Instructions are in green text. Remove when done.

Type answers/ information required over text in red.

Tenderers must type their responses over text in orange.

Guidance for Use: Professional Services Request for Proposals (RFP) Template

This template is to be used for the procurement of Professional Services (e.g. design services) with a (fee) value of $100,000 or more by:

* single stage open Tender (advertised on GETS)
* single stage direct source/closed Tender (one or more Tenderers invited to tender)
* the second stage of a two-stage open Tender (open Registration of Interest (ROI) followed by a closed RFP to short-listed Tenderers).

In this template, the buyer (the Ministry or School Board) is referred to as “the Principal” which is the legal entity that enters into a contract (not to be confused with the “school principal”).

Suppliers that have submitted a Proposal or may submit a proposal are referred to as “Tenderers”.

When identifying the name of the school in the Procurement title, follow this with (the School). The specified school may then be referred to as “the School” throughout the RFP.

**Content in the RFP must be consistent with the relevant approved Procurement Plan.**

Prior to publication:

1. delete all unused optional content
2. ensure all instructional texts have been removed, including this guidance for use page
3. update the Contents table:
   1. right click on contents table
   2. select “Update table”
   3. select “Update entire table”
   4. click “OK”
4. save separate Word document versions of:
5. Section 4 Form of Proposal Part A (file name: Form of Proposal Part A [Procurement Title] [Name of School] (the School) – [Project Title] – [Nature of Project] RFP)
6. Section 4 Form Part B (file name: Form of Proposal Part B [Procurement Title] [Name of School] (the School) – [Project Title] – [Nature of Project] RFP)
7. save the whole RFP document (including Section 4: Form of Proposal Part A and B as a PDF document (file name: [Procurement Title] [Name of School] (the School) – [Project Title] – [Nature of Project] RFP)

NOTE: Delete this page and all instructional texts throughout the document before submitting this document for endorsement/ approval/ publication.



School Board

[Name of the School] (the School) – [Project Title] – [Nature of the Project]

[e.g. Bugtown School (the School) – Block A Refurbishment – Lead Designer]

[Reference number, if available]

RFP released: [date]

Deadline for Questions: [Time date]

Deadline for Proposals: [Time date]

A building with a lamp post

AI-generated content may be incorrect.

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# Key Information

## Context

* + 1. This Request for Proposals (RFP) open invitation to Consultants (Tenderers) to submit a Proposal for [Name of the School] (the School) – [Project Title] – [Nature of the Project] (the Services).
    2. Words and phrases that have a special meaning are shown by the use of capitals and are defined in the RFx Process Terms and Conditions (Section 1.6).
    3. The Proposed Contract is based on the Ministry of Education’s (The Ministry’s) Conditions of Contract for Consultancy Services (CCCS) contract.
    4. General background information on New Zealand’s school property portfolio is at: [Information for Suppliers.](https://www.education.govt.nz/suppliers-and-providers/infrastructure-and-property/school-projects/information-and-communications-technology-contractor-standards-and-processes)

## Indicative Timeline

* + 1. The indicative timeline for this RFP is:

|  |  |
| --- | --- |
| RFP released through GETS | [date] |
| *Optional:* Deadline to register for a briefing session | [Date] |
| *Optional:* Deadline to register for a Site visit | [Date] |
| *Optional:* Date of briefing session | [Time] [Date] |
| *Optional:* Date of site visit | [Time] [Date] |
| Deadline for Questions from Tenderers | [Time date] |
| **Deadline for Proposals** | **[Time date]** |
| Unsuccessful Tenderers notified of outcome (week starting) | [Date] |
| Intended Contract award | [Date] |
| Tenderer debriefs (week starting) | [Date] |

* + 1. All dates and times are dates and times in New Zealand.
    2. The timeline may be subject to change via Tender Notification.

## Point of Contact

* + 1. The Point of Contact for this RFP is:

Name: **[Procurement Officer name]**

Role: Procurement Officer

* + 1. All enquiries in relation to this RFP must be directed to the Point of Contact through the GETS question/answer function. Requests for clarification and questions relating to developing a Tender must be made before the Deadline for Questions (Section 1.2a). All communications in relation to this RFP will be managed by the Point of Contact.
    2. By being invited through GETS to participate in this closed RFP, you will automatically be informed by email of all Tender Notifications for this RFP.
    3. *Optional:* The Principal will hold [number] briefing session[s] for Tenderers on [time and date(s)] at [location(s)]. The purpose of briefing sessions is to clarify the scope of the Services as detailed within this RFP. [The/ Each] briefing session will be limited to [number] persons per Tenderer. Any additional information made available at briefing sessions will be communicated by Tender Notification in GETS. Tenderers wishing to attend a briefing session must register with the Point of Contact by the date detailed in the Indicative Timeline (paragraph 1.2a) through the GETS question/answer function with the following information:
* Tenderer’s name
* names(s) of those attending
* contact phone number.
  + 1. *Include this if there will be site visits. Otherwise, delete.* Tenderers will be given the opportunity for a site visit. Site visits will be limited to [number] persons per Tenderer. Tenderers wishing to attend a site visit must register with the Point of Contact by the date detailed in the Indicative Timeline (paragraph 1.2a) through the GETS question/answer function with the following information:
* Tenderer’s name
* names(s) of those attending
* contact phone number
  + 1. *Include this if there will be site visits. Otherwise, delete.* All Tenderers shall be deemed to have inspected the Site(s) before submitting their Tender.
    2. *Use this if there’s no site visit. Otherwise, delete.* Site visits are not available for this RFP and Tenderers must not access the School for any purposes related to this RFP.

