



ROADING PROCUREMENT STRATEGY

Jan 2020- June 2023



FREephone **0800 807 239**

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Overview / Statement

This procurement strategy is informed by the Buller District Councils (BDC) 17A Service Delivery Review of Local Road Maintenance Contracts by Field Force 4 throughout November 2019.

This roading procurement strategy underpin the collaborative efforts across the three West Coast Councils on the creation of our Road Transport Combined Activity Management Plan 2021-2031. Continued horizontal integration amongst West Coast Approved Organizations will continue where possible through gaining regional consistency amongst procurement strategies.

1 Executive Summary

1.1 Summary statement

The Buller District Council has developed this Procurement Strategy to enable the procurement of good and services in a manner that aligns with its procurement policy and Asset Management Plans for Roading.

Council has identified the need to plan effectively and deliver quality in a sustainable manner; lowest cost options are not necessarily the best and can result in high operational and maintenance costs. This is especially so if this is undertaken with inadequate planning and lacking a clear framework. Wishing to maximize value for money, a robust strategic and asset management planning regime is a priority for ensuring that effective forward work programmes are developed. A whole-of-life approach relies on asset management planning including lifecycle management planning and modelling. This is part of Council's overall business approach.

The procurement strategy also references the Buller District Council Procurement Policy which has undergone a recent revision in April 2019 as part of a continues improvement programme.

The Buller District Council has undertaken a local government Section 17A service review focusing on the Local Road Maintenance delivery activities. This has been undertaken throughout November 2019 by Field Force 4 Consultants Ltd.

The service delivery review summary of the key recommendations for the local roading maintenance contract include:

Result Areas	Recommendations
Contract	<ul style="list-style-type: none"> ▪ Delay the RFP change over until October 1, 2020 ▪ Rebuild the contract in accordance with NZS3917 ▪ Set a term of 3+2+2 for RFP ▪ Add SLA's that deliver to BDC, NZTA and community needs ▪ Add KPIs, Metrics and Reporting to the contract, use to manage and enforce renewals
People	<ul style="list-style-type: none"> ▪ Recruit and appoint a new Contract Manager with urgency ▪ Support this role with appropriate training, admin and RAMM resources ▪ Recommend resources be allocated to this RFP and changes as a project
Processes	<ul style="list-style-type: none"> ▪ Use RAMM, including customer services staff, to record all information and as an operational tool for the contract ▪ BDC to actively manage the contractor through enforceable metrics and meetings ▪ Use data and reporting for decision making
Technology and Data	<ul style="list-style-type: none"> ▪ RAMM to be single source of truth for all roading <ul style="list-style-type: none"> • including customer queries, • day to day operational management and • Contractor management

The procurement objectives are to:

- Provide best value for money over whole-of-life;
- Provide open and effective competition;
- Provide full and fair opportunity for all eligible suppliers;
- Improve business capability.

The new road maintenance contract documentation is currently being developed and established before approaching the market. It will be a Cost-Plus model. It will be to NZS3917 format. Value for money will be a consideration when comparing deals, the

evaluation will consider whole of life costs to Council rather than just the initial up-front cost or lowest price, taking into account any on-going cost and uncertainties that may impact on delivery. Furthermore, the evaluation will need to take into account the costs and impact on Council Owned Organization dividends back to the Buller District Council.

The current maintenance contract expires 30th June 2020. Several programmes were considered to ensure procurement timeline activity was completed and a contractor could be in place for the 1st July 2020. However, the timeframes involved did not fit the best practice procurement models. Therefore, the Buller District Council requests that the NZTA grant an approval to issue an extension (of up to 6 months) to the current maintenance contract. This will allow for an adequate timeframe to work through the procurement activities and provide for adequate transition time to the new contract.

Buller District Council will continue to investigate and develop potential future opportunities for greater efficiency through exploring more collaborative and shared approach with other West Coast councils and stakeholders (such as NZTA). Therefore, the contracts initial tenure will be three years with possible further extensions of two years and then again two years.

