

## Registration of Interest (ROI)

[Insert Project Name]

[Contract number]

ROI released: [Day, Date, Month, Year]

Deadline for Questions: [Time, Day, Date, Month, Year]

Deadline for ROI Registration: [Time, Day, Date, Month, Year]

<<This page is to be deleted prior to documents being finalised for tender.>>

## GUIDANCE NOTES

This document is the template for NZTA's registration of interest. The purpose of the template is to provide consistency throughout NZTA's operations.

Format:

- **Black:** Black text is mandatory and may not be changed without prior approval by the NZTA Project Manager, who will consult with the relevant NZTA staff on all changes made including the NZTA Procurement team and the NZTA Legal team.
- **Red:** Red text is used for data which requires fields to be updated or at least considered for each contract. Text can be used as is (if options are specified), modified or replaced. All red text adjustments must have the NZTA Project Manager's approval. Red text must be converted to Black text, prior to tender document release.
- **Blue:** Blue text is used for optional clauses which can be included as is or deleted in full. Blue text must be converted to Black text, prior to tender document release.
- **<<Guidance Notes>>:** Blue text with yellow highlighting are guidance notes. Guidance notes must be deleted prior to tender document release.
- **Green highlight:** Green highlight shows key updates in this version of the document.
- If schedules are not required, the text can be deleted and replaced with "This Schedule is not used"

For any questions or assistance with preparing this template contract, contact the NZTA Procurement team, email: [procurement@nzta.govt.nz](mailto:procurement@nzta.govt.nz).

## About the New Zealand Transport Agency

A great journey is easy, safe and connected. The New Zealand Transport Agency (**NZTA**) is focused on providing one integrated land transport system that helps people get the most out of life and supports business.

We look after the national transport system with our partners, today and for the future. We're innovating to make sure the system is efficient and sustainable, unlocking opportunity and keeping New Zealand moving.

We're working to deliver our customer promise – great journeys to keep New Zealand moving.

Impartiality and transparency are important to us. If Applicants have any probity concern regarding this procurement activity the Probity Auditor should be contacted. The Probity Auditor is not a member of the Evaluation Team.

For any probity queries contact the Probity Auditor:

Shaun McHale  
McHale Group  
187 Featherston Street  
Level 1  
PO Box 25103  
Wellington 6146

Phone: 04 496 5580  
Mobile: 027 486 3412

Email: [shaun.mchale@mchalegroup.co.nz](mailto:shaun.mchale@mchalegroup.co.nz) <mailto:nick.rennie@mchalegroup.co.nz>

## What we need

<<Guidance note: The market needs to know what you are looking to procure. Clearly summarise what this is in one or two paragraphs. Make it short, snappy and succinct. Avoid jargon and acronyms. Include a brief background, if relevant.>>

# SECTION 1: GENERAL

## 1.1 Context

- (a) This Registration of Interest (**ROI**) is an invitation to suitably qualified and experienced contractors (**Applicants**) that are interested in being short-listed as prospective tenderers for the Request For Tender (**RFT**) stage of the **design and** construction of the **[Project]**, to submit an ROI Response.
- (b) This ROI is the first stage in a two-stage procurement process. More detailed and specific attribute information will be requested in the second stage and will be required to be submitted by shortlisted Applicants for tender evaluation in the RFT.
- (c) From the ROI Responses, up to **[three/four]** Applicants will be shortlisted and invited to submit a tender response to the RFT (second stage). **<<Guidance note: we typically short list to three tenderers for D&C contracts. This needs to be consistent with the number stated in section 3.2.>>**
- (d) Words and phrases that have a special meaning are shown by the use of capitals. Definitions are at the end of Section 4 of this ROI.

## 1.2 Our timeline

- (a) Our timeline for this ROI is as set out in the following table: **<<Guidance note: update as required >>**

Step in ROI process:	Date:
Registration of Interest Released:	[Date, Month, Year]
ROI briefing:	[Time, Date, Month, Year]
Notification of intention to respond:	[Date, Month, Year]
ROI Site Visit	[Date, Month, Year]
Deadline for Questions:	[Time, Date, Month, Year]
Deadline for us to answer questions:	[Time, Date, Month, Year]
Deadline for ROI Response:	[Time, Date, Month, Year]
Notification of short-listed Applicants:	[Date, Month, Year]
Issue of RFT documents	[Month, Year]
RFT close	[Month, Year]
Contract start date	[Month, Year]

- (b) All dates and times are dates and times in New Zealand.

- (c) An ROI briefing will be held online at the time specified above. Please request an invite through our Point of Contact. The intent of the briefing is for NZTA to provide interested suppliers with information regarding the required outcomes from the network and the procurement process. Applicants will also have the opportunity to raise any queries regarding the ROI or scope.
- (d) Applicants must provide written notice of their intention to respond to this ROI by the date specified in the table at Section 1.2(a) via email to our Point of Contract. Failure by an Applicant to provide written notice of its intention to respond by the specified date may preclude the Applicant from being considered as part of any further procurement stages.

### 1.3 How to contact us

- (a) All enquiries must be directed to our Point of Contact (or to our Probity Auditor for any probity concerns) and must be in writing. All enquiries must be clearly labelled with the Contract Number. We will manage all external communications through this Point of Contact.

#### Our Point of Contact

**Name:** [insert the name of the contact person/email in-box/e-procurement system]

**Title/role:** [if a person, insert their title or role and the unit they work in]

**Email address:** [if a person, insert email address]

- (b) NZTA will endeavour to respond to requests in a timely manner, but not later than the deadline for NZTA to answer questions as specified in the table at Section 1.2(a).
- (c) When Applicants receive this ROI, they shall notify the Point of Contact of the name and contact details of the person within their own organisation with whom NZTA will direct all communications during the tender period (the **Applicant's Point of Contact**).

### 1.4 Developing and submitting your ROI Response

- (a) This is an open, competitive tender process. The ROI sets out the step-by-step process and conditions that apply.
- (b) Take time to read and understand the ROI. In particular:
  - (i) develop a strong understanding of our Requirements detailed in Section 2 of this ROI.
  - (ii) structure your ROI Response consider how it will be evaluated. Section 3 of this ROI describes our Evaluation Approach.
- (c) If anything is unclear or you have a question, ask us to explain. Please do so before the Deadline for Questions. Email our Point of Contract.
- (d) In submitting your ROI Response you must use the ROI Response Form provided on GETS with this ROI. This is a Microsoft Word document that you can download.
- (e) You must also complete and sign the declaration in the ROI Response Form and provide that as part of your ROI Response.
- (f) The following information shall be submitted as part of your ROI Response: <<Guidance note: Update the following as required.>>

Description of documents	Page limit (A4 unless stated otherwise)
Covering letter (which will not be considered as part of the evaluation)	1

Title page	1
ROI Response Form (as provided by NZTA for completion)	20
Index or contents page	1
CVs (for each person nominated)	2 for each person
Prequalification certificate	1
Other <<Guidance note: Any further information required.>>	insert

- (g) Responses shall be concise and shall not exceed the above stated page limit (including tables and charts). A3 pages that are included where A4 pages are specified will be counted as two A4 pages. Should the allowable number of pages be exceeded, the information on the excess pages, i.e., any pages following after the prescribed number of pages, will not be included in the assessment of the Response.
- (h) The submission typeface shall be no smaller than Times New Roman 12 point or equivalent unless otherwise stated above, with full line spacing unless otherwise specified. The font type applies to all tables and graphics used throughout the Response.
- (i) To some extent, the Response itself will be taken by the Evaluation Team to be an example of the standard of report/document one could expect of that Applicant. It demonstrates an ability to provide a clearly laid out, concise, accurate, professional and effective document which meets set requirements.

