management, contract administration)
 - Scheduling (delivery and alignment to LTP / Annual Plan)
 - Cost and Cashflow Forecasting (at project and programme level, alignment to LTP and Annual Plan budgets)
 - Technical Compliance (of design, to BDC codes of practice, engineering team approvals, RMA and consenting requirements)
 - Reporting to PMO lead
 - Reporting upwards from PMO lead
- Review current projects for compliance to current processes and systems
- Review status of projects against Master Schedule, LTP and Annual Plan
- Identify potential gaps in processes and procedures and opportunities for improvement
- Recommendations and timeframes for development of appropriate processes and tools to “fill the gaps”
- Recommendations and timeframes for implementation

Organisational Review

- Review PMO purpose, principles and objectives
- Review the understanding and alignment of PMO members and stakeholders to PMO principles and objectives
- Stakeholder / User feedback (what is working well for them , what isn't)
- Review current PMO structure against good practice and learnings from elsewhere / industry / peer organisations
- Resources; management, roles and responsibilities (PMO, BDC internal, and external resources)
- Review Team Culture and alignment to BDC's guiding principles (including outsourced resources)
- Review current reporting and feedback to PMO lead (formal and informal)
- Recommendations and timeframes for development and evolution of the PMO
- Recommendations and timeframes for implementation

Deliverables

As identified in the brief from Mike Duff, the deliverables for the Gap Analysis exercise will be:

- Gap Analysis Report
- Baseline RACI Action Plan

Implementation of Change / Evolution of the PMO

Without predetermining the outcome of the Gap Analysis, it is likely that the implementation phase (to be managed by the PMO subject matter team), will need the further development, definition and documentation of PMO tools, processes and reporting mechanisms. TEAM Projects has ready access to a suite of appropriate PMO and project delivery tools that we have previously developed and implemented for other authorities. These include process mapping, dashboard reporting, PM delivery toolkits, PMO organisational structures and procedures manuals.

We would be very happy to work with the Subject Matter team to further develop / tailor these as may be required to assist in the implementation phase.

Fee Estimate

There is a large volume of work to be done over the four week period allocated for the Health Check and Gap Analysis. We propose to utilise a combination of Jon King and Paul Haggath for this work, utilising both remote working and physical presence in the Buller District Council offices in Westport.

We have assumed that we can be granted ready access to BDC files as needed to carry out the necessary reviews, and access to BDC / PMO personnel for the stakeholder engagement exercises and reviews.

We have estimated a resource need of 1.2 FTE's over the four week period, which equates to approximately 200 hours.

[REDACTED]

We are genuinely excited at the prospect of assisting BDC in the next stage of the PMO's development, and look forward to discussing with you further in the near future.

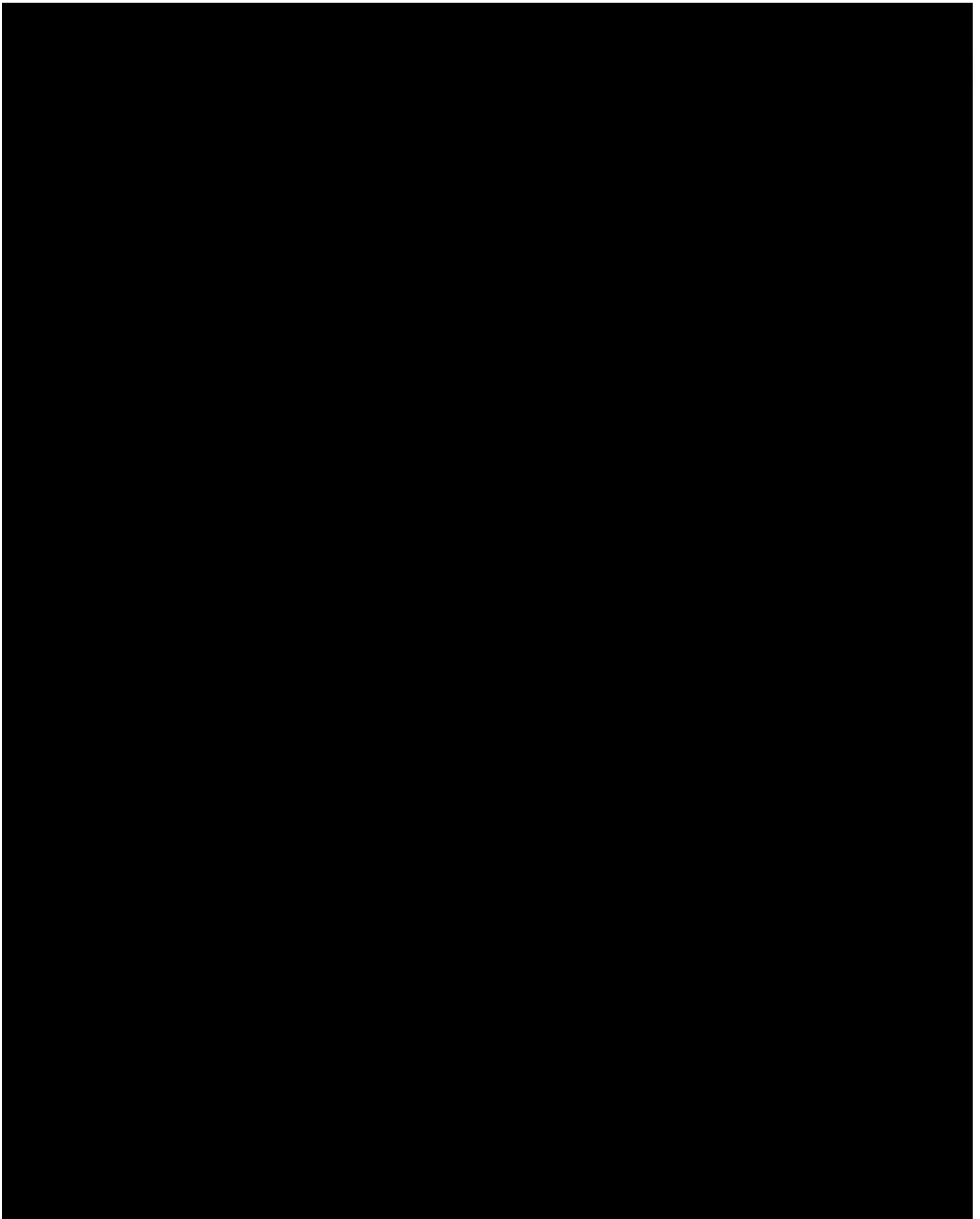
Yours sincerely

[REDACTED]

[REDACTED]

M: [REDACTED]
E: [REDACTED]