## Developing Your Proposal

* + 1. Tenders for this RFP must include all the information requested in and be in the format and set out in the Form of Tender (Part A and Part B). Microsoft Word document versions of the Form of Tender (Part A and Part B) are included with the GETS Tender Notice for this RFP.
    2. Tenders not submitted in the format of the Response Forms may be excluded from evaluation.
    3. Tenders must demonstrate an understanding of the Requirement and provide a detailed method and approach and programme for the delivery of the Services.
    4. Tenderers must complete and sign the Tenderer’s Declaration in the Form of Tender Part B.
    5. Response Form Part A: Non-price Criteria response is limited to [40] A4 pages (including all appendices, cover pages, contents pages and blank pages, but excluding CVs for Key Personnel which are limited to [two] A4 pages each). The font size is limited to no smaller than Arial size 10. Any pages beyond this page limit will be removed and not be considered in the evaluation.
    6. Response Form (Part B: General, price and declaration) response is not restricted by a page limit, however the font size is limited to no smaller than Arial size 10.
    7. Tender document file size is limited to 100MB.

## Submitting your Proposal

* + 1. Tenders for this RFP must be submitted electronically through the GETS e-Tender box function. It is recommended that uploading process be undertaken with sufficient time to allow the upload to complete before the Deadline for Proposals (important for Tenders greater than 10MB).
    2. To submit a Proposal through GETS:

1. in the Tender Notice, click “Tender a Response”
2. complete the online form and attach your Tender documents
3. click “Commit” (Tenderers will receive an auto-generated email from GETS acknowledging receipt of the Tender).
   * 1. Proposals submitted other than through the GETS e-Tender function (e.g. hand delivered, post or fax) may be excluded from evaluation.
     2. Tenderers must submit Form of Tender Part A and Form of Proposal Part B as separate files clearly named:

* [Tenderer name] [Name of the School] (the School) – [Project Title] – [Nature of the Project] (the Services) RFP Part A.
* [Tenderer name] [Name of the School] (the School) – [Project Title] – [Nature of the Project] (the Services) RFP Part B.

## RFP Process Terms and Conditions

* + 1. This RFP is [an open/a closed] competitive Tender process and is subject to the RFx Process Terms and Conditions at: [School Property Procurement RFx Process Terms and Conditions (Conditions of Tendering) 2020-3](https://www.education.govt.nz/suppliers-and-providers/procurement/procurement-goods-and-services/opportunities-construction-suppliers#terms-and-conditions-1) or [www.education.govt.nz](http://www.education.govt.nz), search: ‘School property procurement templates and guides’*)*.
    2. In submitting a Tender, the Tenderer agrees that its Tender will remain open for acceptance by the Principal for [number (no less than three)] calendar months from the Deadline for Tenders.

## Later Changes to the RFP or RFP Process

* + 1. Following release of this RFP, any changes to the RFP document or RFP process or any additional information to be provided to Tenderers will be communicated through the GETS question/answer function or by issuing an Addendum to the RFP through GETS. By being invited through GETS to participate in this closed RFP, you will be automatically notified by auto-generated email of changes/additional information provided through the GETS question/answer function and/or by Addendum to the RFP.
    2. All information communicated through the GETS question/answer function and all Addenda to the RFP form part of this RFP.

## Tender Documents

* + 1. Documents attached to the GETS Tender Notice for this RFP and which form part of this RFP (Tender Documents) are:
       1. RFP (pdf)
       2. Form of Proposal Part A (Word document)
       3. Form of Proposal Part B (Word document)
       4. The Property Brief
       5. [Other information - please specify] *(e.g. resource consent information, topographical surveys, soil investigation reports, building survey reports, existing information related to utilities, asbestos survey records, information on known health and safety risks)*.
    2. The order of priority of Tender Documents is stipulated in the Contract.

## Concerns and Complaints

* + 1. Any concern or complaint a Tenderer has in regard to this RFP must be raised with the Point of Contact (Section 1.3) in the first instance.
    2. If an issue or complaint remains unresolved following best endeavours at resolution with the Point of Contact, the issue or complaint may be escalated by emailing the Ministry’s Infrastructure Procurement Team: [SP.Procurement@education.govt.nz](mailto:SP.Procurement@education.govt.nz) (Email title: Issue with [Name of the School] (the School) – [Project Title] – [Nature of the Project] RFP.

# The Requirement

## Background

* + 1. [Describe the project (of which this procurement is a part) in sufficient detail to provide a context for understanding the overall Scope of Works] This may include:
       1. [General description of the Project]
       2. [Outcome sought]
       3. [History]
       4. Overview of the programme of which this project is a part
       5. Requirements for phasing and / or staged handover of the project
       6. Project consultants are:
          1. [e.g. Project Manager]: [name]
          2. [e.g. Quantity Surveyor]: [name]
          3. [e.g. Lead Designer]: [name]
          4. [Other (specify)]: [name].]