## 1.5 Address for submitting your Response electronically

- (a) Responses must be submitted by electronically via GETS. The GETS file upload limit is 50MB. Applicants should refer to the GETS website for instructions on uploading their Response.
- (b) Responses sent by post or fax, or hard copy delivered to our office, will not be accepted.

## 1.6 Our ROI process and ROI Terms

- (a) This ROI is subject to the ROI process set out in the NZTA *Contract Procedures Manual* (SM021).
- (b) The ROI is subject to the ROI Terms described in Section 5 of this ROI.

## 1.7 Later changes to the ROI or ROI process

- (a) If, after publishing the ROI, we need to change anything about the ROI, or ROI process, or want to provide suppliers with additional information we will let all suppliers know by placing a notice on the GETS website at [www.gets.govt.nz](http://www.gets.govt.nz).
- (b) If you downloaded the ROI from GETS you will automatically be sent notifications of any changes through GETS by email.

## SECTION 2: OUR REQUIREMENTS

### 2.1 Background

[Insert]. <<Guidance note: Insert a brief description of the project, including a brief summary of the key features of the works and any project specific objectives or constraints.>>

### 2.2 Key outcomes

[Insert]. <<Guidance note: Insert the primary objectives of the Project, for example, enhancing renewal activities to meet strategic targets in the short term; Reducing disruptions to customer experience during periods of increased activity; Boosting the efficiency, speed, quality, and consistency of work performed; Promoting price transparency and fostering competition.>>

### 2.3 Key information

<<Guidance note: Insert key information for the Project and works.>>

(a) Site:

The site is located [location]. Site access will be from [access]. While access to the site is not available to the public, NZTA will make arrangements for a site visit for Applicants (refer Section [3.7]). The location is shown in Appendix [x] to this ROI.

(b) Land acquisition:

At the time of preparation of this ROI land negotiations have [not] been concluded with all landowners. <<Guidance note: If land acquisition has not been concluded, describe any project related land risks, e.g. service diversions, easements memorials registered on Records of Title, any outstanding alignment issues, compulsory purchase etc.>>

(c) Detailed design: <<Guidance Note: Only include this section for build only contracts.>>

A design for the Project has been prepared by [consultant name] as part of their design commission for this Project. Details, including drawings and specifications, will be issued to shortlisted tenderers with the RFT. Preliminary information is provided in the form of Figures in Appendix [A].

NZTA recognises the value of innovation and will seek to develop alternatives with shortlisted tenderers during the RFT period.

(d) Specimen design: <<Guidance Note: Only include this section for D+C contracts>>

A specimen design for the Project [has been/is being] prepared by [consultant name] as part of their commission for this Project. Details will be issued to shortlisted Applicants with the RFT for information only. Preliminary information is provided in the form of [Drawings] in Appendix [x].

The specimen design [has been/is being] prepared to various levels of completion and is not intended to form, and will not form, a complete design of the Contract Works. It [has been/is being] prepared on behalf of NZTA to assist in the promotion of the scheme and completion of the resource consent applications.

The specimen design will not provide a design sufficient to meet the requirements of the Contract. It will be made available to shortlisted tenderers for the purpose of illustrating the character and form of design for which the necessary resource consents application has been lodged.

(e) Utility operators:

There are [power, telephone, water, sewer, gas] services within the work area, which will require [relocation and/or protection] by [either the Contractor or the Utility Operator].

(f) Statutory approvals and licences:

NZTA [holds/will apply for] the <<Guidance note: List any Statutory Approvals and licences (informed by the NZTA planner - such as property based licences to occupy etc), held or being applied for the works>> required for the proposed Contract Works. Details of existing statutory approvals will be provided to shortlisted Applicants as part of the RFT.

A copy of the decisions for all consents is available for viewing via CSVUE, the NZTA web based consent management database at [Location]. Applicants are encouraged to view the decision documentation and can arrange to do so as set out in Section [3.2] of this ROI.

<<Guidance Note: Only include if consent decisions exist. Consents and Approvals Manager will need to set up a project in CSVUE and enable access or run a report >>

(g) Environmental management:

A Project Management Plan for the Project has been developed by [If by a Consultant, give their name] and Volume [2] sets out the Environmental Guidelines. In addition, Site Specific Environmental Requirements have been developed and are contained in a separate document. These have been produced to facilitate the design, construction and operation of the Project and form the basis for the environmental requirements for the Project. These two documents will be revised as necessary to incorporate any additional requirements resulting from the resource consents conditions. Arrangements to view the current version of both documents at [Location] can be made as set out in section [3.2] of this ROI.

(h) Archaeological Sites:

The Project [does/does not] impact on identified archaeological sites. NZTA [has/does not have] an archaeological authority from Heritage New Zealand Pouhere Taonga to destroy or modify the archaeological sites affected by the project works.

The plans show the location of the identified archaeological sites. << Guidance note: List any archaeological issues that may affect the works >>.

(i) Emissions Trading Scheme Deforestation

The Project [does/does not] trigger the deforestation obligations of the Emission Trading Scheme. NZTA has/has not completed an Emissions Trading Scheme compliance risk assessment for the Contract Works.

The plans show the location of forest land that will trigger the deforestation obligations of the Emissions Trading Scheme when converted to non-forest land.

(j) Contract

The Contract will be based on NZTA's template [Construction Contract (based on NZS3910:2023) / Design and Construct Contract (based on NZS3916:2025)] and will be issued as part of the RFT. << Guidance note: Add any additional details on the Contract and/or RFT process >>.

## 2.4 What we require

(a) The key components of the Contract Works will comprise:

[List key components];

[List key components].

(b) The Contract Works will exclude:



[List excluded components];

[List excluded components].

## 2.5 Documents made available to Applicants

Electronic copies of the ROI supporting documentation can be viewed on the [tempobox]. All access requests must be made through the Point of Contact. A detailed listing of the documents within the Data Room is included in Appendix [x].

## SECTION 3: OUR EVALUATION APPROACH

This section sets out the Evaluation Approach that will be used to assess ROI Responses.

### 3.1 ROI Evaluation Team

The Evaluation Team (ET), formed to evaluate the ROI Responses, will comprise the following:

Evaluation Team (ET)	
[Name]	[Position, Company] (Leader)
[Name]	[Position, Company] (Qualified)
[Name]	[Position, Company]
[Name]	[Position, Company]

<<Guidance note: one of the ET members must be a Qualified Tender Evaluator. This does not have to be the ET Leader>>

Applicants will be notified in writing of any changes to the ET.

Applicants who believe there is an actual or potential conflict of interest or risk of bias with a member of the ET may write to the Probity Auditor, outlining their concerns so that the appropriate action can be taken.