This contract term of 7 years with an initial term of 3 years and Separable Portions of 2 + 2 will allow the Principal to:

- establish a strong relationship with the contractor
- strengthen contract management and reporting
- review performance of the contractor
- review the contract, and
- provide the flexibility to consider NZTA proposed regional contract options around collaboration going forward.

The new contracts will utilize key performance indicators to ensure a connection with the Regional Land Transport plans in order to better align regional outcomes and objective statements.

This strategy covers the period from 2019 to 2022. Any major changes which substantially affect procurement during this term will lead to another review.

1.2 Recommendations

Buller District Council request that the New Zealand Transport Agency:

- Endorses this procurement strategy and the various procurement approaches contained within it,
- Approves a contract period of 3+2+2 years (with a maximum term of 7 years) for the local road maintenance contract,
- Approves the use of the Buller District Council established in-house professional services business unit, to provide in-house professional services to Council's contracts. Note this may be supplemented with procured services in accordance with this strategy.

1.2.1 Approval of customized procurement

Buller District Council request that the New Zealand Transport Agency:

- Endorses an extension variation of up to 6 months to the current local road maintenance contract 09/10/12 to allow the preferred procurement timeline.

- Approves a direct approach for LED upgrade light installation.

1.3 Corporate ownership/endorsement

This Rooding Procurement Strategy covering the Buller Districts local rooding network (2020 to 2023) has been approved by the Buller District Council. Evidence of endorsement of this strategy is appended in Appendix 1.

This strategy meets NZTA's requirements for the procurement of works and services they fund, is in line with the council's procurement policies and takes precedence for transportation works where there is conflicting information.

2 Policy Context of the Approved Organisation

2.1 Strategic objectives and outcomes

On the 28 June 2018, the Government Policy Statement on Land Transport 2018/19 – 2027/28 (GPS) came into effect.

The Government's commitments make it clear that transformation of the land transport system is a priority. GPS 2018 presents a number of changes in direction; prioritising a safer transport system free of death and injury, accessible and affordable transport, reduce emissions and ensure value for money.

Further details about the GPS 2018 can be viewed using the following link:

<https://www.transport.govt.nz/multi-modal/keystrategiesandplans/gpsonlandtransportfunding/>

The Land Transport Management Act 2003 (LTMA) clause 25, outlines the requirements for the Transport Agency to consider when approving Procurement Procedures for use by Approved Organisations; in the context of this strategy being the Buller District Council.

Key aspects of procurement procedures include:

- Must be designed to obtain best value for money spent.
- Enabling persons to compete fairly for the right to supply outputs.
- Encouraging competitive and efficient markets for the supply of outputs.

The Transport Agency's approved procurement procedures are detailed within the agencies Procurement Manual. Buller District Council will utilize and comply with the procurement procedures within this Procurement Manual for purchasing all works and services that are funded in partnership with Buller District Council and the Transport Agency.

The Transport Agency's Procurement Manual requires each Approved Organisation to have a Procurement Strategy endorsed by the Agency.

The Buller District Council wants transport links to be efficient, reliable, convenient and safe to deliver on Buller's vision, stated within the Long-Term Plan 2018/28, which is to provide a community which is Fit for Future – providing a resilient and thriving community

Community outcomes are the goals that Council wants to achieve for the community. They reflect what the community sees as important for its well-being and they help to build up a picture of the collective vision for the district's future. The outcomes guide decision-making by Council. The Council links its activities and services back to the outcomes

- **Well-being** - A vibrant, resilient, healthy and safe community with access to quality facilities and services
- **Learning** - A district that values and supports learning with accessible relevant education and training opportunities
- **Who we are** - A happening district with a strong community spirit and distinctive lifestyle
- **Sustainable environment** - The distinctive character of the environment appreciated and retained
- **Prosperity** - A thriving, resilient and innovative economy creating opportunities for growth and employment

Transportation is an enabler in achieving our goal of providing a fit for future, resilient and thriving community. While transportation contributes to all of the outcomes it specifically aligns with a thriving and resilient economy and the requirement to provide efficient and effective infrastructure. This infrastructure is to be of high quality and cost-effective and meet the current and future needs of our community.