## Required solution (the Contract Works)

* + 1. The Principal is seeking [Nature of the Professional Services [e.g. lead design services]] for [Nature of the Project] at [Name of the School] (the Services) which will involving [Adapt the following to suit the specifics of the requirement]:
       1. [General/overall Services and deliverables:

client relationship and stakeholder management

design related risk identification and management

assisting with financial management of the project

provision of the following consultancy/sub-consultancy services:

* architectural design
* landscape design
* engineering services
* resource management planning
  + - 1. Master Planning stage services and deliverables:

analysis of no less than [xx] options

recommendation of a preferred option with supporting rationale

development and approval of a Master Plan document

* + - 1. Concept/preliminary design stage services and deliverables:

contribution to development and approval of the Project Plan

development and approval of a Preliminary Design report

* + - 1. Developed design stage services and deliverables:

development and approval of Developed Design documentation

* + - 1. Detailed design stage services and deliverables:

development and approval of Detailed Design documentation

* + - 1. Works procurement stage services and deliverables:

contribute to the development and approval of procurement documentation and the Works Contract

assistance with evaluation and selection of a preferred Works contractor

Works Contract tag analysis

Works contract negotiation]]

* + - 1. Works observation stage services and deliverables:

design supervision for the construction works

advise on Works contract variation requests

consenting and certification: responsible for development and approval of documentation required for planning and building consents and certifications

assisting with project close-out]]

* + 1. Timeframes are:

|  |  |  |
| --- | --- | --- |
| Timeline event | Start | Complete |
| [Select] Master Planning | [date] | [date] |
| [Select] Concept/Preliminary Design | [date] | [date] |
| [Select] Developed Design | [date] | [date] |
| [Select] Detailed Design | [date] | [date] |
| [Select] Construction Procurement/Negotiation | [date] | [date] |
| [Select] Construction | [date] | [date] |

* + 1. The Services must be provided in compliance with [Design Standards for School Property.](https://www.education.govt.nz/education-professionals/schools-year-0-13/property/designing-schools-aotearoa-new-zealand-standards#paragraph-7590)
    2. Design objectives are:
       1. Functionality
       2. Efficiency in regard to:

form

construction

operation

maintenance

* + - 1. Durability
      2. Value for money over whole of life.
    1. The Supplier (including Supplier’s and subcontractors’ personnel) must comply with all legislative, Ministry and Contractor’s health and safety requirements.
    2. Supplier’s personnel (including those of all subcontractors) who are likely to have unsupervised (not chaperoned by a school staff member or parent) access to students at the School during normal school hours must be Police vetted (a review by the School Board of a person’s criminal conviction and other relevant information held by the New Zealand Police Vetting Service). An adverse police vet may result in the vetted person being refused access to the School.
    3. [Include if the design is to include ICT cabling / network design]Design of ICT network cabling and wireless integration must comply with the standards at: [ICT Cabling Infrastructure policy and standards for schools.](https://www.education.govt.nz/suppliers-and-providers/infrastructure-and-property/school-projects/information-and-communications-technology-contractor-standards-and-processes#standards-for-school-networks-1)
    4. The Supplier will be required to maintain insurances as detailed in the Contract:
       1. Public Liability insurance of no less than $5 million per occurrence [CCCS (over $50,000)]
       2. Professional Indemnity insurance of no less than five times the fee with a maximum of $2 million [CCCS (over $50,000)] which must be maintained for a minimum of six years after completion of the services.

## Capability and Capacity

* + 1. The Consultant must have sufficient organisational and Key Personnel capability (skills and expertise evidenced by qualifications, experience and track record) and capacity (resources, availability and contingency of personnel, plant and equipment) to ensure the satisfactory delivery of the Services within the required timeframe.
    2. [Option 1] [The Tenderer must nominate specific individuals (Key Personnel) for the following key roles:
       1. [e.g. Lead Designer]
       2. [other].]

[Option 2] [The Tenderer must propose key roles for delivery of the Services and nominate specific individuals (Key Personnel) for each key role.]

* + 1. Key Personnel must have sufficient capability to enable the Tenderer to satisfactorily deliver the Services as evidenced by the Key Personnel having:
       1. relevant, recent experience
       2. a good track record (supported by confirmation from referees and any other information the Principal may obtain or have in its possession)
       3. [Optional]The following qualification/certification/accreditation/professional membership:

[Specify the key role, the qualification/certification/accreditation/professional membership and whether it is required or preferred].

## Price

* + 1. Tenderers are to propose a fixed Total Price to fully deliver the Services.
    2. The following pricing related information is required from Tenderers:
       1. Key Role(s) (as per paragraph 2.3b)
       2. Key Personnel (nominated for each Key Role) and their seniority, either:

Lead: more than [XX e.g. 10] years experience[, minimum qualification]

Senior: [XX e.g. 5-10] years experience[, minimum qualification]

Intermediate: [XX e.g. 2-5] years experience[, minimum qualification]

Junior/graduate: less than [XX e.g. 2] years experience[, minimum qualification].