### 3.2 ROI Evaluation

<<Guidance note: This section reflects a scored evaluation. Changes are required if a different evaluation is selected i.e. pass/fail.>>

The ET will read the ROI Responses and individually grade the non-price attributes using the marking sheets in Appendix [x].

For the evaluation the ET will take into account the ROI criteria and if relevant:

- Records of contracts held by NZTA that the Applicant has completed,
- Their personal knowledge if any of the Applicant's experience,
- Information from referees of other organisations the Applicant has worked for.

The ET will meet to agree each Applicant's non-price attribute scores and overall grade. If the ET cannot reach a consensus for an Applicant's response, the ET Leader will consider and decide the final outcome.

Where the Applicant does not meet the minimum standard required of this ROI [or a grade of [35] or less is awarded for any non-price attribute], the Applicant's ROI Response will be deemed to be non-conforming and the Applicant will be eliminated from consideration for short-listing.

The [three] highest overall scoring Applicants will be short-listed for the second stage RFT process, provided that where the [fourth] highest scoring Applicant is within one mark of the [third] highest scoring Applicant then the [four] highest scoring Applicants will be short-listed for the second stage RFT process. <<Guidance note: This needs to be consistent with the number stated in section 1.1(c).>>

Successful Applicants will be required to submit further attribute information at time of the RFT, which will be assessed for the purposes of RFT evaluation.

### 3.3 ROI criteria

<<Guidance note: This section reflects a scored evaluation. Changes are required if a different evaluation is selected i.e. pass/fail.>>

Applicants shall provide information on the non-price attributes listed below and as detailed further in the draft ROI Response. Sufficient relevant information shall be provided for each attribute in relation to the contractor(s) and proposed key subcontractors [including the designer] to allow the ET to mark the attribute for each party as provided for in the table below.

<<Guidance note: Insert for build only contracts>>

**TABLE 3.2: NON-PRICE ATTRIBUTES**

ATTRIBUTE	OVERALL ATTRIBUTE WEIGHTING %
Relevant Experience	[25]
Track Record	[25]
Relevant Skills	[50]

<<Guidance note: Insert for D+C contracts.>>

**TABLE 3.2: NON-PRICE ATTRIBUTES**

ATTRIBUTE	ATTRIBUTE WEIGHTING CONTRACTOR / SUBCONTRACTOR % (REFER NOTE 1 BELOW)	ATTRIBUTE WEIGHTING DESIGNER
Relevant Experience	[15]	[10]
Track Record	[5]	[5]
Relevant Skills	[40]	[30]

Note 1: The scoring for the attributes will be apportioned according to the estimated value of the part of the Contract Works being undertaken or managed by each party.

### 3.4 Evaluation process and due diligence

Information to be provided by Applicants is set out in the ROI Response Form and will be used for evaluating the Applicant's attributes as the basis for selection of the short-listed Applicants.

<<Guidance note: include the following for pre-qualification.>>

In accordance with the Pre-qualification for Physical Works, the Contract has been classified as <<Guidance note: include work category(s) & classification level(s): e.g. "Construction – Level C (4C)">>. Applicants are reminded that under the terms of the NZTA Prequalification System, only those prequalified to <<Guidance note: include work category & classification levels "Construction - Level A, B or C (4A, 4B or 4C)">> are eligible to submit an ROI Response.

If more than one classification level is required (for example, 3A and 4B), and the Applicant isn't prequalified for one of them, they must include a subcontractor in their ROI response who is prequalified for that level.

If the Applicant is not prequalified but feels they have the relevant experience or capability to be prequalified they can apply for prequalification by submitting a new application requesting that the relevant skills and experience be recognised.

Even if an Applicant is prequalified, NZTA may decide not to consider them if their experience or capability doesn't suit the contract.

If you think this might apply to your organisation, please contact NZTA as soon as possible.

### 3.5 ROI short-listing

On completion of the evaluation, Applicants will be advised only whether or not they have been short-listed, with no other evaluation information being given.

The short-listed Applicants will be invited to submit a response to the RFT. The anticipated date for release of the RFT documents is specified in the table at Section 1.2(a).

In the event that one or more of the short listed Applicant's withdraws from the ROI process or subsequent RFT stage and there are less than [three] remaining, NZTA reserves the right to invite the next highest ranked Applicant to respond to the RFT, provided that this does not result in more than [three] Applicants proceeding to the RFT stage.

### 3.6 ROI interviews

Interviews may be held during the evaluation period with individual Applicants should any further clarification be required regarding the Applicant's ROI Response.

### 3.7 ROI site visit

<<Either:>> No site visit has been arranged and Applicants are assumed to have made themselves sufficiently familiar with the site to complete their ROI Response.

Applicants must ensure that the requisite permissions have been obtained in advance, and the appropriate health, safety and wellbeing measures complied with. All personnel within the state highway reserve, for whatever reason, shall prepare a job safety environmental analysis that is risk assessed with the appropriate controls using the hierarchy of controls as detailed in the Health and Safety Act 2015 to lower the risk so far as is reasonably practicable for road users and road workers with additional consideration applied to vulnerable road users when required in accordance with the New Zealand Guide to Temporary Traffic Management (NZGTTM) and NZTA's Health, Safety and Wellbeing Contractor Expectations documents.

Applicants' access to the site is restricted to the following locations for safety reasons:

(a) [List access road];

(b) [List access road];

<<OR>>

A site visit will be arranged for [Time, Day, Date, Month, Year]. Applicants wishing to visit the site are to meet [Principal Adviser/Consultant] at [Location]. Applicants shall be advised if the visit has to be rescheduled due to adverse weather conditions.

Applicants wishing to visit the site are to register their interest by contacting NZTA's Contact Person, no later than [Time, Day, Date, Month, Year]. Applicant's will be required to complete a Health, Safety and Wellbeing induction relevant to the risks associated with the site. The site visit will be escorted at all times.

It is anticipated that the number of persons each Applicant will be allowed to participate in the visit will have to be limited for health, safety and wellbeing management reasons. Applicants will be advised in advance as to numbers that can be accommodated.

Participants in the site visit need to provide their own appropriate Personal Protective Equipment (PPE) in line with the [NZTA PPE Minimum Standard](#). The visit is expected to take [two] hours.

## SECTION 4: ROI TERMS

### 4.1 Information from an Applicant

- (a) The Applicant must ensure that all information they provide to NZTA:
  - (i) is true, accurate and complete;
  - (ii) is not misleading in any material respect; and
  - (iii) does not contain material that infringes a third party's intellectual property rights.
- (b) NZTA may rely on the ROI Response and all information provided by the Applicant during the ROI process (e.g. correspondence and negotiations).

### 4.2 Issues and complaints

- (a) An Applicant may, in good faith, raise with NZTA any issue or complaint about the ROI, or the ROI process at any time.
- (b) When this occurs:
  - (i) NZTA will consider and respond promptly and impartially to the Applicant's issue or complaint;
  - (i) both NZTA and the Applicant must do their best to resolve any issue or complaint; and
  - (ii) NZTA must not allow the issue or complaint to prejudice the Applicant's participation in the ROI process, or limit or affect the Applicant's future procurement opportunities.