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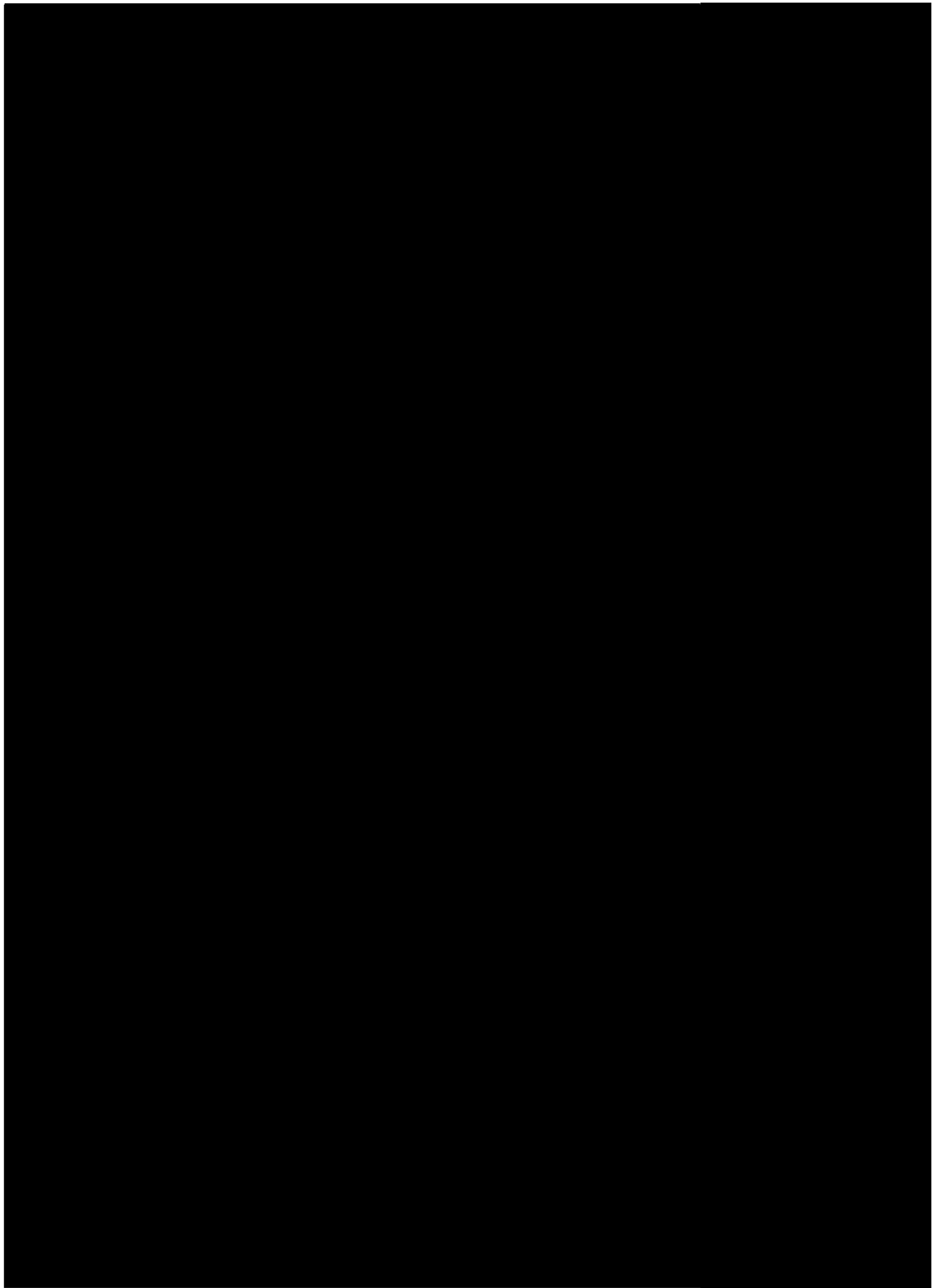
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From: Mike Williams <Mike.Williams@bdc.govt.nz>
Sent: Monday, 8 August 2022 11:13 am
To: (s 7(2)(a) LGOIMA) [REDACTED]
Subject: FW: NEMA T2: Workpackage 10 - Tiphead Procurement Plan for signing
Attachments: WP10_Tiphead Procurement Plan FINAL 1.1 040822 for signing.pdf; WP10_Tiphead_Design_SHORT FORM AGREEMENT FOR CONSULTANT ENGAGEMENT.pdf

Hi Paul,

If you could please review and make comment as discussed.

Kind regards

Mike Williams | Acting GM Infrastructure Services

(s 7(2)(a) LGOIMA) [REDACTED] | [REDACTED] | Email mike.williams@bdc.govt.nz

Buller District Council | Phone 0800 807 239 | bullerdc.govt.nz
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From: Rachel Townrow <Rachel.Townrow@bdc.govt.nz>
Sent: Monday, 8 August 2022 10:47 am
To: Mike Williams <Mike.Williams@bdc.govt.nz>
Subject: Fwd: NEMA T2: Workpackage 10 - Tiphead Procurement Plan for signing

From: [REDACTED] (s 7(2)(a) LGOIMA)
Sent: Thursday, August 4, 2022 5:24:51 PM
To: Rachel Townrow <Rachel.Townrow@bdc.govt.nz>
Cc: Bob Dickson <Bob.Dickson@bdc.govt.nz>
Subject: NEMA T2: Workpackage 10 - Tiphead Procurement Plan for signing

Hi Rachel,

Please find the Tiphead Procurement Plan attached for your consideration and signing.

A few things to note:

1. Three separate signatures are required (highlighted yellow)
 - a. Approval of the Procurement Plan and Exemptions
 - b. Delegated Financial Authority
 - c. Authority to Proceed
2. This has been reviewed by PMO [REDACTED] (s 7(2)(a) LGOIMA)
3. The procurement recommendation is to proceed with closing out final negotiations with Rosco Contractors Ltd, culminating in a signed 3910 contract by the end of next week (by 12/08/22), with a start date of around the 22/08/22 subject to the final design availability.

Please also find the Tiphead design SFA (Riley Consulting) attached for your signing (page 2). Needing to get this signed off ASAP to enable me to expedite the final design and push to meet the construction start date of 22/08/22.

The next steps for this project are as follows:

1. Finalise negotiation with Rosco
2. Complete contract summary and project delivery readiness docs for your signing early next week
3. Draft 3910 contract (next week), BDC/Rosco signing on or around 15/08/22
4. Confirm final design specifications (Riley)
5. IFC design drawings to Rosco
6. Temporary Traffic Management plan submission to BDC Rooding
7. Site handover 22/08/22
8. Rosco start stockpiling rock on site and start earthworks (with appropriate environmental controls in place, suggest GD05 standards for erosion sediment controls TBC)
9. 4-week duration for the revetment repair itself, but because of the push to expedite the works, there may be some landscaping to follow in September/October.

Big milestone getting to first NEMA **Essential Infrastructure Project** to the start line, we'll have to get some comms out the week after next – about due for some good news stories, aren't we?!

If you have any questions about the attached documents, don't hesitate to call or email.