* + - 1. Proposed number of hours allocated to each stages for delivery of the Services (for each Key Role)
      2. Hourly rate ($/hr) (for each Key Role)
      3. The sub-total price for each of the following stages for delivery of the Services:

[master planning]

[concept/preliminary design]

[developed design]

[detailed design]

[construction procurement]

[construction observation]

* + - 1. The proposed Total Price.
    1. The tendered Price must:
       1. include a breakdown of all costs, fees, expenses and charges associated with the satisfactory delivery of the Contract Works and remedying of defects in the whole
       2. clearly state the total Contract Price in NZ$ exclusive of GST
       3. be calculated in accordance with the Australian and New Zealand Standard Method of Measurement (ANZSMM 2018)
       4. specify all rates (either hourly or daily or both as required) where the Price, or part thereof, is based on fee rates
       5. take into account all risks, contingencies and other circumstances relating to the satisfactory delivery of the Contract Works including adequate provision in the Price to manage such risks and contingencies
       6. be submitted on the basis that no proposed Tags will be accepted
       7. be submitted in an .xls or .xlsx file
       8. include reference to all assumptions and qualifications made about the satisfactory delivery of the Services, including in the financial Pricing information. Any assumption that the Principal or a third party will incur cost related to the delivery of the Contract Works must be stated, and the cost estimated if possible
    2. The Principal is under no obligation to check Tenderers’ pricing for errors or omissions.
    3. If a Tenderer offers a Price that is substantially lower than other Tenders (an abnormally low bid) or the Principal is not satisfied that the Price offered is adequate to meet the obligations of the Contract, the Principal may exclude the Tenderer from further evaluation and/or selection or seek to verify that the Tenderer is capable of satisfactorily delivering the Contract Works and meeting all of the conditions of the Contract for the Price quoted.
    4. If the Principal discovers price errors and/or omissions in any Tender, the Principal will notify the relevant Tenderer and the Tenderer may be given the opportunity to:
       1. correct such error and/or omission so long as by the correction there would be no material prejudice to any other Tenderer (as determined by the Principal at its sole discretion),
       2. confirm that its Tender remains open for acceptance notwithstanding the error, or
       3. withdraw its Tender.
    5. Acceptance of a Tender that contains (an) error(s) will not invalidate the Contract formed by that acceptance.

# Tender Evaluation

## Evaluation method and criteria

* + 1. Proposals will be evaluated by an Evaluation Team (ET) using a weighted attribute evaluation method with the following criteria and weightings:

[Weightings must be as per approved Procurement Plan]

|  |  |
| --- | --- |
| Criterion | Weighting |
| Proposed Solution (method and approach)  * Comprehensiveness, deliverability and robustness of programme, method, approach, systems and processes * Understanding of the Requirement * Tags analysis | [15%]  [default or:]  [10-35%] |
| **Capability**  Skills and expertise of:   * The Tenderer (organisational) * Key Personnel   as evidence by qualifications, recent relevant experience and track record | [45%]  [default or:]  [10-35%] |
| **Capacity**   * Sufficiency, availability and contingency of:   + The Tenderer (organisational)   + [Key Personnel]   + Sub-consultants   + Contingency | 5% |
| **Price** | [35%]  [default or:]  [30-50%] |
| TOTAL | 100% |

## Scoring

* + 1. Tenders will be scored for non-price using the following scoring scale:

|  |  |  |
| --- | --- | --- |
| Rating | Definition | Score |
| **EXCELLENT** | Exceeds the criterion to provide substantial additional benefit and/or reduction of risk | 9-10 |
| **GOOD** | Exceeds the criterion to provide some additional benefit and/or reduction of risk | 6-8 |
| **ACCEPTABLE** | Meets the criterion | 5 |
| **MINOR DEFICIENCY** | Does not meet the criterion due to minor deficiency or risk | 3-4 |
| **MAJOR DEFICIENCY** | Does not meet the criterion due to major deficiency or risk | 1-2 |
| **UNACCEPTABLE** | Does not comply, insufficient information provided or unacceptable deficiency or risk | 0 |

* + 1. A Proposal may be excluded from further evaluation/selection if it scores less than five (deficient or unacceptable) for any evaluation criteria.
    2. A Proposal evaluated as being unacceptable for health and safety will be scored less than five (deficient or unacceptable) for Proposed Solution and may be excluded from further evaluation/selection.
    3. Selection of the preferred Tenderer will take into account:
       1. total weighted ET scores
       2. the Principal’s desire to maintain/develop market capability and competition
       3. due diligence.

## Price evaluation

* + 1. Price evaluation will involve:

1. Price analysis undertaken separately from non-price evaluation involving:

* price due diligence
* Tag analysis
* calculation of a single comparable Adjusted Price for each Tender based on pricing information provided by Tenderers in the Schedule of Prices and:
  + Tag premiums (values applied to offset the Principal’s acceptance of Tags. It is the Principal’s strong preference that there are no Contract or drawings and specification related Tags).

1. Presenting price analysis to the ET after the ET has:

* finalised non-price ET scores
* shortlisted Proposals determined by the ET to be acceptable for non-price criteria.

1. Applying the following price scoring formula to the Adjusted Price of each shortlisted Tender:

*Tender A’s price score = (Lowest Tender Adjusted Price / Tender A’s Adjusted Price) x Price Weighting % x 100.*

* + 1. A Proposal may be excluded from further evaluation and/or selection if the ET is not satisfied that the Price is adequate to meet the obligations of the Contract, does not represent good value for money or is not within the Principal’s budget.

## Due diligence

Due diligence may be undertaken on one or more Proposal/Tenderer at any time before, during or after evaluation and the results may be taken into account in the evaluation/selection process. A Proposal may be excluded from further evaluation or selection if, as a result of due diligence undertaken by the Principal, the Principal determines that entering into a Contract with a Tenderer represents a significant risk to the Principal. Due diligence may include:

* + 1. reference checks
    2. clarifications, interviews, and/or presentations
    3. Police vetting of personnel
    4. checks to determine the accuracy/completeness/validity of Tenders (including price)
    5. Companies Office search
    6. review of Tenderers’ financial viability
    7. review of Tenderers’ business practices and other probity issues
    8. review of Tenderers’ disputes with the Ministry and/or other parties
    9. review of Tenderers’ ownership/structure
    10. review of Tenderers’ director status
    11. review of Tenderers’ conduct in relation to the [Supplier Code of Conduct](https://www.procurement.govt.nz/assets/procurement-property/documents/supplier-code-of-conduct.pdf).