### 4.3 Point of Contact

- (a) The Applicant must direct all enquiries regarding the ROI to NZTA's Point of Contact in Section 1 of the ROI. Applicants must not directly or indirectly approach any other employee or other representative of NZTA, or any other person, to solicit information concerning any aspect of the ROI.
- (b) Only the Point of Contact, and any authorised person of NZTA, are authorised to communicate with Applicants regarding any aspect of the ROI. NZTA will not be bound by any statement made by any other person.
- (c) NZTA may change the Point of Contact at any time. NZTA will notify Applicants of any such change by email or posting a notification on GETS.
- (d) Where an Applicant has an existing contract with NZTA, Applicants must not use business as usual contacts to lobby NZTA, solicit information or discuss aspects of the ROI.

### 4.4 Communications

- (a) It is the Applicant's responsibility to ensure NZTA's Point of Contact has received any request for clarification raised.
- (b) Where NZTA considers it necessary and/or appropriate, NZTA's response to a question from an Applicant will be made in writing:
  - (i) by way of a Notice to Applicants, which will be sent to all suppliers who have received this ROI. Applicants will be asked to acknowledge receipt of each Notice to Applicants by emailing or returning the Acknowledgement Receipt to the NZTA Point of Contact. Applicants are also required to confirm receipt of each Notice to Applicants in their ROI Response; or

- (ii) for commercial in confidence queries, by way of Notice to Specific Applicant. The Applicant will be asked to acknowledge receipt of each Notice to Specific Applicant by emailing or returning the Acknowledgement Receipt to the NZTA Point of Contact. Applicants are also required to confirm receipt of each Notice to Specific Applicant in their ROI Response.

## 4.5 Third party information

- (a) NZTA may request information from a third party where NZTA considers the information may be relevant to the ROI process, excluding commercially sensitive information about pricing or contract terms.
- (b) If this occurs, the Applicant:
  - (i) authorises NZTA to collect that information from the relevant third party (e.g. a referee or client), and authorises the third party to release it to NZTA;
  - (ii) agrees NZTA may use that information in its evaluation of the ROI Response must ensure that all referees listed in the ROI Response agree to provide a reference; and
  - (iii) must ensure that all referees listed in the ROI Response agree to provide a reference.

## 4.6 Conflict of interest

- (a) Each Applicant must complete the Conflict of Interest Declaration.
- (b) If a Conflict of Interest arises during the ROI process, the Applicant must inform NZTA immediately.
- (c) NZTA may exclude an Applicant from the ROI process if a material Conflict of Interest arises.

## 4.7 Ethics

- (a) Applicants must not attempt to influence or provide any form of personal inducement, reward or benefit to any representative of NZTA in relation to the ROI or the ROI process.
- (b) NZTA may exclude an Applicant from the ROI process for a breach of paragraphs 4.3(a), 4.3(d) or 4.7(a).
- (c) To maintain a fair and ethical ROI process, NZTA may require additional declarations or other evidence from an Applicant, or any other person, at any time.

## 4.8 Anti-collusion and bid rigging

- (a) By submitting an ROI Response, the Applicant warrants that:
  - (i) the Applicant has not been prepared in collusion with a Competitor; and
  - (ii) it will not engage in deceptive or improper conduct during the ROI process.
- (b) NZTA may exclude an Applicant from the ROI process for a breach of the warranties in paragraph 4.8(a).
- (c) NZTA reserves the right to report suspected collusive or anti-competitive behaviour to the Probity Auditor and/or appropriate authority, and to give that authority all relevant information, including a Proposal.
- (d) Any Applicant that is uncertain as to what would be considered by NZTA to be collusive or anti-competitive behaviour is encouraged to proactively discuss potential or perceived

collusive behaviour with the Probity Auditor, Commerce Commission and/or NZTA, in advance to preparing their ROI Response.

## 4.9 Confidential information

- (a) Without limiting any other confidentiality agreement between them, NZTA and the Applicant will each take reasonable steps to protect the other party's Confidential Information
- (b) Except as permitted in this paragraph 4.9, neither party will disclose the other party's Confidential Information to a third party without that other party's prior written consent.
- (c) Each party may each disclose the other party's Confidential Information to anyone who is directly involved in the ROI process on that party's behalf, such as officers, employees, consultants, contractors, professional advisors, evaluation panel members, partners, principals or directors, but only for the purpose of participating in the ROI. When this occurs, the disclosing party must take reasonable steps to ensure the third party does not disclose the information to anyone else and does not use the information for any purpose other than participating in the ROI process.
- (d) Each Applicant acknowledges that NZTA's confidentiality obligations are subject to requirements imposed by the Official Information Act 1982 (**OIA**), the Privacy Act 2020, parliamentary and constitutional convention and any other obligations imposed by law. Where NZTA receives an OIA request that relates to an Applicant's Confidential Information, NZTA will consult with the Applicant and may ask the Applicant to explain why the information is considered by the Applicant to be confidential or commercially sensitive.
- (e) An Applicant may disclose NZTA's Confidential Information to the extent strictly necessary to comply with law or the rules of any stock exchange on which the securities of the Applicant or any related entity are currently listed. Unless prohibited by law, the Applicant must consult with NZTA before making such a disclosure.
- (f) NZTA will not be in breach of its obligations if it discloses Confidential Information to the appropriate authority because of suspended collusive or anti-competitive tendering behaviour.

## 4.10 Cost of participating in the ROI process

- (a) Each Applicant shall bear their own costs and expenses incurred during both the first and second stages of the procurement process, including but not limited to, attendance at meetings, interactives and interviews and providing any additional information required by NZTA.

## 4.11 Ownership of documents

- (a) The ROI and its contents remain the property of NZTA. All Intellectual Property rights in the ROI remain the property of NZTA or its licensors.
- (b) NZTA may request the immediate return or destruction of any or all ROI documents and any copies. Applicants must comply with any such request in a timely manner.
- (c) All documents forming the ROI Response will, when delivered to NZTA, become the property of NZTA. ROI Responses will not be returned to Applicants at the end of the ROI process.
- (d) Intellectual Property rights in the ROI Response remain the property of the Applicant or its licensors.
- (e) The Applicant grants to NZTA a non-exclusive, non-transferable, perpetual licence to retain, use, copy and disclose information contained in the ROI Response for any purpose related to the ROI process.

## 4.12 Limited rights and obligations

- (a) Except as stated otherwise in this paragraph 6.12, nothing in the ROI, these ROI Terms or the ROI process, creates a process contract or any other legal relationship between NZTA and any Applicant, unless and until they enter into a Contract.
- (b) The following are binding on the Applicant:
  - (i) the Applicant's signed declaration in its ROI Response;
  - (ii) the Applicant's obligations in paragraph 4.1. Nothing in this Section 6.12 takes away from any rights or remedies that NZTA may have in relation to the Applicant's statements, representations or warranties in the Proposal or in correspondence or negotiations with NZTA;
  - (iii) the ROI Terms in this Section 4; and
  - (iv) the Evaluation Approach to be used by NZTA to assess ROI Responses as set out in Section 3 and the *NZTA Contract Procedures Manual* (SM021).
- (c) Paragraphs 4.9 and 4.11 of the ROI Terms are binding on NZTA.
- (d) Where applicable, NZTA and each Applicant are bound by any other obligation expressly identified in Section 1 of the ROI as being binding.
- (e) All terms and other obligations that are binding on NZTA are subject to NZTA's additional rights in paragraph 4.14 of the ROI Terms.