BDC is committed to demonstrate to its ratepayers that it is delivering the lowest long-term cost and best value service possible.

2.2 Procurement strategy objectives and outcomes

Successful procurement involves recognising the aim and objectives of key stakeholder, for the Buller District these include:

- Buller District Council – Elected members, the senior leadership team, council staff and the community
- NZTA – Which provides transportation funding and is a planning partner
- Suppliers – Those which supply goods and services to the BDC

This Strategy outlines the Council's intentions for the procurement of roading infrastructure services and capital works. The Strategy is set in the context of the Council's Procurement Policy (adopted April 2019) that provides direction to staff on the principles required to conduct procurement activities. It also aligns with the Council's Delegations Manual. The outcomes expected by implementation of this Strategy are intended to achieve the following procurement objectives:



This strategy outlines the procurement methodology to be applied to deliver this programme fairly and openly and achieve the best value for money. Aspects considered include the current local supply market, the District's remote location and the reliance of local contractors on the Council for their sustainability.

The procurement strategy is also tied into the infrastructure strategy developed by the Buller District Council as part of the 2018 – 2028 Long Term Plan. The issues and topics discussed in the infrastructure strategy long term plan reflect the current legislative environment and the communities priorities across the district.

It is the role of the infrastructure strategy to support, promote and achieve the Council's community outcomes, the core of the strategy is:

- To provide the best range of services that are affordable for the community
- To focus on efficient and effective delivery of services

- To seek out savings while maintaining the assets in a sustainable manner.

The roading and transportation network accounts for 70% of the total assets that the Buller Council manages and has a replacement value of approximately \$305 Million, the breakdown compared to other services is shown below:

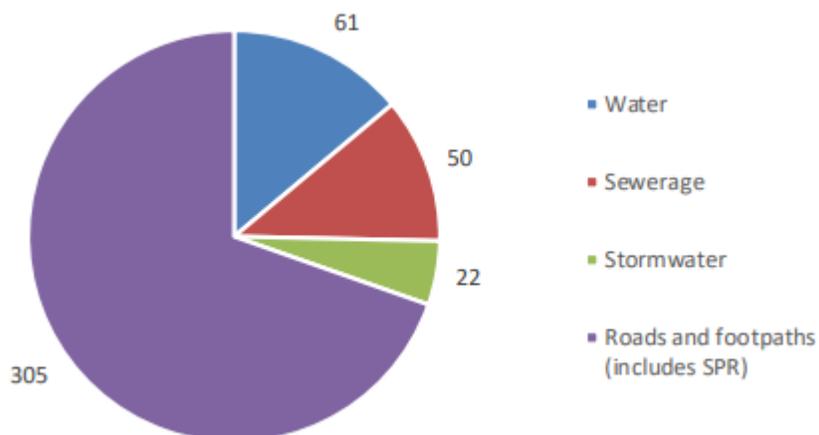


Fig 2.2 – Asset replacement values (\$mill)

The main theme of the 2018 – 2028 Long Term Plan is “Fit for Future”. Buller District Council is aware of the role that infrastructure plays in providing the basic needs of residents and underpinning regional economic activity. Alongside a commitment to affordability, the BDC infrastructure strategy guide Councils investment in future infrastructure. A robust procurement strategy is essential for ensuring that procurement objectives and requirements align with Councils vision for its infrastructure strategy.

In addition, Buller District Council is committed to providing an open and competitive marketplace across the region. This is to demonstrate to ratepayers that the delivery of services undertaken via the best possible value for money whilst providing opportunities for potential suppliers.

Buller District Council also recognises that successful contracts are relationship based and can have several parties contracted to work together to deliver a single outcome. These relationships involve a sharing of skills and risk along with jointly promoting innovation to improve value of the service delivery. These professional relationships are relevant from the smallest of contracts through to long term contracts.

Solid contractual relationships;

- Promote stability in the marketplace,
- Provide confidence to the Buller District Council and the contracting industry,
- Encourages investment in systems, training and equipment.