# Form of Tender Part A: Non-price Criteria

### [QUESTIONS IN THIS SECTION MUST BE AMENDED/ADDED TO/DELETED TO SUIT THE PROCUREMENT]

PART A AND PART B OF THE FORM OF PROPOSAL MUST BE SUBMITTED ELECTRONICALLY AS SEPARATE DOCUMENTS

### [Name of the School] (the School) – [Project Title] – [Nature of the Project] Request for Proposals [Reference number, if available]

|  |
| --- |
| **Tenderer Name** |
| [Tenderer’s trading name] |
| 1. **Proposed Solution** |
| * 1. Describe your plan (method/approach) for delivering each stage of the Services including:  1. your proposed programme (key tasks, sequencing, phasing, staging, milestones and key dependencies) 2. expected turnaround times 3. responsiveness to ad hoc requirements |
| [Answer for:  [master planning]  [concept/preliminary design]  [developed design]  [detailed design]  [Works procurement]  [Works observation]] |
| * 1. Describe your systems and processes to be used in delivering the Services including:  1. client consultation and client relationship management 2. design development 3. workflow and staging 4. quality assurance 5. variation/amendment administration 6. key contact points, accountabilities, issue resolution/escalation process |
| [Answer] |
| 1. List what you consider to be the [number] key risks for delivery of the Services and outline your proposed treatment for each. |
| [Answer] |
| 1. **Capability (skills and expertise)**   [Delete this Section (or questions in the section) if covered in a preceding ROI] |
| * 1. Provide an overview of your organisational capability (skills and expertise) including:  1. a brief history of your organisation including number of years of operating in the relevant market/region 2. professional memberships/accreditations 3. your organisation’s overall experience delivering Services of a similar nature and in a comparable setting (institutional) to the Requirement and in the relevant market/region |
| [Answer] |
| * 1. Detail two recent examples delivering Services of a similar nature in a comparable setting including (for each):  1. a brief description of the project 2. your organisation’s specific involvement 3. customer name 4. date 5. location |
| [Answer] |
| * 1. Nominate specific personnel (Key Personnel) for each of the Key Roles listed in Section 2 and for each; append a CV (of no more than two A4 pages (one A4 sheet)) that includes:  1. full name 2. relevant qualifications/certifications/accreditations/membership of professional associations 3. a brief overview of recent employment history 4. a description of recent, comparable engagements that the nominated person has acted in the key role. |
| [List the key roles] [OR] [List your proposed Key roles]  [key role] [OR] [key role]  [Append a [number] x A4 page CV for the Key Person nominated for each of the above key roles] |
| 1. **Capacity (Resources, availability and contingency)** Resources and Availability)   [For a closed RFP following short-listing from an open ROI, this Section may either be deleted or used to request updated/supplemental information to that provided in the ROI response] |
| * 1. Provide an overview of your organisational capacity (resources) as they relate to the delivery of your Proposed Solution including:  1. structure and leadership (append an organisational chart) 2. number of staff (e.g. employees, associates) 3. offices and locations. |
| [Answer] |
| * 1. Confirm the intended level of commitment and availability of Key Personnel, using the included table as a starting point, but noting at least:  1. intended level of commitment in terms of hours per week (40 hours = full time) 2. current and future availability (including outlining other current/overlapping commitments) 3. availability risks and how you intend to manage these |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Key Personnel & Key Role** | **Available for Required/Indicative Timeframe? (Yes/No, if No please describe why not)** | **Current Commitments (Including Brief Project Details & Average Time per 40 hour Week per project)** | **Future Commitments Awarded / Tendering For**  **(Average Time per 40 hour Week per project)** | **Commitment to this Project**  **(Average Time per 40 hour Week)** | | Key Role | [Answer] | [Project:  Location:  Current Programme end date:  Value:  Time per Week:] | [Project:  Location:  Current Programme start & end date:  Value:  Time per Week:  Awarded / Tendering For:] | [Time per Week:] | | Key Role | [Answer] | [Project:  Location:  Current Programme end date:  Value:  Time per Week:] | [Project:  Location:  Current Programme start & end date:  Value:  Time per Week:  Awarded / Tendering For:] | [Time per Week:] | | Key Role | [Answer] | [Project:  Location:  Current Programme end date:  Value:  Time per Week:] | [Project:  Location:  Current Programme start & end date:  Value:  Time per Week:  Awarded / Tendering For:] | [Time per Week:] | | Key Role | [Answer] | [Project:  Location:  Current Programme end date:  Value:  Time per Week:] | [Project:  Location:  Current Programme start & end date:  Value:  Time per Week:  Awarded / Tendering For:] | [Time per Week:] | | Key Role | [Answer] | [Project:  Location:  Current Programme end date:  Value:  Time per Week:] | [Project:  Location:  Current Programme start & end date:  Value:  Time per Week:  Awarded / Tendering For:] | [Time per Week:] | | Key Role | [Answer] | [Project:  Location:  Current Programme end date:  Value:  Time per Week:] | [Project:  Location:  Current Programme start & end date:  Value:  Time per Week:  Awarded / Tendering For:] | [Time per Week:] |  * [Answer for any additional details, including explaining availability risks and how you intend to manage these] |
| * 1. Outline your resource plan for ensuring that sufficient suitable personnel (including Key Personnel and sub-contractors) will be available to ensure the satisfactory delivery of the Services by the Due Date for Completion including:  1. what resources will be assigned to carry out the Services (numbers and whether employees or sub-contractors) 2. local presence of your resources or if resources are not local how you will ensure sufficient availability 3. ability to react to ad hoc/urgent requirements in a timely manner (e.g. emergency site meeting) 4. any recruitment required to meet capacity requirements 5. the scalability of resources 6. potential resource constraints or circumstances that may affect capacity 7. any other capacity related risks and how you intended to manage them 8. back-up resource (contingency) planning. |
| [Answer] |
| * 1. [For closed RFPs following open ROI only] Detail any changes to capacity that may have occurred since submission of your ROI response (e.g. changes to resource availability resulting from recently accepted commitments). |
| [Answer] |