Regards,

[REDACTED] (s 7(2)(a) LGOIMA)



[REDACTED] (s 7(2)(a) LGOIMA)
Senior Project Delivery Manager
[REDACTED] P +64 3 543 7011 (s 7(2)(a) LGOIMA)
[REDACTED] (s 7(2)(a) LGOIMA)
5 Iwa Street, Mapua, 7005

[View the legal disclaimer.](#)

Effective from Monday 29 August 2022 - New Dunedin Physical Address:
Level 4, 1 Bond Street, Dunedin Central, Dunedin 9016



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Project Name: Tiphead Repair – Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



COMMERCIAL IN CONFIDENCE

Project lifecycle: *Planning Phase 1 – Identification / Refine Objectives*

PROJECT:	Tiphead Repair – Workpackage 10		
PORTFOLIO:	Flood Recovery		
PROGRAMME:	NEMA Tranche 2		
PROGRAMME SPONSOR:	Rachel Townrow	PREPARED BY:	[REDACTED]
PROGRAMME MANAGER:	[REDACTED] (s 7(2)(a) LGOIMA)	CHECKED BY:	[REDACTED]
PROJECT MANAGER:	[REDACTED] (s 7(2)(a) LGOIMA)	DATE:	16/11/2022
		DOC ID No:	
		REVISION/VERSION:	1.4 - FINAL

(s 7(2)(a) LGOIMA)
(s 7(2)(a) LGOIMA)

APPROVALS			
NAME	POSITION/ROLE	SIGNATURE	DATE
Rachel Townrow	BDC CEO		

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Project Name: Tiphead Repair – Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Buller District Council Procurement plan

Tiphead Repair – Workpackage 10

Document development control	
Prepared by:	[REDACTED] (s 7(2)(a) LGOIMA)
Position Title:	Project Manager (Contractor)
Business unit:	Flood Recovery
Document version:	1.4 – Revision from Direct Source (rev 1.1) to Closed Tender
Date of last revision:	16 November 2022
Status:	FINAL

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Project Name: Tiphead Repair – Workpackage 10
Programme Manager [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



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Project Name: Tiphead Repair Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Acronyms

The following acronyms are used in this document.

Acronym	Term
BDC	Buller District Council
GETS	Government Electronic Tendering System
NEMA	National Emergency Management Agency
FRO	BDC Flood Recovery Office
TET	Tender Evaluation Team

Approvals

Approval of the Procurement Plan and Required Exemptions

Project Sponsor	
Process type:	Consultant Design – direct appointment Physical Works Contractor – Closed Tender
Name:	Rachel Townrow
Position/title:	Deputy Chief Executive Officer
Signature:	Date: 16/11/2022

Approval of the budget

Delegated financial authority holder			
Total cost:	\$1,000,000 GST excl		Cost code:
Financial year:	Financial year	Amount	Funding type
	2022/23	\$1,000,000	Capex
Name:	Rachel Townrow		
Position/title:	BDC CEO		
Signature:	Date:		
Note: 60% CAPEX funding to be from NEMA, 40% from Cabinet Approval			

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Project Name: Tiphead Repair – Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Authority to proceed

Project sponsor	
Approval to:	Proceed to Closed Tender
Procurement starts:	18 th November 2022
Contract start:	16 th January 2023 (subject to negotiation)
Name:	
Position/title:	BDC CEO
Signature:	Date:

Approval of the proposed terms and conditions of contract

Contract type:	Construction Contract – NZS3910, BDC special terms and conditions	
Contract term:	Due Date tbc during tender process	
Name:	[REDACTED] (s 7(2)(a) LGOIMA)	
Position/title:	Project Manager	
Signature:	[REDACTED] (s 7(2)(a) LGOIMA)	Date: 16/11/2022

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Project Name: Tiphead Repair - Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Background

A 200m section of the Westport Port, Buller River entrance training wall sustained damage during both the July 2021 and February 2022 severe weather events.

Elevated flood waters piped through and overtopped the revetment wall, resulting in heavy scouring to the revetment foundation and ultimately undermined a 200m section of the Eastern wall.

Remedial work is required to ensure that there isn't a catastrophic breach of the Buller River which would have the potential to reroute the Buller River into an alternative channel outside the training wall. This would put the navigability of the main channel at risk, and with it the long term viability of the Port.

NEMA Agreed Concept Solution:

NEMA's mandate only allows them to fund *'like for like'* repairs on essential infrastructure assets. In this instance, the most cost appropriate repair solution is not like for like, but rather an alternative that sees better asset resilience at a significantly reduced cost. Accordingly, NEMA and BDC have reached agreement on what this concept repair looks like, with NEMA and Cabinet agreeing to fund the alternative repair.

Riley's in conjunction with Calibre Consulting have developed an alternative remediation concept that would see the scour section undercut to the toe of the inner revetment foundation, and placement of a geofabric layer with filter rock to shore a new foundation for additional large rip rap (d50 600mm 1200mm) to be added transversely along the full 200m damaged section. This solution provides scour protection by stopping river water seepage and subsequent piping through the wall and maintains resilience during times of flooding when the wall is overtopped.

Commented [A1]: [REDACTED]

Commented [A2]: [REDACTED]

Details of Procurement

This procurement plan outlines how the project will be procured while meeting the following objectives:

- Project to meet NEMA funding requirements
- Procurement to be compliant with Buller District Council's policy.

What we are buying and why

- This procurement plan relates to the selection and appointment of the Main Contractor to carry out the remedial work on the Tiphead Repair.
- The key objective of this procurement is to evaluate the current market status and conditions and to select a procurement process that will provide the best value to BDC and the funding authority, NEMA.

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Project Name: Tiphead Repair – Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Estimated costs

An estimate of the total cost over the whole of life of the contract, exclusive of GST is **\$1,000,000** CAPEX, built up as follows:

Estimated costs

Pre acquisition	2021/22	2022/23		
Design	\$20,000	\$40,000		
Planning and Consenting		\$10,000		
Project Management	\$10,000	\$60,000		
Construction Works				
Initial Emergency Response	\$40,000			
Contract Works		\$600,000		
Project Contingency		\$220,000		
	Start up	Year 1	Year 2	Year 3
Totals	\$70,000	\$930,000	\$0	\$0
			Total	\$1,000,000

Market analysis

The supply markets

- Two sources of suitably tested rock are available within the Buller Region.
- Rock supply is available outside of the region (Golden Bay Dolomite, Grey, Otago etc.) and was considered, however, the ex. Quarry rate of these alternatives exceeded the delivered rate of the local rock.
- Barging alternatives rock supplies were considered and priced, but the transport costs also far exceeded the road transport costs.
- Two contractors have been identified that are each able to supply from one of the suitable Buller Region quarry sources.

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Project Name: Tiphead Repair – Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Proposed Procurement Approach

Our requirements

- In summary for this procurement, BDC is seeking to procure a Main Contractor to carry out the remediation works to the Buller River Tiphead.

Compliance with BDC Policy

Key principles of the BDC Procurement Policy are:

- **Principle 1: Plan and manage for great results**
- **Principle 2: Be fair to all suppliers**
- **Principle 3: Get the right supplier**
- **Principle 4: Get the best deal for everyone**
- **Principle 5: Play by the rules**

BDC's Procurement Policy outlines the various rules that apply in relevant circumstances. The following Rules apply to this procurement situation:

Rule 7 - Estimating the Value

- It is estimated that the total value of this project for all components is \$1,000,000 + GST

Rule 10 - Opt-out of procurements:

BDC Procurement Policy states under Rule 10 that

"the default position for Council procurement is to openly advertise all contracting opportunities exceeding \$500,000 in value. This gives all suppliers a fair chance to bid for the contract. It also encourages competition, which leads to better value for money and stimulates innovative new ideas and solutions".

There are several options to Opt-Out of open tendering under Rule 10.1, and several valid exemptions from open advertising listed under Rule 12.7, both of which relate to a supplier being the only supplier able to supply a particular goods, services or works.

Revision 1.1 of this Procurement Plan originally identified that only one source of suitably tested rock was available and recommended direct negotiation with this supplier. Revision 1.3 of this Procurement Plan acknowledges that a second source of suitably tested rock may now be available within the region. BDC has therefore decided to alter the procurement process from direct negotiation with a single supplier to a closed tender with two local companies.