A strategic objective of this procurement strategy is to engage a roading contractor that will enable effective and efficient delivery of service via an up to date and modern contract engagement that has clear Key Performance Indicators and successful and clear outcome statements incorporated within the contract.

2.3 NZTA procurement requirements

The NZTA is committed to the concepts of value for money, maintaining competitive and efficient markets, and fair competition among suppliers. The NZTA's Procurement Manual contains procurement procedures approved by NZTA under Section 25(1) of the Land Transport Management Act 2003 (LTMA).

Transport users want a system that is accessible for all modes of transport and is safe and reliable. The Transport Agency and the Buller District Councils investment in transport services and infrastructure within an Investment Assessment Framework help achieve value for money through:

- Planning to implement activities and programmes in the right way (through business cases).
- Selecting the right things to do (through results alignment).
- Implementing them at the right time and for the right price (through cost benefit appraisal and smart procurement).

The procurement procedures contained in the manual are approved for use to purchase the goods and services required to deliver the activities that have been funded under Section 20 of the LTMA.

The Procurement Manual requires that Approved Organisations adopt a strategic approach in procuring their NZTA subsidised transport programme.

2.4 Organisational policies

Buller District Council and its suppliers, who are contracted to procure services on its behalf, have policies on handling conflicts of interest in procuring services. Issues that arise are dealt with on an individual basis in line with those conflict of interest policies. Buller District Council has current procurement procedures and policies that are required to be followed in the procurement of goods and services, appendix 5.

2.5 Organisational endorsement and review

Subject to the endorsement of the NZTA, the Procurement Strategy will be adopted by Council.

Responsibility for the Strategy primarily lies with the Group Manager Infrastructure Services, who is also responsible for the continuity of subsidised transport funding. Reviews and NZTA endorsement of the procurement strategy is a requirement for continued funding.

The strategy will be review on a three yearly basis to ensure it is current and remains fit for purpose.

3 Procurement Programme

3.1 Procurement programme

The procurement programme sets out the annual profile of spend on physical assets for access and transport. The programme includes physical works for all Access and Transport Activities (subsidized and un-subsidized). It excludes overheads which are part of the Long-Term Plan 2018-2028 budget.

3.1.1 Maintenance and operation of local roads contact costs

Approximate annual spend: \$2.5 million
Proposed delivery model: staged

Proposed supplier selection method: Price/quality
Cost Plus

3.1.2 Maintenance and operation resurfacing and pavement marking contact costs

Approximate annual spend for footpaths
(maintenance, resurfacing and capital): \$0.6 million

Approximate annual spend for reseals
(including pavement marking): \$0.90 million

The maintenance and operation of local roads is undertaken as one contract.

The surfacing renewals (incl. footpaths) and pavement marking works have been tendered separately to the road maintenance contract.

Consideration has been given to potential incorporating the future resealing and footpaths renewals programme into the local road maintenance contracts. This could help to align the scale of the contract with the expectations of the healthy market analysis and provide a potential opportunity for more competition between contractors, while having some potential to reducing the overheads and professional services required in separate procurement processes and contract administration for reseals and footpaths. Combining the scope of these works could also allow the contractor to optimise the workstream.

The current footpath and reseals contracts have been let and are in place until January 2022. At the conclusion of these contracts there is scope to consider inclusion and work delivery bundling. However, doing so would lead to undertaking a renewed tender round. It could be considered that initial bundling of work might be across the road resurfacing works only and this could be across West Coast Councils and approved organizations. If that was to be successful, further consideration could be given to including future reseals in future local road maintenance contracts.

It does need to be noted that for some West Coast based road maintenance contractors, they would not have the adequate resources to include the delivery of resurfacing works. Therefore, they would only sub-contract or potentially re-distribute this work within their own company structures, and in effect not materially affecting their management and overhead costs in doing so.

On a final note is that the current reseal programme value is high due to the Karamea

Special Purpose Road Transition plan investments, this level of reseal activity, on an annual basis for the district, is unlikely to remain into the future.

Equally the footpath annual spend is higher than normal on an annual basis due to the current NZTA and BDC co-investment in footpath renewals.