# SECTION 4: Form of Tender Part B: General, Price, and Declaration

### PART A AND PART B OF THE FORM OF PROPOSAL MUST BE SUBMITTED AS SEPARATE DOCUMENTS

### [Name of the School] (the School) – [Project Title] – [Nature of the Project] Request for Proposals [Reference number, if available]

|  |  |
| --- | --- |
| 1. Tenderer’s Details | |
| Tenderer name: | [Tenderer’s Name] |
| NZ Business Number | [NZBN] (<https://www.nzbn.govt.nz/>) |
| Company number | [Company number] (<https://companies-register.companiesoffice.govt.nz/>) |
| 1. **Joint Venture / Consortium or similar arrangement** | |
| Type of arrangement | [Type of arrangement] [OR ‘Not Applicable’] |
| Participants | [Names of organisations participating in the arrangement] |
| Details | [Any other relevant information such as name of lead organisation, history] |
| 1. **Tenderer’s Contact Person** | |
| Contact person | [Full name of the person authorised to represent the Tenderer] |
| Title/position | [Title/position of the Tenderer’s contact person] |
| Telephone number | [Area code - number] |
| Mobile number | [Prefix - number] |
| Email address | [Email address] |
| 1. **Tenderer’s Authorised Contract Signatory** | |
| Full name of the person authorised to sign the Contract on behalf of the Tenderer | [Full name of the person authorised to sign the Contract on behalf of the Tenderer] |
| Title/position | [Title/position of the person authorised to sign the Contract on behalf of the Tenderer] |
| Email address (must include person’s name and Tenderer name) | [Email address that includes the person’s name and Tenderer name:   * john.doe@acmeconstruction.co.nz is acceptable * john.doe@gmail.com is unacceptable * admin@acmeconstruction.co.nz is unacceptable] |
| 1. **Referees**   **Provide the details of two referees from recent clients for whom you have delivered comparable Contract Works. You must ensure that referees have agreed to be referees and are aware that they may be contacted by the Principal. By providing these contact details you authorise the Principal contacting these referees, collecting information about the Tenderer and using such information for the evaluation (including due diligence) of your Tender. You also agree that information provided by referees will be confidential to the Principal.**  **Referees cannot be employed by the Ministry of Education.** | |
| * 1. Referee One | |
| Organisation name | [Organisation name] |
| Contact name: | [Contact name] |
| Telephone | [Contact telephone number] |
| Email | [email address] |
| * 1. Referee Two | |
| Organisation name | [Organisation name] |
| Contact name: | [Contact name] |
| Telephone | [Contact telephone number] |
| Email | [email address] |
| 1. **Police Vetting** | |
| Confirm that all personnel (including all sub-contractors) if identified as being likely to have unsupervised access to students at the school during normal school hours, agree to be Police vetted (If unable to confirm, provide an explanation).  Note: A Police vet is a review by the School of a person’s criminal conviction and other relevant information held by the New Zealand Police Vetting Service. | |
| [Confirmed / Not Confirmed: [Explanation]] | |