This procurement plan is still recommending opting out of open tendering under Rule 10.1.c and 12.7.c.i, and undertaking a closed tender with the following parties:

- **Rosco Contractors Ltd and Avery Brothers Lt**

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Project Name: Tiphead Repair Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



The following points highlight the justification for this amendment:

- NEMA has agreed to fund an alternative (but substantively like for like) repair making rock the only feasible solution
- Only two known rock sources within the region have been accepted by the designer as being suitable for this coastal application
- Both rock sources were identified during previous BDC coastal seawall tender processes
- The following Rock Sources are the sources identified by the designer as acceptable for use in this application:
 - Birchfield Quarry (operated by Rosco Contractors)
 - Charleston Quarry (Avery Brothers)
- The Engineer,s estimate and early market rates undertaken to establish the funding level confirms that suitable rock sourced from outside the region is not a cost feasible option due to the high transport cost. This is also supported by previous BDC tenders.
- Both contractors have undertaken recent similar rock/ seawall projects for BDC, and both have a good delivery track record with Council.

Proposed Approach

The criteria for exemption from Open Tendering in the BDC Procurement Policy are met.

It is recommended that BDC grant an exemption from Rule 10.1 and proceed with a closed tender.

Key dates

- We require the contract to commence by the **16/01/23**.
- We estimate the Contract works duration will be **6-8 weeks**
- Estimated Completion: **February March 2023**

Refer to Tender Evaluation Plan in Appendix 2 for full timetable of tender dates.

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Project Name: Tiphead Repair – Workpackage 10

Programme Manager [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Key stakeholders

Internal stakeholders

The key internal stakeholders are as listed below:

Internal stakeholders' roles and level of engagement

Role	Characteristics	Stakeholders
Responsible	The person or people responsible for undertaking the procurement.	Project Sponsor or as delegated by – Rachel Townrow
Accountable	The person or people that have authority to make decisions and are accountable for the outcomes.	Project Sponsor Rachel Townrow
Supportive	The person or people that do the real work.	Project Manager [REDACTED] (s 7(2)(a) LGOIMA)
Consulted	The person or people who need to be consulted to add value or get 'buy in'.	N/A
Informed	The person, people, or group, groups that need to be kept informed of key actions and results but are not involved in decision making or delivery.	BDC Finance team

External stakeholders

The key external stakeholders are as listed below:

External stakeholders' roles and level of engagement

Role	Characteristics	Stakeholders
Responsible	The person or people responsible for undertaking the procurement.	N/A
Accountable	The person or people that have authority to make decisions and are accountable for the outcomes.	N/A
Supportive	The person or people that do the real work.	N/A
Consulted	The person or people who need to be consulted to add value or get 'buy in'.	NEMA
Informed	The person, people, or group, groups that need to be kept informed of key actions and results but are not involved in decision making or delivery.	Affected Public

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Project Name: Tiphead Repair – Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Tendering Process

The evaluation model that will be used is weighted attribute (weighted criteria). Non-Price and Price are both weighted criterion. The Proposal that scores the highest combined score will likely be selected as the Preferred Tenderer.

Refer to the Tender Evaluation Plan in Appendix 2.

Evaluation Methodology

The evaluation methodology and evaluation criteria are as set out in the Tender Evaluation Plan in Appendix 2.

Contract type

- The supplier will be engaged under a contract based on NZS3910:2013 BDC standard terms and conditions.
- Design documentation will be provided by Riley Consultants under a separate engagement to BDC (CCCS/SFA).
- The quality standards / key performance indicators for measuring the supplier's performance will be measured via the Contractor's Quality Plan and on site monitoring and supervision.
- The timeframes for delivery are: Estimated duration 6 8 weeks from 16/01/23
- Specific reporting requirements are monthly progress reports, plus immediate health and safety/incident reporting.
- Payment will be based on monthly payment claims as detailed in the contract.
- New intellectual property arising as a result of the contract will be the property of BDC.
- Variations to contract will be in writing and signed by both parties. Variations involving an increase in price must only be made within the limit of BDC delegated authority policy / financial authority.

Managing implementation

- The responsibility for managing delivery under the contract and supplier relationship management will pass to [REDACTED] (Project Manager) on the signing of the contract. This person will develop a contract and relationship management plan in consultation with the successful supplier. This person will act as Engineer's Representative under the Contract.

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Project Name: Tiphead Repair Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



- The Contract will be overseen and administrated by an independent Engineer to Contract, yet to be appointed.
- The supplier's performance will be reviewed continually throughout the delivery of the Works.

Risk management

- Overall, this procurement is deemed to be medium value with high to medium risk.
- Key risks have been assessed against the risk framework detailed at *Appendix 3*. They have been assessed based on likelihood (L) and consequence (C).
- The key for the following risk tables is:
 - likelihood (L): R = rare U = unlikely P = possible L = likely A = almost certain
 - consequence (C): N = negligible L = low M = moderate H = high E = extreme.

Key risks in the procurement process

Risk	L	C	Rating	Mitigation action	Responsible
• NEMA will not reimburse costs to BDC if the scope is not like for like remediation	P	M	High	Engage with NEMA throughout the process and keep informed	Project Manager

Key risks in delivering the contract

Risk	L	C	Rating	Mitigation action	Responsible
• Contamination into river / watercourses during the Works	P	H	High	Robust Environmental Management Plan	Contractor
• Design failure	U	H	Medium	Check and challenge design before issue to contractor	Designer
• Contractor goes bust	U	M	Medium	Due Diligence checks, appropriate bonds	Project Manager

Commercial in Confidence

Project Name: Tiphead Repair – Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Probity management

It is essential that the agency demonstrates ethics and integrity in its procurements. This means:

- acting fairly, impartially, and with integrity
- being accountable and transparent
- being trustworthy and acting lawfully
- managing conflicts of interest
- protecting the supplier's commercially sensitive and confidential information.

Probity in this procurement will be managed by:

- process to be overseen by [REDACTED] (s 7(2)(a) LGOIMA)
- ensuring compliance with the agency's code of conduct
- ensuring that financial authority for the procurement is approved before proceeding to contract
- ensuring everyone involved in the process signs a confidentiality agreement and declares any actual, potential, or perceived conflict of interest
- identifying and effectively managing all conflicts of interest
- treating all suppliers equally and fairly

Commercial in Confidence

Project Name: Tiphead Repair – Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Appendix 1: Risk register

Key risks have been assessed using this risk analysis framework.

You may use this standard framework or replace it with your agency's framework.

LIKELIHOOD of risk happening	Almost certain	amber	amber	red	red	red
	Likely	yellow	amber	amber	red	red
	Possible	yellow	yellow	amber	amber	red
	Unlikely	green	yellow	yellow	amber	amber
	Rare	green	green	yellow	yellow	amber
		Negligible	Low	Moderate	High	Extreme
		CONSEQUENCE if the risk happens				

Diagram: Risk analysis framework

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Project Name: Tiphead Repair – Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Appendix 2 : Tender Evaluation Plan

1. Introduction

Buller District Council is seeking a suitably experienced Contractor to provide Supply and Construct services for the repair of approximately 360m of the existing Westport Harbour Training Revetment Wall, known locally as the 'Tiphead'. The repair consists of:

- Supply of installation of approximately 3800m³ of d50 = 700mm suitably tested Rip Rap and underlying filter medium to line the inside of the existing harbour training wall as protection from further erosion
- Localised road surface repair and construction of a concrete edge beam interface between the revetment wall and the roadway along the Tiphead (Coates St)
- Landscaping including transplanting, topsoiling and localised tree removal
- Traffic Management

An RFT will be issued to an invited closed list of tenderers, in accordance with the approved Procurement Plan.