## 4.13 Exclusion from the ROI process

- (a) NZTA may exclude an Applicant from the ROI process if the Applicant:
  - (i) has not provided requested information in the correct format;
  - (ii) has breached the ROI Terms and NZTA considers the impact of the breach is more than trivial (this applies whether or not the provision in question is itself legally binding on the Applicant);
  - (iii) included a material error, omission or inaccuracy in the ROI Response;
  - (iv) is in bankruptcy, receivership or liquidation;
  - (v) has made a false declaration;
  - (vi) has a conviction for a serious crime or offence;
  - (vii) has failed to pay taxes, duties or other levies;
  - (viii) represents a threat to national security or the confidentiality of sensitive government information; and/or
  - (ix) is a person or organisation designated as a terrorist by New Zealand Police.
- (b) NZTA may exclude a Applicant from the ROI process if:
  - (i) there is a serious performance issue in a historic or current contract delivered by the Applicant;
  - (ii) NZTA considers the integrity of the Applicant is in doubt due to the Applicant's professional misconduct or an act or omission contrary to the Supplier Code of Conduct; and/or



- (iii) NZTA becomes aware of any other matter that materially diminishes NZTA's trust in the Applicant.

#### 4.14 NZTA's additional rights

- (a) Despite any other provision in the ROI, NZTA may, on giving due notice to Applicants:
  - (i) amend, suspend, cancel and/or re-issue the ROI, or any part of the ROI; and/or
  - (ii) make any change to material aspects of the ROI (including any change to the timeline, Requirements or Evaluation Approach), provided the Applicants are given a reasonable time within which to respond to the change.
- (b) Despite any other provision in the ROI, NZTA may:
  - (i) accept a late ROI Response if it is NZTA's fault that it is received late, or if NZTA considers there is no material prejudice to other Applicants in accepting a later ROI Response. NZTA will not accept a late ROI Response if it considers that there is risk of collusion on the part of an Applicant, or the Applicant may have knowledge of the content of any other ROI Response;
  - (ii) answer a question submitted after the Deadline for Questions;
  - (iii) accept or reject any ROI Response, or part of a ROI Response, including any non-compliant, non-conforming or alternative ROI Response;
  - (iv) decide not to proceed with the RFT stage or enter into a Contract with any Applicant;
  - (v) provide or withhold from any Applicant information in relation to any question arising in relation to the ROI. Information will usually only be withheld if it is deemed unnecessary, is commercially sensitive to an Applicant, is inappropriate to supply at the time of the request or cannot be released for legal reasons; and
  - (vi) waive irregularities or requirements around the ROI process where NZTA considers it appropriate and reasonable to do so.

#### 4.15 New Zealand law

- (a) The laws of New Zealand shall govern the ROI. Each Applicant agrees New Zealand courts have non-exclusive jurisdiction to rule in any dispute concerning the ROI or the ROI process. The Applicant agrees that it cannot bring any claim in relation to the ROI except in a New Zealand court.

#### 4.16 Disclaimer

- (a) Nothing contained or implied in the ROI, or ROI process, or any other communication by NZTA to any Applicant shall be construed as legal, financial or other advice.
- (b) NZTA will endeavour to provide accurate information in any communication, but the Applicants accept this information is not independently verified and may not be up-to-date.
- (c) NZTA will not be liable in contract, tort, equity, or in any other way whatsoever for any direct or indirect damage, loss or cost incurred by the Applicant or any other person in respect of the ROI process, whether as a result of NZTA exercising its rights under paragraph 4.14 of the ROI Terms, NZTA's negligence or breach of this ROI Terms, NZTA failing to select the Applicant as a short-listed Applicant, or any other cause.
- (d) To the extent that liability cannot be excluded, the maximum aggregate liability of NZTA, its agents and advisors in connection with the ROI process is \$1.

- (e) The limitations and exclusions in paragraphs (b) and (c) above do not apply to any liability NZTA may have for breach of confidentiality or infringement of the Applicant's intellectual property rights.

## 4.17 Precedence

- (a) Any conflict or inconsistency in the ROI shall be resolved by giving precedence in the following descending order:
- (i) the NZTA *Contract Procedures Manual* (SM021);
  - (ii) Section 1 of the ROI;
  - (iii) these ROI Terms;
  - (iv) all other Sections of this ROI document;
  - (v) any additional information or document provided by NZTA to Applicants through NZTA's Point of Contact or GETS.
- (b) If there is any conflict or inconsistency between information or documents having the same level of precedence the more recent information or document will prevail.

## Definitions

In relation to the ROI the following words and expressions have the meanings described below.

<b>Applicant</b>	A person, company or organisation that submits an ROI Response in response to the ROI, including each member of any consortium.
<b>Business Day</b>	Any weekday in Aotearoa New Zealand, excluding Saturdays, Sundays, New Zealand (national) public holidays and all days from Boxing Day up to and including the day after New Year's Day.
<b>Competitors</b>	Any other business that is in competition with an Applicant either in relation to the goods or services sought under the ROI or in general.
<b>Confidential Information</b>	<p>Information acquired by the other party (Recipient) from the other party (Provider) in connection with the ROI process, where that information:</p> <ul style="list-style-type: none"> <li>a) is by its nature confidential</li> <li>b) is marked at the time of disclosure by the Recipient as 'confidential', 'commercially sensitive', 'sensitive', 'in confidence', 'top secret', 'secret', 'classified' and/or 'restricted', and/or</li> <li>c) the Recipient knows, or ought to know, is confidential to the Provider or a third party who supplied it to the Provider.</li> </ul> <p>This does not include information that is publicly available through no fault of the Recipient, or that the Recipient acquired entirely independently of the Provider.</p>
<b>Conflict of Interest</b>	<p>A Conflict of Interest arises if personal or business interests, relationships or obligations of the Applicant or any of its personnel do, could, or be perceived to</p> <ul style="list-style-type: none"> <li>a) conflict with the Applicant's obligations to NZTA under the ROI or in the provision of the goods or services, and/or</li> <li>b) call into question the independence, objectivity or impartiality of any person involved in the ROI process on behalf of NZTA.</li> </ul> <p>A Conflict of Interest may be:</p>