3.1.3 Rehabilitation and other renewal works

Approximate annual spend:	\$100,000
Proposed delivery model:	staged
Proposed supplier selection method:	Lowest price conforming Price/quality

Any area wide rehabilitation, and other renewal projects being site specific, will be sourced as separate contracts to allow Buller District Council to assess the individual sites and therefore eliminating as much risk as possible before tendering the works.

3.1.4 Street light maintenance, energy supply and LED upgrade works

Approximate annual spend:	\$0.45 million
Proposed delivery model:	staged
Proposed supplier selection method:	Lowest price conforming Price/quality Closed contest Direct Appointment

The Buller District street light programme is currently undertaking a NZTA support LED light upgrade across a three-year programme valued at \$550k. Portions of this programme are being placed out to tender.

For the LED installation contract costs, which is over >\$200k it will be by direct appointment due to monopoly situation as outlined in NZTA procurement manual rule 10.10; as the street side power pole assets that the lights are installed on are owned by the two electricity providers for the selected areas. Electronet are the asset owner and service provider responsible for Reefton and Punakaiki areas with Buller Electricity for the remainder of the Buller District. Buller District Council and both parties already have existing service contracts in place.

For any service work on the poles and network, the service provider, as the asset owner must give approval to work and/or provide supervision on the asset being worked on which creates significant restriction to the number of suitable parties able to undertake the LED installation service and by default raises the end installation costs to Buller District Council and the NZTA.

Any remaining LED units can be tendered if necessary for the remaining units in the forward work plan as some of the existing units installed have been already purchased from Betacom.

Ongoing maintenance work, although of low value, requires a specialist contractor with necessary approvals in order to work on power company networks. Therefore, it is considered that the management of this maintenance work will be best carried out directly between the council and a contractor.

Energy and power consumption is at approx. \$150k per year. This is right across the network of roading and street lights (955 lights) which are held by two different maintenance providers being Buller Electricity and Electronet. The energy supply is provided by Pulse Energy, Meridian and Genesis. Some of these lights are on the State Highway network.

3.1.5 Low Cost Low Risk (LCLR) improvement works – local roads

Approximate annual spend:	\$240,000
Proposed delivery model:	staged
Proposed supplier selection method:	Lowest price conforming Price/quality

Separate contracts will be let for any LCLR work. For components of larger projects, the Buller District Council may let the delivery of specific areas of specialisation separately, such as design. This approach supports the small to medium sized suppliers. Contract length may vary from a project specific timeframe to an annual or longer period contract. Projects over \$100k in value will be competitively tendered.

For the future there may be opportunities to include this work with the maintenance contract where appropriate. Our contract period would allow for regular reviews around the forward work programming and the most effective way to deliver.

3.1.6 Low Cost Low Risk (LCLR) improvement works - SPR

Approximate annual spend:	\$1.3 million
Proposed delivery model:	staged
Proposed supplier selection method:	Lowest price conforming Price/quality

Separate contracts will be let for any LCLR work. For components of larger projects the Buller District Council may let the delivery of specific areas of specialisation separately, such as design. This approach supports the small to medium sized suppliers. Contract length may vary from a project specific timeframe to an annual or longer period contract. Projects over \$100k in value will be competitively tendered.

For the future there may be opportunities to include this work with the maintenance contract where appropriate. Our contract period would allow for regular reviews around the forward work programming and the most effective way to deliver.

3.1.7 Public transport

Approximate annual spend:	\$60,000
Proposed delivery model:	staged
Proposed supplier selection method:	Price/quality

3.1.8 Road safety promotion

Approximate annual spend:	\$35,000
Proposed delivery model:	staged
Proposed supplier selection method:	Price/quality

This work covers the employment of a road safety coordinator on a collaborative inter regional road safety programme as part of the West Coast Road Safety Committee.