2. This Evaluation Plan

This Tender Evaluation Plan ('TEP' or 'Evaluation Plan') provides guidance on the procedures for the evaluation of the RFT.

A Tender Evaluation Team (TET) has been selected to evaluate each of the invited tender responses.

In evaluating a RFT response, appointed members of the TET will evaluate the non price attributes of the tender against the evaluation criteria set for that RFT. Any requests to depart from this Evaluation Plan or queries regarding the implementation of the Evaluation Plan should be directed to the TET Chair for approval.

The evaluation process will examine the relative experience and competencies that tenderers will bring to this contract, measured also against confidence in the tenderer's ability to successfully deliver against the requirements of the RFT.

The selection process uses initial individual evaluation and scoring followed by group discussion and moderation, under the guidance and chairmanship of a TET Chair. The TET Chair will be a non scoring TET member and will ensure that the process is fair and unbiased.

The evaluation model that will be used is weighted attribute (weighted criteria). Non-Price and Price are both weighted criterion. The Proposal that scores the highest combined score will likely be selected as the Preferred Tenderer.

3. Purpose & Scope of Evaluation

The RFT process is designed to elicit detailed information from invited tenderers on specifically how they propose to resource, supply and carry out the proposed contract.

The evaluation process will review each response against the criteria, requirements of the scope of the RFT, and of BDC's objectives.

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Project Name: Tiphead Repair – Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



BDC reserves the right to review the scope of the evaluation process by consensus agreement of the Evaluation Team should this become necessary.

This will ensure that the evaluation process is in line with BDC's requirements, with the highest-ranking respondent being most able and appropriate to meet those requirements.

The evaluation process is such that important non price factors may also be considered including;

- value for money,
- distribution of work across panel members,
- workload,
- performance, and
- other aspects as outlined in the panel agreement, panel management plan and supporting documentation.

4. RFT Evaluation Process

Submissions will be evaluated/assessed against the established evaluation criteria as stated in this Evaluation Plan and the RFT documents.

Each proposal will be evaluated by a Tender Evaluation Team (TET) as to the capability of the tenderer and strengths of the response to the RFT. The TET will consist of selected representatives of BDC (and from time to time external consultants or advisors) with expertise and skills to ensure an objective evaluation is achieved.

RFT responses from the panel members will be received electronically by the TET Chair after being checked for compliance to the requirements of the RFT. Compliant responses will be forwarded to TET members by the TET Chair as appropriate.

To maintain commercial confidentiality and probity, all evaluation materials (electronic and hard copies) are to be returned to the TET Chair at the conclusion of the process.

5. Evaluation team

A cross functional Tender Evaluation Team (TET) team has been selected to evaluate each of the responses. The TET will be involved in the evaluation of bids and recommending the preferred Tenderer.

The TET Chair will be responsible for overseeing the evaluation from a process perspective and will facilitate the evaluation moderation meetings to be held on the dates outlined in section 9.

The TET comprises an independent Chair, at least three evaluators of non price attributes, an independent evaluator of price and commercial attributes, and technical advisors who may be called upon to answer technical queries arising from the evaluations.

The TET evaluators (non price) will assess the relative non price attributes of the different tenderers. This task may require taking advice from appointed technical experts.

Any questions to the technical experts shall be directed through the TET Chair, with responses distributed to all TET evaluators to ensure parity. Any interaction with the tenderers for clarification of non price attributes will be co ordinated by the TET Chair.

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Project Name: Tiphead Repair – Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



The TET Chair will be responsible for undertaking the negotiation and finalising an agreement with the preferred tenderer, including both price and contract tags to the extent that a formal contract can be prepared and recommended.

6. Obligations of the TET

In participating in the evaluation process there are obligations that must be accepted by the TET team members. These include:

- **Process security.** The timetable and types of evaluation being undertaken, any details of evaluation methodology, individual company details and scoring of tenders must be kept strictly confidential between the members of the Evaluation Team.
- **Process fairness.** Team members must enter the process with an open mind and make judgements based on the facts and information placed before them.
- **Preparation.** Team members have an obligation to adequately inform themselves about each tender. This will require a sustained commitment in the early stages of the evaluation period by ensuring that tenders are read and assimilated at an early stage.
- **Document security.** It is important for the integrity of the evaluation process that tenderer's documentation responding to the RfX is effectively controlled to ensure that there can be no suggestion of inappropriate transfer or use of information. Documents should be kept securely at all times. LU will seek written email confirmation from all TET members and advisors to the TET that they have not retained any hard or soft copy evaluation material/tenders etc. upon completion of their evaluation roles.

7. Conflict of Interest Declaration

Prior to commencement of the evaluation, all evaluation team members and those individuals involved in the RfX process (meaning all those involved in drafting, reviewing, evaluating, approving and have access to the RfT and RfT process related documents - electronic and hard copy), will declare any personal knowledge, relationship or preconceived bias with any of the respondents being evaluated.

TET members shall be under a continuing obligation to disclose any conflicts of interest that arise during the RfX evaluation process. The declaration will be documented using the Conflict of Interest Declaration form. Should any conflict arise during the process, the TET Chair must review the role of the evaluator. Whether the TET member is permitted to remain on the team or released from team membership, the reasons must be documented by the TET Chair and filed with the project records.

Should any evaluation member resign from their role with LU they will agree not to provide assistance to any respondents in this competitive process.

Conflict of interest form is included in [Appendix A](#) for each party to complete.

8. Tender Evaluation Team

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Project Name: Tiphead Repair Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED]

(s 7(2)(a) LGOIMA)



Role	Name	Organisation
Chair of evaluation panel:	[REDACTED] (s 7(2)(a) LGOIMA)	Calibre Group
Project Manager:	[REDACTED] (s 7(2)(a) LGOIMA)	Calibre Group
Client Representative (Port):	Douglas Marshall	BDC CFO
Designer:	[REDACTED] (s 7(2)(a) LGOIMA)	Riley Consultant
Legal advisor:	[REDACTED]	Fletcher Vautier Moore

9. Proposed timeline

The proposed timeline for the procurement is as follows.

Indicative timeline

Action	Indicative date
Pre-procurement	
Revised Procurement plan approved	14 th November 2022
Tender documents developed	8 th November 2022
Tender	
Tender supplied to Invited Tenderers	15 th November 2022
Last date for supplier questions	18 th November 2022
Last date for agency to answer questions	21 st November 2022
Tender closing date	25 th November 2022
Evaluation	
Panel confidentiality and conflict of interest declarations signed	25 th November 2022
Evaluation panel meets	30 th November 2022
Panel minutes and recommendation	2 nd December 2022
Recommendation accepted/denied	5 th December 2022
Post evaluation	
Advise bidders of outcome	8 th December 2022
Contract Commencement date	12 th December 2022

10. Evaluation methodology

This section discusses the general procedure that will be followed for the evaluation. Following receipt of the responses, one set of all tender submissions are given to each team member for evaluation in electronic format. An evaluation spreadsheet will be supplied to each evaluator for each of the RFX disciplines.