	<p>c) actual: where the conflict currently exists</p> <p>d) potential: where the conflict is about to happen or could happen, or</p> <p>e) perceived: where other people may reasonably think that a person is compromised.</p>
<b>Contract</b>	The written Contract entered into by NZTA and the successful tenderer(s) for the delivery of the Requirements.
<b>Deadline for Answers</b>	The deadline for NZTA to respond to questions submitted by an Applicant stated in Section 1.2 of the ROI.
<b>Deadline for Proposals</b>	The deadline for delivering or submitting ROI Responses to NZTA as stated in Section 1.2 of the ROI.
<b>Deadline for Questions</b>	The deadline for submitting questions to NZTA as stated in Section 1.2 of the ROI.
<b>Evaluation Approach</b>	The approach used by NZTA to evaluate ROI Responses as described in Section 3 of the ROI.
<b>GETS</b>	Government Electronic Tenders Service available at <a href="http://www.gets.govt.nz">www.gets.govt.nz</a> .
<b>GST</b>	The goods and services tax payable in accordance with the Goods and Services Tax Act 1985.
<b>Intellectual Property</b>	All intellectual property rights and interests, including copyright, trademarks, designs, patents and other proprietary rights, recognised or protected by law.
<b>NZTA</b>	New Zealand Transport Agency.
<b>Point of Contact</b>	NZTA and each Applicant are required to appoint a Point of Contact. This is the channel to be used for all communications during the ROI process. NZTA's Point of Contact is identified in Section 1 of the ROI. The Applicant's Point of Contact will be notified to NZTA on receipt of this ROI.
<b>Registration of Interest (ROI)</b>	The ROI comprises this ROI document (including the ROI Terms) and any other schedule, appendix or document attached to the ROI, and any subsequent information provided by the Applicant to NZTA through NZTA's Point of Contact or GETS.
<b>Requirements</b>	NZTA's requirements for goods and/or services as described in Section 2 of the ROI.
<b>ROI Response</b>	The response form an Applicant submits in reply to the ROI. It comprises the ROI Response Form and all other information submitted by an Applicant.
<b>ROI Response Form</b>	The form and declaration prescribed by NZTA and used by an Applicant to respond to the ROI, duly completed and submitted by an Applicant as part of the ROI.
<b>ROI Terms</b>	Means the ROI Terms as set out in Section 4 of the ROI, together with any additions or amendments to those ROI Terms.

SECTION 6: APPENDICES

<<Guidance note: Update as required>>

APPENDIX REFERENCE	SUBJECT
A	List of drawings
B	ROI Response template (word document)
C	ROI Evaluation marking sheets
D	List of supporting documentation
E	[Other]

Appendix A – List of drawings

DRAWING	DESCRIPTION
[Figure 1]	[Description]
[Figure 2]	[Description]
[Figure 3]	[Description]

## Appendix B – ROI Response template

<<Guidance note: Word version to be provided>>

Appendix C – ROI evaluation marking sheets

DESCRIPTION
Relevant Experience Contractor
Relevant Experience Designer
Track Record Contractor
Track Record Designer
Relevant Skills Contractor
Relevant Skills Designer

&lt;&lt;Marking form to be used for projects &lt;\$5M for Relevant Experience Contractor&gt;&gt;

RELEVANT EXPERIENCE CONTRACTOR (WEIGHTING [X%])			FORM A
PROJECT	RELEVANCE [70%] <ul style="list-style-type: none"> <li>35 or less: not related</li> <li>40,45: barely related</li> <li>50, 55: related</li> <li>60, 65, 70: particularly related</li> <li>75, 80, 85: very related</li> <li>90, 95, 100: extremely related</li> </ul> (one score per project)	CURRENCY [20%] <ul style="list-style-type: none"> <li>35 or less: 5+ years or &lt; 40% complete</li> <li>40, 45: 4–5 years or 40-50% complete</li> <li>50, 55: 3-4 years or 50-60% complete</li> <li>60, 65, 70: 2-3 years or 60-75% complete</li> <li>75, 80, 85: 1-2 years or 75-90% complete</li> <li>90, 95, 100: 0-1 years or 90-99% complete</li> </ul> (one score per project)	SCALE [10%] <ul style="list-style-type: none"> <li>35 or less: &lt;35% of estimate</li> <li>40, 45: 5-50% of Estimate</li> <li>50, 55: 50-70% of Estimate</li> <li>60, 65, 70: 70-90% of Estimate</li> <li>75, 80, 85: 90-100% of Estimate</li> <li>90, 95, 100: &gt; or = Estimate</li> </ul> (one score per project)
<b>Summary Rating</b>			
<b>Applicant</b>		<b>Relevant Experience Rating</b>	
<b>Evaluators Comments</b> (Continue on separate sheet if necessary)			
ET Note: relevant experience relates to the company, not individuals, and should include relevant experience of key subcontractors, if appropriate.			



&lt;&lt;Marking form to be used for projects &gt;\$5M for Relevant Experience Contractor&gt;&gt;

RELEVANT EXPERIENCE CONTRACTOR (WEIGHTING [XX%])				FORM A								
Factors		Relevance [70%]	Currency [20%] (Years ago or % complete if under construction)	Scale [10%] (% of Estimate)								
	Weighting	<ul style="list-style-type: none"> <li>35 or less: not related</li> <li>40, 45: barely related</li> <li>50, 55: related</li> <li>60, 65, 70: particularly related</li> <li>75, 80, 85: very related</li> <li>90, 95, 100: extremely related</li> </ul>	<ul style="list-style-type: none"> <li>35 or less: 5+ years or &lt; 50% complete</li> <li>40, 45: 4–5 years or 50-60% complete</li> <li>50, 55: 3-4 years or 60-70% complete</li> <li>60, 65, 70: 2-3 years or 70-80% complete</li> <li>75, 80, 85: 1-2 years or 80-90% complete</li> <li>90, 95, 100: 0-1 years or 90-99% complete</li> </ul>	<ul style="list-style-type: none"> <li>35 or less: &lt;35% of estimate</li> <li>40, 45: 5-50% of Estimate</li> <li>50, 55: 50-70% of Estimate</li> <li>60, 65, 70: 70-90% of Estimate</li> <li>75, 80, 85: 90-100% of Estimate</li> <li>90, 95, 100: &gt; or = Estimate</li> </ul>								
Earthworks	[XX%]		Note: Provide Summary Rating Only	Note: Provide Summary Rating Only								
Structures	[XX%]											
Pavement & surfacing	[XX%]											
Safety	[XX%]											
Environmental	[XX%]											
Drainage	[XX%]											
[Others]	[XX%]											
Summary Rating												
<table border="1"> <thead> <tr> <th>Applicant</th> <th>Relevant Experience Rating</th> </tr> </thead> <tbody> <tr> <td colspan="2">           &lt;&lt;Guidance Notes:           <ul style="list-style-type: none"> <li>The above are examples only and should be tailored to the nature of the project.</li> <li>Factors must be the same as those used in part A1 (Relevant Experience Contractor) of the questionnaire</li> <li>Generally the number of factors should be limited to <b>3-6</b> and be project specific.</li> <li>Sub attribute weightings are the default, and may be amended as appropriate.</li> <li>Factor weightings may be entered as a %, or High, Medium or Low. If left blank, the contractor can assume all factors have the same weighting.</li> </ul> </td> </tr> <tr> <td colspan="2"> <b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)           </td> </tr> <tr> <td colspan="2">           ET Note: relevant experience relates to the company, not individuals, and should include relevant experience of key subcontractors, if appropriate.         </td> </tr> </tbody> </table>					Applicant	Relevant Experience Rating	<<Guidance Notes: <ul style="list-style-type: none"> <li>The above are examples only and should be tailored to the nature of the project.</li> <li>Factors must be the same as those used in part A1 (Relevant Experience Contractor) of the questionnaire</li> <li>Generally the number of factors should be limited to <b>3-6</b> and be project specific.</li> <li>Sub attribute weightings are the default, and may be amended as appropriate.</li> <li>Factor weightings may be entered as a %, or High, Medium or Low. If left blank, the contractor can assume all factors have the same weighting.</li> </ul>		<b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)		ET Note: relevant experience relates to the company, not individuals, and should include relevant experience of key subcontractors, if appropriate.	
Applicant	Relevant Experience Rating											
<<Guidance Notes: <ul style="list-style-type: none"> <li>The above are examples only and should be tailored to the nature of the project.</li> <li>Factors must be the same as those used in part A1 (Relevant Experience Contractor) of the questionnaire</li> <li>Generally the number of factors should be limited to <b>3-6</b> and be project specific.</li> <li>Sub attribute weightings are the default, and may be amended as appropriate.</li> <li>Factor weightings may be entered as a %, or High, Medium or Low. If left blank, the contractor can assume all factors have the same weighting.</li> </ul>												
<b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)												
ET Note: relevant experience relates to the company, not individuals, and should include relevant experience of key subcontractors, if appropriate.												