|  |
| --- |
| 1. Insurance |
| * 1. Confirm that for the Services, the Tenderer agrees to:  1. maintain Public Liability insurance of no less than $5,000,000 per occurrence. 2. maintain Professional Indemnity insurance of no less than five times the fee with a maximum of $2 million which will be maintained for a minimum of six years after completion of the services.   If unable to confirm, provide an explanation. |
| [Confirmed / Not Confirmed: [Explanation]] |
| 1. **Due Diligence**   **The Principal may undertake checks to assess the risk of entering into a Contract with a Tenderer. A Tenderer/Proposal may be excluded from further evaluation or selection if the Principal determines that entering into a Contract with a Tenderer represents a significant risk to the Principal.** |
| * 1. Confirm that there are no events, matters or circumstances, actual, contemplated or threatened, that have or may represent a risk to the Principal or affect your ability to satisfactorily deliver the Services including (but not limited to):  1. actions of insolvency proceedings, bankruptcy, administration (voluntary or otherwise), statutory management, compulsory winding up, receivership or similar 2. legal proceedings, investigation or the threat of investigation by any regulatory or investigative authority such as the Commerce Commission, Serious Fraud Office or the Financial Markets Authority 3. structural/ownership changes (e.g. merger, sale, restructure) 4. disputes (e.g. union dispute, legal dispute, court action) 5. being declared a threat to national security or the confidentiality of sensitive government information 6. being designated as a terrorist by New Zealand Police.   If unable to confirm, provide an explanation. |
| [Confirmed / Not Confirmed: [Explanation]] |
| * 1. Confirm that your organisation is not a “phoenix” organisation or similar (an organisation which has an association with (e.g. common directors/shareholders) or that is used to take on the business of a failed organisation or an organisation considered to have a poor reputation). |
| [Confirmed / Not Confirmed: [Explanation]] |
| * 1. Confirm that no director or principal of the Tenderer or that any Key Personnel:  1. is the subject of any legal proceedings, investigation or the threat of investigation by any regulatory or investigative authority such as the Commerce Commission, Serious Fraud Office or the Financial Markets Authority 2. has been convicted of a criminal offence related to business or professional conduct 3. has been declared to be bankrupt, in receivership or liquidation 4. has made a false declaration 5. has had a serious performance issue in relation to previous service provision 6. has been convicted of professional misconduct or any serious crime or offence (or has any pending) 7. has performed an act or omission which has adversely reflected on the commercial integrity of your organisation 8. has failed to pay taxes, duties or other levies 9. has been declared a threat to national security or the confidentiality of sensitive government information 10. is a person or organisation designated as a terrorist by New Zealand Police.   If unable to confirm, provide an explanation. |
| [Confirmed / Not Confirmed: [Explanation]] |
| 4.12.3 Confirm that the Tenderer’s conduct aligns with the Government’s expectations as set out in the [**Supplier Code of Conduct**](https://www.procurement.govt.nz/assets/procurement-property/documents/supplier-code-of-conduct.pdf). If unable to confirm, provide an explanation. |
| [Confirmed / Not Confirmed: [Explanation]] |
| 1. **Conflicts of Interest** |
| Confirm that you are not aware of any:   1. circumstance that may represent an actual, potential or perceived Conflict of Interest between your interests and/or those of your Key Personnel and/or sub-contractors and the duties/responsibilities in delivering the Contract Works 2. Principal personnel having any interest in, or association with you and/or your sub-contractors that may give rise to any perceived, potential or actual Conflicts of Interest.   If unable to confirm, provide an explanation. |
| 1. [Confirmed / Not Confirmed: [Explanation]] 2. [Confirmed / Not Confirmed: [Explanation]] |
| 1. **Price** | |
| As per paragraph 2.4, provide your quoted Price for the full delivery of the Services.  The tendered Price must:   * + - 1. include a breakdown of all costs, fees, expenses and charges associated with the satisfactory delivery of the Services       2. clearly state the total Contract Price in NZ$ exclusive of GST       3. be calculated in accordance with the Australian and New Zealand Standard Method of Measurement (ANZSMM 2018)       4. specify all rates (either hourly or daily or both as required) where the Price, or part thereof, is based on fee rates       5. take into account all risks, contingencies and other circumstances relating to the satisfactory delivery of the Contract Works including adequate provision in the Price to manage such risks and contingencies       6. be submitted on the basis that no proposed Tags will be accepted       7. be submitted in an .xls or .xlsx file       8. include reference to all assumptions and qualifications made about the satisfactory delivery of the Services, including in the financial Pricing information. Any assumption that the Principal or a third party will incur cost related to the delivery of the Services must be stated, and the cost estimated if possible | |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | Key Role | Seniority (as per para 2.5) | Named person | Hours allocated | Hourly Rate ($/hr) | | [specify] [OR]  [specify] | [specify] [OR]  [specify] | [specify] | * [xx] Master planning * [xx] Concept/ preliminary design * [xx] Developed design * [xx] Detailed design * [xx] Works procurement * [xx] Construction observation * [xx] TOTAL | [xx] | | [specify] [OR]  [specify] | [specify] [OR]  [specify] | [specify] | * [xx] Master planning * [xx] Concept/ preliminary design * [xx] Developed design * [xx] Detailed design * [xx] Works procurement * [xx] Construction observation * [xx] TOTAL | [xx] | | [specify] [OR]  [specify] | [specify] [OR]  [specify] | [specify] | * [xx] Master planning * [xx] Concept/ preliminary design * [xx] Developed design * [xx] Detailed design * [xx] Works procurement * [xx] Construction observation * [xx] TOTAL | [xx] |  |  |  | | --- | --- | | **Price** | **Phase/Item** | | [$xx] | [Master planning] sub-total | | [$xx] | [Concept/preliminary design] sub-total | | [$xx] | [Developed design] sub-total | | [$xx] | [Detailed design] sub-total | | [$xx] | [Construction procurement] sub-total | | [$xx] | [Construction observation] sub-total | | [$xx] | Other [specify] | | **[$xx]** | **PROPOSED TOTAL PRICE** | | |
| 1. **Tags and Assumptions**   **The Principal has a strong preference that there are no Tags.** | |