The evaluation model that will be used is weighted attribute (weighted criteria). Both non price and price are weighted criterion. The Proposal that scores the highest will likely be selected as the Successful Respondent.

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Project Name: Tiphead Repair – Workpackage 10
Programme Manager [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



The RFT will be evaluated in two stages. The first stage will include evaluating and moderating the non price attributes. Non price attributes will be evaluated in accordance with the appropriate weightings.

The second stage will include evaluating the submitted price and commercial tags and assumptions. Price will be evaluated separately based on the completed schedules as requested and assessed overall for its "value for money". Scoring shall be a function of deviation (higher or lower) than the average price of all submitted tenders.

All tenders will be evaluated in a clear and consistent manner with the entire process being documented.

Each response will be evaluated consistently and fairly. The process to be used for each supplier response is as follows:

1. Only one response will be evaluated at a time, after reading the whole response first
2. The evaluation for the response (including the rankings and additional comments) will be noted before reviewing or starting an evaluation for another response
3. Any questions will be raised with the TET Chair who is responsible for assistance or referring the question to the supplier or to the appointed technical advisors for clarification. When the issue has been clarified, the whole response will be read again and evaluated.
4. The comparison with the evaluation team as a whole will be made after all the responses have been evaluated on their own merits by the individual members. All evaluation team members will attend all meetings, no exceptions will be permitted.

11. Evaluation Process

Step 1: Check for non-conformance (TET Chair or other nominated non scoring party)

Open the tenders The TET Chair will review all received tenders for compliance and will forward conforming tenders to the TET for review in electronic format.

Step 2: Scoring non-price attributes

TET members will undertake scoring of the submissions independently and using the Tender Evaluation spreadsheet provided. Sheets are to be marked up with scores and comments prior to the initial TET meeting. The scoring system is described in Section 14.

Scoring of tenders should be based on the combined view of the attributes such that each tenderer has a single set of scores.

The TET will meet on the dates outlined in Section 9, compare scores and agree a combined TET score for each tenderer for each of the non price criteria.

If agreement on a combined score is not able to be agreed, the TET Chair will make a call on a score based on the conversation and note the disagreement to approvers.

Criteria and attributes weightings are shown in Section 10. A mean attribute score of 4 or less, after moderation, in 2 or more criteria, will deem the tender to be considered non conformant.

Step 3: Scoring Price attributes

Upon completion of non-price scoring, the price evaluator will table the price scoring.

Non price and price scores will be summed, and the highest scoring responses will be identified as the preferred panel member.

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Project Name: Tiphead Repair – Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Step 4: Reference checks / Due Diligence

BDC maintains the right to undertake appropriate reference checks on the preferred tenderer, including personnel and company reference checks, validation of statements made in relation to Quality Assurance and material supply and financial credit checks (if appropriate) and reference checks relating to any projects nominated in the submission.

After any reference checks there may be a further group discussion of the findings. A revised and final technical team score will then be calculated and confirmed (this will not change).

The BDC Procurement Policy will be followed in the awarding of this tender.

BDC has no obligation to award the work to any Tenderer.

12. Pass / Fail Criteria

Each supplier must meet all the following criteria before its bid will be considered conforming:

Item	Description	Pass / Fail Assessment Criteria
1.	Supplier must hold current public liability insurance of \$10m, or provide evidence that this level of insurance can be obtained if successful.	A Pass is considered evidence of \$10mil PL insurance
2.	BDC will not accept any alternative tenders due to the nature of the external funding package.	A Pass will be a submission that is consistent with the Tender SOP and Design Statement. An alternative submission will be defined as anything that deviates materially from the SOP or Design Statement.

13. Non-Price Evaluation Criteria

Materials Supply		20%
1.	The Tenderer must provide: <ul style="list-style-type: none">a statement that the rock sizing can be achieved, and that the rock source matches one of the two sources outlined in the Tender documents	

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Project Name: Tiphead Repair – Workpackage 10
 Programme Manager: [REDACTED]
 Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



	<ul style="list-style-type: none"> evidence that the Rock supply will be compliant with the stipulated design requirements (d50=700mm) and from one of the nominated source quarries. confirmation that there are no known issues at the time of tender submission, pertaining to material supply, Resource Consent compliance or resourcing – including but not limited to legal access to the rock supply that would delay the start of the contract works
Programme 10%	
2.	<p>The Tenderer is to supply a Comprehensive Programme, (as per P&G Specification Clause 1.5) indicating as a minimum the following:</p> <ul style="list-style-type: none"> a. The Physical Works start date, the Possession of Site date and the Contract Commencement date, based on a Contract Award date of 12th December 2022. b. The Rock supply delivery duration indicating a minimum average weekly supply of 700t to site measured between the start date and completion of the Rock placement activity (based on the SOP volumes) c. Site Setup
	<ul style="list-style-type: none"> d. Vegetation clearance duration e. Shear Key excavation f. Filter Rock installation g. Rock placement h. Landscaping/ Re planting i. Road reinstatement (excluding Provisional Items)
Methodology (including Health and Safety) 20%	
5.	<p>The Tenderer is to supply a proposed construction methodology and sequence, considering the following items:</p> <ul style="list-style-type: none"> a. Approach to Health and Safety – particularly the project specific challenges posed by this project (e.g. access, safe rock placement, traffic management) b. Sequence of works – indicating whether each element of work will be completed separately along the entire chainage, or whether the Tenderer proposes to divide the work into sections along the design chainage and complete the work in stages. c. Machinery access points, including any clearance required. d. The size and type of machinery required to undertake each phase of the work (e.g., vegetation removal, shear key excavation, rock placement, e. Where any waste/cut materials will be disposed of legally offsite. f. Any machinery that will be required to access the pavement (Coates Street) with tracked machinery, including provision to protect or reinstate damage to the pavement.

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Project Name: Tiphead Repair Workpackage 10
Programme Manager: [REDACTED]
Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



	g. The Contractor is also actively encouraged to consider smart methodologies for accessing the site to install the rip rap which they believe can achieve the result, while also delivering costs savings to the project.
Resources (Personnel / Plant and Equipment) 10%	
6.	a. The tenderer must supply a list of key personnel, with a summary of their relevant experience to the project. b. The Tenderer must supply a list of resources (machinery and plant) that are available to be utilised onsite to undertake the work in line with the Programme in Item 5. Tenderer must include the source of the plant and equipment to be used (i.e. owned, hired, subcontracted)
Price 40%	
7.	Tenderer is to provide a fully completed Schedule of Prices.

14. Scoring Criteria

A grade shall be provided for each non price attribute for each proposal from zero to 10 and in multiples of 0.5. A score of 4 or less in 2 or more attributes is considered inadequate and constitutes an overall fail. A score of 10 is considered excellent.