<<Marking form to be used for projects <\$5M for Relevant Experience Designer, for D+C and ECI Agreements>>

RELEVANT EXPERIENCE DESIGNER (WEIGHTING [X%])			FORM A
PROJECT	RELEVANCE [70%]	CURRENCY [20%]	SCALE [10%]
	<ul style="list-style-type: none"> <li>35 or less: not related</li> <li>40,45: barely related</li> <li>50, 55: related</li> <li>60, 65, 70: particularly related</li> <li>75, 80, 85: very related</li> <li>90, 95, 100: extremely related</li> </ul> (one score per project)	<ul style="list-style-type: none"> <li>35 or less: 5+ years or &lt; 40% complete</li> <li>40, 45: 4–5 years or 40-50% complete</li> <li>50, 55: 3-4 years or 50-60% complete</li> <li>60, 65, 70: 2-3 years or 60-75% complete</li> <li>75, 80, 85: 1-2 years or 75-90% complete</li> <li>90, 95, 100: 0-1 years or 90-99% complete</li> </ul> (one score per project)	<ul style="list-style-type: none"> <li>35 or less: &lt;35% of estimate</li> <li>40, 45: 5-50% of Estimate</li> <li>50, 55: 50-70% of Estimate</li> <li>60, 65, 70: 70-90% of Estimate</li> <li>75, 80, 85: 90-100% of Estimate</li> <li>90, 95, 100: &gt; or = Estimate</li> </ul> (one score per project)
<b>Summary Rating</b>			
<b>Applicant</b>		<b>Relevant Experience Rating</b>	
<b>Evaluators Comments</b> (Continue on separate sheet if necessary)			
ET Note: relevant experience relates to the company, not individuals, and should include relevant experience of key subcontractors, if appropriate.			

<<Marking form to be used for projects >\$5M for Relevant Experience Designer for D+C and ECI Agreements>>

RELEVANT EXPERIENCE DESIGNER (WEIGHTING [XX%])				FORM A
Factors		Relevance [70%]	Currency [20%] (Years ago or % complete if under construction)	Scale [10%] (% of Estimate)
	Weighting	<ul style="list-style-type: none"> <li>35 or less: not related</li> <li>40, 45: barely related</li> <li>50, 55: related</li> <li>60, 65, 70: particularly related</li> <li>75, 80, 85: very related</li> <li>90, 95, 100: extremely related</li> </ul>	<ul style="list-style-type: none"> <li>35 or less: 5+ years or &lt; 50% complete</li> <li>40, 45: 4–5 years or 50-60% complete</li> <li>50, 55: 3–4 years or 60-70% complete</li> <li>60, 65, 70: 2-3 years or 70-80% complete</li> <li>75, 80, 85: 1-2 years or 80-90% complete</li> <li>90, 95, 100: 0-1 years or 90-99% complete</li> </ul>	<ul style="list-style-type: none"> <li>35 or less: &lt;35% of estimate</li> <li>40, 45: 5-50% of Estimate</li> <li>50, 55: 50-70% of Estimate</li> <li>60, 65, 70: 70-90% of Estimate</li> <li>75, 80, 85: 90-100% of Estimate</li> <li>90, 95, 100: &gt; or = Estimate</li> </ul>
Geotechnical design	[XX%]		Note: Provide Summary Rating Only	Note: Provide Summary Rating Only
Structural design	[XX%]			
Pavement & surfacing design	[XX%]			
Traffic Safety Engineering	[XX%]			
Environmental	[XX%]			
Drainage	[XX%]			
[Others]	[XX%]			
Summary Rating				
Applicant		Relevant Experience Contractor Rating		
<p>&lt;&lt;Guidance Notes:</p> <ul style="list-style-type: none"> <li>The above are examples only and should be tailored to the nature of the project.</li> <li>Factors must be the same as those used in part A2 (Relevant Experience Designer) of the questionnaire</li> <li>Generally the number of factors should be limited to <b>3-6</b> and be project specific.</li> <li>Sub attribute weightings are the default, and may be amended as appropriate.</li> <li>Factor weightings may be entered as a %, or High, Medium or Low. If left blank, the contractor can assume all factors have the same weighting.</li> </ul>				
<p><b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)</p>				
<p>ET Note: relevant experience relates to the company, not individuals, and should include relevant experience of key subconsultants, if appropriate.</p>				

&lt;&lt;Guidance Note: Optional&gt;&gt;

TRACK RECORD CONTRACTOR (WEIGHTING <del>xxx</del> %)		FORM B	
<b>PROJECT</b>		<b>PERFORMANCE (100%)</b>	
		<ul style="list-style-type: none"> <li>• ≤35%: Unsatisfactory</li> <li>• 36% to 49%: Needs improvement</li> <li>• 50% to 59%: Acceptable</li> <li>• 60% to 70%: Requirements fully met</li> <li>• 71% to 85%: Exceeds requirements</li> <li>• 86% to 100%: Superlative</li> </ul>	
<b>Summary Rating</b>			
<b>Applicant</b>		<b>Track Record Rating</b>	
<<Guidance Notes:			
<ul style="list-style-type: none"> <li>• Track record weightings to be inserted by document preparer.&gt;&gt;</li> </ul>			
<b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)			
<p>ET Note: track record relates to the company, not individuals, and should include track record of key subcontractors.</p> <p><del>Where no Final PACE evaluation is in the Database, a PACE form shall be used when interviewing the referees.</del> Where there are not sufficient PACE reviews on record interview referees to determine the tenderers ability to complete the work.</p> <p>The ET may factor the Final PACE score and/or interviewed PACE score accordingly where a project nominated under Track Record is not consistent with referee checks and/or is contrary to the ET's knowledge and experience.</p> <p>Where a project nominated under Track record is less than relevant to the tendered contract the ET may factor the Final PACE score or interviewed PACE score accordingly.</p>			

&lt;&lt;Guidance Note: for Designer for D+C and ECI Contracts&gt;&gt;