| * 1. Confirm that you do not wish to propose any Contract Tags. If not confirmed, detail proposed Contract Tags in the Proposed Tags Table (Appendix 2). Where possible the Tenderer is to appropriately price each Contract Tag. | |
| [Confirmed /Not Confirmed: detail proposed Tags in the Proposed Tags Table (Appendix 2)] | |
| * 1. For each proposed commercial or designs/drawings/plans/specifications related Tag, detail:  1. proposed Tag number 2. brief description of the proposed Tag 3. price impact/implications of the Ministry accepting the proposed Tag (if known). | |
| [Either N/A or detail as above in Appendix 2] | |
| * 1. For each assumption, detail:  1. assumption number 2. brief description of the assumption 3. price impact/implications of the assumption (if known). | |
| [Confirmed / Not Confirmed (detail each assumption as above in Appendix 2)] | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Tenderer’s Declaration | | | | |
| **Item** | **Declaration** | | **Declaration** | |
| RFx Process Terms and Conditions | I have read and fully understand this RFP including the RFx Process Terms and Conditions (Section 1.6) and related GETS questions/answers and Notices to Tenderers/Tender Notifications. I confirm that the Tenderer agrees to be bound by them. | | [Agree/Disagree] | |
| Collection of further information | I authorise the Principal to:   1. collect relevant information about my organisation and Key Personnel (except commercially sensitive pricing information) from any relevant third party, including a referee, or previous or existing client and 2. use such information in the evaluation of this Tender.   The Tenderer agrees that all such information will be confidential to the Principal. | | [Agree/Disagree] | |
| The Requirement | I have examined the site and read and fully understand the nature and extent of The Requirement (Section 2). I confirm that the Tenderer has the necessary capability and capacity to fully meet or exceed the Requirement (satisfactorily deliver the Services by the Due Date for Completion). | | [Agree/Disagree] | |
| Supplier Code of Conduct | I acknowledge the Principal’s expectations for the Consultant’s conduct as set out in the [Supplier Code of Conduct](https://www.procurement.govt.nz/assets/procurement-property/documents/supplier-code-of-conduct.pdf) (the Code) and agree to:   1. not offend against the Code 2. make all sub-contractors aware of the Code. | | [Agree/Disagree] | |
| Ethics | In submitting this Tender, the Tenderer confirms that it:   1. has not entered into any improper, illegal, collusive or anti-competitive arrangements with any competitor 2. has not directly or indirectly approached any representative of the Principal (other than the Point of Contact) to lobby or solicit information in relation to the RFP 3. has not attempted to influence, or provide any form of personal inducement, reward or benefit to any representative of the Principal. | | [Agree/Disagree] | |
| Offer Validity Period | I confirm that this Tender, including the price, remains open for acceptance by the Principal for the Offer Validity Period stated in Section 1.6. | | [Agree/Disagree] | |
| Conflicts of Interest | All Conflicts of Interest that the Tenderer is aware of have been reported in the Conflict of Interest Section of the Form of Proposal. Where a Conflict of Interest arises during the RFP process, the Tenderer will report it immediately to the Point of Contact. | | [Agree/Disagree] | |
| **DECLARATION**  I declare that in submitting this Proposal and declaration:   * + 1. the information provided is true, accurate and complete and not misleading in any material respect     2. the Proposal does not contain intellectual property that will breach any third party’s rights     3. I have secured all appropriate authorisations to submit this Proposal, to make the statements and to provide the information in the Proposal and I am not aware of any impediments to entering into a Contract to deliver the Services.     4. I understand that the falsification of information, supplying misleading information or the suppression of material information in the Proposal and this declaration may result in the Proposal being excluded from further evaluation or selection and may be grounds for termination of any Contract awarded as a result of the RFP.   By signing this declaration, the signatory below confirms that he/she has been authorised by the Tenderer to make this declaration on its behalf. | | | | |
| Signature: | | [Signature of the person authorised to represent the Tenderer] | | |
| Full name: | | [Full name of the person authorised to represent the Tenderer] | | |
| Title/position: | | [Title/position of the person authorised to represent the Tenderer] | | |
| Tenderer name: | | [Tenderer’s name] | | |
| Date: | | [Date] | | |
| 1. **Tenderer’s Checklist** | | | | **✓** | |
| All Sections of the Form of Proposal Parts A and B have been completed. | | | | **☐** | |
| Form of Proposal Parts A and B are submitted as separate documents. | | | | **☐** | |
| All Notices to Tenderers have been allowed for and incorporated into Proposal response | | | |  | |
| The Tenderer’s Declaration has been completed and signed by the person authorised to represent the Tenderer | | | | **☐** | |
| Referees detailed in the Proposal have agreed to be referees and are aware that they may be contacted by the Principal | | | | **☐** | |
| The following documents are being submitted by the Tenderer: | | | | | |
| Form of Tender Part A (completed and page limits adhered to) | | | | **☐** | |
| Form of Tender Part B (completed and declaration signed) | | | | **☐** | |
| CVs of Key Personnel | | | | **☐** | |
| Organisational chart | | | | **☐** | |
| Tags, Clarifications and Assumptions Table (completed and submitted as a separate document in Word .doc format) | | | | **☐** | |

# APPENDIX 1: Draft Contract

### [Name of the School] (the School) – [Project Title] – [Nature of the Project] (the services) Request for Proposals [Reference number, if available]

Request for Tenders

The Draft Contract is included in the file attachments to the GETS Tender Notice.

[Ensure that the draft Contract is included in the file attachments to the GETS Tender Notice]

# APPENDIX 2: Tags, Clarifications and Assumptions Table

The Principal has a strong preference that there are no Contract related Tags.

**Proposed Contract Tags**

The Tags, Clarifications and Assumptions Table is included in the file attachments to the GETS Tender Notice. The completed Tags, Clarifications and Assumptions Table must be submitted as a separate document in Word .doc format.

[Ensure that the Tags, Clarifications and Assumptions Table (embedded below) is included as a separate Word document in the file attachments to the GETS Tender Notice and that the embedded version below is deleted from this tender document]