Consideration should be given to each of the sub categories within the attribute, as well as any other relevant information relating to the attribute. Attribute scores should be recorded on the individual scoring spreadsheet, with sufficient comment to support the scores provided and allow for group discussion. Generally, the scoring is as follows:

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Project Name: Tiphead Repair – Workpackage 10

Programme Manager: [REDACTED]

Project Manager: [REDACTED] (s 7(2)(a) LGOIMA)



Rating	Definition	Score
EXCELLENT significantly exceeds the criterion	Exceeds the criterion. Exceptional demonstration by the Respondent of the relevant ability, understanding, experience, skills, resource and quality measures required to meet the criterion. The Registration identifies factors that will offer potential added value, with supporting evidence.	9-10
GOOD exceeds the criterion in some aspects	Satisfies the criterion with minor additional benefits. Above average demonstration by the Respondent of the relevant ability, understanding, experience, skills, resource and quality measures required to meet the criterion. The Registration identifies factors that will offer potential added value, with supporting evidence.	7-8
ACCEPTABLE meets the criterion in full, but at a minimal level	Satisfies the criterion. Demonstration by the Respondent of the relevant ability, understanding, experience, skills, resource, and quality measures required to meet the criterion, with supporting evidence.	5-6
MINOR RESERVATIONS marginally deficient	Satisfies the criterion with minor reservations. Some minor reservations of the Respondent's relevant ability, understanding, experience, skills, resource and quality measures required to meet the criterion, with little or no supporting evidence.	3-4
SERIOUS RESERVATIONS significant issues that need to be addressed	Satisfies the criterion with major reservations. Considerable reservations of the respondent's relevant ability, understanding, experience, skills, resource and quality measures required to meet the criterion, with little or no supporting evidence.	1-2
UNACCEPTABLE significant issues not capable of being resolved	Does not meet the criterion. Does not comply and/or insufficient information provided to demonstrate that the Respondent has the ability, understanding, experience, skills, resource and quality measures required to meet the criterion, with little or no supporting evidence.	0

From: [REDACTED]
To: [BDC Lgoima](#)
Cc: [Mike Williams](#); [Steve Gibling](#)
Subject: RE: Official Information Request for Project Management Office Information - Various Ref: OIA 090/23
Date: Tuesday, 10 October 2023 10:21:27 am
Attachments: [image002.png](#)

Good morning

Thank you for this response.

My questions were based on Team Projects' invoices pending (LGOIMA REF 083/23) supplied to me by council on August 16, 2023.

The list of invoices for tiphead revetment included:

July 31, 2022: procurement plan prepared by (redacted) 10 hours, procurement peer review by (redacted) 1 hour. \$2442. **Can council explain why Team Projects charged for a procurement plan and peer review which, according to council's responses below (Q 4), does not exist? Has this invoice been paid – if so, by whom? If not, why not?**

November 30, 2022: revised procurement plan, project management review and support (34 hours November) \$7650. **Can council explain why Team Projects' charges included a project management review which, according to council's responses below (Q 6), does not exist? Has this invoice been paid – if so, by whom? If not, why not?**

December 31, 2022: project review/support, procurement/tender documents and plan (29 hours December): \$6525. **Can council explain why Team Projects' charges included a project review which, according to council's responses below (Q 7), does not exist? Has this invoice been paid – if so, by whom? If not, why not?**

May I have a list of remaining disputed invoices for all PMO consultants please?

Also, may I have a list of any PMO consultants' invoices which council has had to pay because the relevant government agencies refused to pay them.

Regards

[REDACTED]

From: [Steve Gibling](#)
To: [REDACTED]
Cc: [BDC Lgoima](#)
Subject: RE: Official Information Request for Project Management Office Information - Various Ref: OIA 090/23
Date: Friday, 10 November 2023 4:42:47 pm
Attachments: [image004.png](#)
[List of invoices under review with NEMA.docx](#)

Hi [REDACTED]

I have placed below the two sets of questions relating to two separate LGOIMA enquiries. We did not treat these as separate LGOIMA enquiries following the initial answers.

October 10 request for more information following response to LGOIMA REF 083/23

1. July 31, 2022: procurement plan prepared by (redacted) 10 hours, procurement peer review by (redacted) 1 hour. \$2442. Can council explain why Team Projects charged for a procurement plan and peer review which, according to council's responses below (Q 4), does not exist? Has this invoice been paid – if so, by whom? If not, why not?
 - a. *I am not sure as to why the procurement plan was noted as not existing, aside from the fact it may relate to a procurement plan being developed by TPA. There was a procurement plan developed for this project. As noted in the response, TPA only peer reviewed the plan, they did not author the plan.*
2. November 30, 2022: revised procurement plan, project management review and support (34 hours November) \$7650. Can council explain why Team Projects' charges included a project management review which, according to council's responses below (Q 6), does not exist? Has this invoice been paid – if so, by whom? If not, why not?
 - a. *One of the PMO responsibilities is to review the project financials, processes and compliance. The previous answer was explaining that there is not a report. This first invoice released to the additional costs associated with improving the procurement plan drafted by another party as identified in your first question. This invoice has not yet been reimbursed by NEMA as we are still in a review over costs.*
3. December 31, 2022: project review/support, procurement/tender documents and plan (29 hours December): \$6525. Can council explain why Team Projects' charges included a project review which, according to council's responses below (Q 7), does not exist? Has this invoice been paid – if so, by whom? If not, why not?
 - a. *One of the PMO responsibilities is to review the project financials, processes and compliance. The previous answer was explaining that there is not a report. This first invoice released to the additional costs associated with improving the procurement plan drafted by another party as identified in your first question on top of the previous amount noted in answer 2. This invoice has not yet been reimbursed by NEMA as we are still in a review over costs.*
4. May I have a list of remaining disputed invoices for all PMO consultants please?
 - a. *Attached is a list of invoices that are under review with NEMA.*
5. Also, may I have a list of any PMO consultants' invoices which council has had to pay because the relevant government agencies refused to pay them.
 - a. *There are not any other invoices currently under review.*

October 11 request for more information following response to LGOIMA 090/23

1. Re the council's LGOIMA response (REF 090/23) can you confirm the six blacked out pages are the TPA review of the PMO?
 - a. *No, the six blacked out (redacted) pages were not the PMO Review. In this case some personal details have been redacted to protect the privacy of natural persons (section 7(2)(a)).*
2. Can you explain council's grounds for refusing to release the PMO review: "disclosure of it would likely prejudice the supply of similar information from the same source, and it is in the public interest that such information should continue to be supplied". What "same source" does this refer to and how could disclosure prejudice the supply of future information?
 - a. *It is our view that if key documents that review individual and team performance of another team are shared it widely that it can lead to the people who are requested to engage in future reviews to withholding information or their thoughts or perspectives.*
3. Why is council refusing to release this TPA review when it's promised to release the Morrison Low review of the PMO? What is the difference?
 - a. *The ML reports talk more to the systems and structures in place and review the programmes of work rather than address perceived aspects of individual performance.*
4. TPA's fee for the review is blacked out. TPA estimated it would take about 200 hours over four weeks. At TPA's usual rate of \$225 an hour, the review would have cost \$45,000. Council told us in August that the review had cost ratepayers \$18,468.
 - a. *The information provided in August remains accurate. The review cost \$18,468, is the confirmed figure.*
5. Were some costs funded from another source (if so from whom and how much) or did the review take much less time than TPA had estimated and \$18,468 was the total cost?
 - a. *The review indeed took less time than initially estimated resulting in a total cost of \$18,468.*

Hope that helps to clarify the responses made originally [REDACTED]

Cheers
Steve

Steve Gibling | Chief Executive Officer
Mobile 0272001441 | Email Steve.Gibling@bdc.govt.nz

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From: [REDACTED]
Sent: Tuesday, November 7, 2023 11:29 AM
To: BDC_Lgoima <lgoima@bdc.govt.nz>
Cc: Steve Gibling <Steve.Gibling@bdc.govt.nz>
Subject: FW: Official Information Request for Project Management Office Information - Various Ref: OIA 090/23

Good morning

I can't find any acknowledgement of the questions below. Just checking they were filed as a LGOIMA (which I think would be due this Friday).