TRACK RECORD DESIGNER (WEIGHTING [XX] %)		FORM B	
<b>PROJECT</b>		<b>PERFORMANCE (100%)</b>	
		<ul style="list-style-type: none"> <li>• ≤35%: Unsatisfactory</li> <li>• 36% to 49%: Needs improvement</li> <li>• 50% to 59%: Acceptable</li> <li>• 60% to 70%: Requirements fully met</li> <li>• 71% to 85%: Exceeds requirements</li> <li>• 86% to 100%: Superlative</li> </ul>	
<b>Summary Rating</b>			
<b>Applicant</b>		<b>Track Record Rating</b>	
<<Guidance Notes:			
<ul style="list-style-type: none"> <li>• Track record weightings to be inserted by document preparer.&gt;&gt;</li> </ul>			
<b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)			
<p>ET Note: track record relates to the company, not individuals, and should include track record of key subcontractors.</p> <p><del>Where no Final PACE evaluation is in the Database, a PACE form shall be used when interviewing the referees.</del> Where there are not sufficient PACE reviews on record interview referees to determine the tenderers ability to complete the work.</p> <p>The ET may factor the Final PACE score and/or interviewed PACE score accordingly where a project nominated under Track Record is not consistent with referee checks and/or is contrary to the ET's knowledge and experience.</p> <p>Where a project nominated under Track record is less than relevant to the tendered contract the ET may factor the Final PACE score or interviewed PACE score accordingly.</p>			

RELEVANT SKILLS CONTRACTOR (WEIGHTING [XX%])			FORM C
KEY PERSONNEL		PRACTICAL EXPERIENCE [70%]	QUALIFICATIONS AND TRAINING [30%] (Formal Qualifications & Training)
	Weighting	<ul style="list-style-type: none"> <li>• 35 or less: Poor</li> <li>• 40, 45: Below Average</li> <li>• 50, 55: Average</li> <li>• 60, 65, 70: Above Average</li> <li>• 75, 80, 85: Good</li> <li>• 90, 95, 100: Excellent</li> </ul>	<ul style="list-style-type: none"> <li>• 35 or less: Barely adequate</li> <li>• 40, 45: Adequate</li> <li>• 50, 55: Meets requirements</li> <li>• 60, 65, 70: Related</li> <li>• 75, 80, 85: Very Related</li> <li>• 90, 95, 100: Directly Applicable</li> </ul>
Health, Safety and Wellbeing Manager	[XX%]		
Contract Director	[XX%]		
Contractors Representative (as NZS3910, Clause 5.2)	[XX%]		
Senior engineer (Earthworks)	[XX%]		
Senior engineer (Structures)	[XX%]		
Senior engineer (Pavement & Surfacing)	[XX%]		
Senior field supervisor (Earthworks)	[XX%]		
Quality Manager (responsible for preparing, implementing and managing CQP)	[XX%]		
Environmental and Consent Compliance Manager	[XX%]		
Certified Laboratory Personnel	[XX%]		
Traffic Control Personnel	[XX%]		
Communications and Engagement Personnel	[XX%]		
[Others]	[XX%]		
Summary Rating			
Applicant		Relevant Skills Rating	

RELEVANT SKILLS CONTRACTOR (WEIGHTING <del>xx%</del> )	FORM C
<p>&lt;&lt;Guidance Notes:</p> <ul style="list-style-type: none"><li>• This list is not exhaustive. Ensure the personnel listed are appropriate for their project. Personnel should be limited to 4-8 of the contractor's key personnel involved with the project.</li><li>• Contract Director: Senior representative from the tenderer's organisation, and typically not site based responsible for the Contract Works' overall implementation and management</li><li>• Sub attribute weightings are the default, and may be amended as appropriate</li><li>• Factor weightings may be entered as a %, or High, Medium or Low. If left blank, the contractor can assume all factors have the same weighting.&gt;&gt;</li></ul>	
<p><b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)</p> <p>ET Note: Relevant Skills relates to individuals, not the company, and should include relevant skills of key subcontractors if the positions listed are to be filled by subcontractors.</p> <p>&lt;&lt;Guidance note: provide details of role descriptions and the expected qualifications and minimum number of years' experience for each role.&gt;&gt;</p>	

&lt;&lt;Guidance Note: Include for D+C and ECI Agreements.&gt;&gt;

RELEVANT SKILLS DESIGNER (WEIGHTING [XX%])			FORM C
KEY PERSONNEL		PRACTICAL EXPERIENCE [70%]	QUALIFICATIONS AND TRAINING [30%] (Formal Qualifications & Training)
	Weighting	<ul style="list-style-type: none"> <li>• 35 or less: Poor</li> <li>• 40, 45: Below Average</li> <li>• 50, 55: Average</li> <li>• 60, 65, 70: Above Average</li> <li>• 75, 80, 85: Good</li> <li>• 90, 95, 100: Excellent</li> </ul>	<ul style="list-style-type: none"> <li>• 35 or less: Barely adequate</li> <li>• 40, 45: Adequate</li> <li>• 50, 55: Meets requirements</li> <li>• 60, 65, 70: Related</li> <li>• 75, 80, 85: Very Related</li> <li>• 90, 95, 100: Directly Applicable</li> </ul>
Designer's Team Leader	[XX%]		
Designer's Deputy Team Leader	[XX%]		
Design Manager	[XX%]		
Designers	[XX%]		
Planning Personnel	[XX%]		
Bridging / Culvert Designer	[XX%]		
Geotechnical Engineer	[XX%]		
Designer's Site Representative	[XX%]		
[Others]	[XX%]		
Summary Rating			
Applicant		Relevant Skills Designer Rating	
<p>&lt;&lt;Guidance Notes:</p> <ul style="list-style-type: none"> <li>• This list is not exhaustive. Ensure the personnel listed are appropriate for the project. Personnel should be limited to 4-8 of the key personnel involved with the project.</li> <li>• Sub attribute weightings are the default, and may be amended as appropriate</li> <li>• Factor weightings may be entered as a %.&gt;&gt;</li> </ul>			
<p><b>Evaluator's Comments</b> (Continue on Separate Sheet if Necessary)</p>			
<p>ET Note: Relevant Skills relates to individuals, not the company, and should include relevant skills of key subconsultants if the positions listed are to be filled by subconsultants.</p> <p>&lt;&lt;Guidance note: provide details of role descriptions and the expected qualifications and minimum number of years' experience for each role.&gt;&gt;</p>			



## Appendix D – List of supporting documentation

ITEM	DESCRIPTION	AUTHOR	DATE	MEDIA	STATUS
[Reference]	[Name of publication]			[Eg , A4, A3, letter]	[Description eg draft, prelim, final]

<<Guidance note: examples of supporting documentation are as follows:

- All Designation, resource consent and other environmental approval applications and decisions;
- All Archaeological Assessment Reports and any relevant Heritage New Zealand approvals
- Draft construction plans;
- Geotechnical investigations;
- Scheme assessment reports, Environmental Impact Assessment studies;
- Sediment General, Yield and Delivery Potentials: Comparative Catchment Analyses ;
- Draft Iwi Protocols;
- Summary of Engagement to Date as well as the NZTA Minimum Standard Z/17 – *Branding and Communications Standard*;
- Site Specific Environmental Requirements;
- Project Management Plan Volume 2 (Environmental Guidelines);
- Project Management Plan Volume (Site Specific Environmental Requirements);
- Assessment of Ecological Effects and Re-vegetation Programme Concept Plan;
- Application for Coastal Permit (Section 12 RMA) Supporting Assessment of Environmental Effects Report;
- CSEMP - the NZTA Minimum Standard Z/19 – State highway Environmental and Social Responsibility Standard, State Highway Professional Services Contract Manual (SM030);
- Maintenance.>>