Regards

[REDACTED]

From: [REDACTED]
Sent: Tuesday, October 10, 2023 10:21 AM
To: BDC_Lgoima <lgoima@bdc.govt.nz>
Cc: Mike Williams <Mike.Williams@bdc.govt.nz>; Steve Gibling <Steve.Gibling@bdc.govt.nz>
Subject: RE: Official Information Request for Project Management Office Information - Various Ref: OIA 090/23

Good morning

Thank you for this response.

My questions were based on Team Projects' invoices pending (LGOIMA REF 083/23) supplied to me by council on August 16, 2023.

The list of invoices for tiphead revetment included:

July 31, 2022: procurement plan prepared by (redacted) 10 hours, procurement peer review by (redacted) 1 hour. \$2442. **Can council explain why Team Projects charged for a procurement plan and peer review which, according to council's responses below (Q 4), does not exist? Has this invoice been paid – if so, by whom? If not, why not?**

November 30, 2022: revised procurement plan, project management review and support (34 hours November) \$7650. **Can council explain why Team Projects' charges included a project management review which, according to council's responses below (Q 6), does not exist? Has this invoice been paid – if so, by whom? If not, why not?**

December 31, 2022: project review/support, procurement/tender documents and plan (29 hours December): \$6525. **Can council explain why Team Projects' charges included a project review which, according to council's responses below (Q 7), does not exist? Has this invoice been paid – if so, by whom? If not, why not?**

May I have a list of remaining disputed invoices for all PMO consultants please?

Also, may I have a list of any PMO consultants' invoices which council has had to pay because the relevant government agencies refused to pay them.

Regards

From: BDC_Lgoima

Sent: Friday, October 06, 2023 2:31 PM

To: [REDACTED]

Subject: Official Information Request for Project Management Office Information - Various Ref: OIA 090/23

Dear [REDACTED]

We refer to your official information request dated 18 August 2023 for information relating to the Project Management Office.

The information you have requested is marked in blue below and as attachments for questions 2, 4 and 6:

After careful review and consideration of your request below, please find BDC's responses to your seven questions:

Question 1. A copy of council's budget for the PMO review which Team Projects Advisory carried out in 2021. If the council did not have a budget, why not?

*This request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: The budget for the PMO Review conducted by Team Projects Advisory (TPA) was allocated from the Infrastructure Services cost code for professional services. There was no separate budget.***

Question 2. A copy of the terms of reference the council set Team Projects Advisory for the PMO review.

*Please find **enclosed** and marked "2" a proposal from Team Projects Advisory (TPA) to Council dated 12 October 2021. This proposal is to assist Buller District Council in a peer review and gap analysis of the Project Management Office (PMO). This proposal is based on a verbal communication by the GM Infrastructure Services. Subsequently, TPA were engaged by Council to*

conduct the “health check” of the PMO, assess how it was operating after 9 months. This was with a view to assuring central government that Council (through the PMO) was in a position to be able to deliver centrally funded projects. The objective of TPA’s review was to find areas for improvement of the PMO’s structures and processes. TPA were tasked to review the PMO records and to interview both PMO and Council personnel before producing a report. Some personal details have been redacted to protect the privacy of natural persons (section 7(2)(a)). The remainder of this request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)).

Question 3. A copy of the PMO review produced by Team Projects Advisory.

This request is refused on the ground that the PMO Review is confidential, disclosure of it would be likely to prejudice the supply of similar information from the same source, and it is in the public interest that such information should continue to be supplied (LGOIMA, section 7(2)(c)). In addition, the PMO Review discusses employment and staffing matters and as such parts of the report are also withheld on the additional ground of protection of privacy of natural persons (LGOIMA, section 7(2)(a)).

Question 4. A copy of council’s request to Team Projects Advisory to produce a procurement plan and peer review for tiphead revetment.

*Please find **enclosed** and marked “4” an email from Council to Team Projects Advisory dated 8 August 2022, which seeks review and comment on the Tiphead Procurement Plan. Some personal details have been redacted to protect the privacy of natural persons (section 7(2)(a)). The remainder of this request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: The procurement plan was the responsibility of the project manager and not Team Projects Advisory. Note: TPA were only asked to review the document and work with the project manager to make any amendments that were required.***

Question 5. A copy of the procurement plan and peer review for tiphead revetment prepared by Team Projects Advisory (July 2022).

*This request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: This question is answered below (Question 6).***

Question 6. A copy of the revised tiphead procurement plan and project management review prepared by Team Projects Advisory (November 2022).

*Please find **enclosed** and marked “6” a copy of the tiphead procurement plan which was revised by Team Projects Advisory and dated 16 November 2022. Some personal details have been redacted to protect the privacy of natural persons (section 7(2)(a)). The remainder of this request is refused on the ground that the information requested does not exist (LGOIMA, section 17(e)). **Note: BDC are unsure as to what “project management review” you are referring to?***

Question 7. A copy of the project review carried out by Team Projects Advisory on the tiphead revetment (December 2022).

This request is refused on the ground that the information requested does not exist (LGOIMA,

section 17(e)). **Note: is this question referring to the same project management review as (Question 6) above and if so the same "Note:" stands?**

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact the Buller District Council by return email to lgoima@bdc.govt.nz.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly at <https://bullerdc.govt.nz/district-council/your-council/request-for-official-information/responses-to-lgoima-requests/> with your personal information removed.

Kind regards

Mike Williams | Acting GM Infrastructure Services
DDI 03 788 9652 | Mobile 027 204 0796 | Email mike.williams@bdc.govt.nz

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List of Invoices under review with NEMA

Date	Invoice No	Projects	Amount
31 Jul 22	720	Tiphead (11 hours)	\$ 2,442.00
20 Sept 22	769	3 Waters WP1-5 (3 months 137 hours))	\$30,825.00
31 Oct 22	787	3 Waters WP1-5 (34.25 hours)	\$ 7,706.25
30 Nov 22	804	3 Waters WP1-5 (11 hours)	\$ 2,475.00
30 Nov 22	805	Tiphead (34 hours)	\$ 7,650.00
30 Nov 22	807	WP6 Betterment (8.5 hours)	\$ 1,912.50
31 Dec 22	827	Tiphead (29 hours)	\$ 6,525.00
31 Dec 22	828	WP6 Betterment (23 hours)	\$ 5,175.00
31 Jan 23	850	Tiphead (5 hours)	\$ 1,125.00
28 Feb 23	873	Tiphead (5 hours)	\$ 1,125.00
28 Feb 23	874	Reefton Landfill (8 hours)	\$ 1,800.00
31 Mar 23	904	Reefton Landfill (5 hours), Tiphead (12 hours), Betterment (1.5 hours)	\$ 4,387.50
30 Apr 23	931	Reefton Landfill (3.5 hours), Tiphead (12 hours), Betterment (24 hours)	\$ 9,367.50
30 May 23	968	Reefton Landfill (9.5 hours), Betterment (3.5 hours)	\$ 3,270.00
30 June 23	1002	Reefton Landfill (8 hours) Betterment (10 hours) 3 Waters WP 1.5 (0.5 hours)	\$ 4,027.50
TOTAL			\$89,813.25