3.1.9 Professional Services

Approximate annual spend:	\$0.2 million
Proposed delivery model:	staged
Proposed supplier selection method:	Nominated price Lowest price Price/quality Direct appointment purchaser

The provision of professional services is provided both in house, via our Buller District Council Professional Services Business Unit and externally. External professional services are used for specific expertise to assist on works, for example:

- The traffic counting estimation and models
- RAMM data support
- Annual road deterioration and condition surveys
- Safety assessments
- Studies to inform programme development
- Business case development
- Geotechnical investigations
- Structural calculations
- Traffic engineering

3.2 Proposed Roading Contracts

The following tables outlines Buller District Council proposed roading corridor contracts.

Table 3-2 Proposed Procurement Programme

Contract	comments	Award Date	Duration	Annual Value [\$M]	Procurement Method ¹	Assessed Risks ¹
Network Maintenance	(Excludes resurfacing, footpaths and pavement marking)	2020 - TBC	3 years with a maximum term of 7 years, subject to performance management as set out in the maintenance specifications	2.7	Price Quality	L-M
Network Maintenance – road resurfacing	including resurfacing and sealing as well as pavement marking	2019	3 years term	0.9	Lowest Price Conforming Method	L-M
Network Maintenance – footpaths and transport	Including footpaths and transport	2019	Staged yearly contracts that are re-priced and tendered for the 3 year program	0.6	Lowest Price Conforming Method	L-M
Renewals	Bridge construction & maintenance	By project	As required		By project	M
Street light maintenance	Excludes NZTA state highway lighting	2019	Annually	0.15	Non – tender Local supplier	L
Street lighting energy LED upgrade		tbc	3 years programme	0.55	Lowest Price Conforming Method for LED Lamps,	L-M

¹ The procurement method is selected on the level of risk, based on the cost, complexity, consequences, health and safety and environmental factors

Buller District Council Roading Procurement Strategy

					direct engagement for installation	
Street lighting energy supply		2019	Annually	0.15	Non – tender Local supplier(s)	L
Professional Services		By project	As required	PSBU	By project	L-M
Low Cost Low Risk – Local Roads		By project	As required	0.24	By project	L-M
Low Cost Low Risk - SPR		By project	As required	1.35	By project	L-M
Emergency works		By project	As required	tbc	By project	M

3.3 Service Delivery Review

The largest single contract for the Buller District Council is the Network Maintenance Contract, which is due to expire in June 2020. Cost Adjustment Factors that are agreed between Buller District Council and Westreef Services Ltd are applied annually to the Network Maintenance Contracts.

A Service Delivery Review for transportation Section 17A was carried out by Field Force 4 in November 2019. The report was triggered because the current maintenance contract was due to expire and there was a need to re-evaluate and tighten the current contract. Another driver was to get the Buller District Council Network Maintenance Contract into the NZS3917:2013 contract pro-forma.

Field Force 4 reviewed current contract performance against best practice and made recommendations for drafting and management of the future contract. The key findings are:

- Performance of the current contract is adequate primarily as a result of the long-standing relationship between BDC and the Contractor.
- A level of complacency has permeated the operation of the contract
- The contract does not specify key performance measures and reporting requirements and is written in a now superseded standard
- There are inefficiencies in process and technology,

The following is a high-level summary of the key recommendations for the Buller District Council to prepare for the upcoming tender of its roading maintenance contract.

Result Areas	Recommendations
Contract	<ul style="list-style-type: none"> ▪ Delay the RFP change over until October 1, 2020 ▪ Rebuild the contract in accordance with NZS3917 ▪ Set a term of 3+2+2 for RFP ▪ Add SLA's that deliver to BDC, NZTA and community needs ▪ Add KPIs, Metrics and Reporting to the contract, use to manage and enforce renewals
People	<ul style="list-style-type: none"> ▪ Recruit and appoint a new Contract Manager with urgency ▪ Support this role with appropriate training, admin and RAMM resources ▪ Recommend resources be allocated to this RFP and changes as a project
Processes	<ul style="list-style-type: none"> ▪ Use RAMM, including customer services staff, to record all information and as an operational tool for the contract ▪ BDC to actively manage the contractor through enforceable metrics and meetings ▪ Use data and reporting for decision making
Technology and Data	<ul style="list-style-type: none"> ▪ RAMM to be single source of truth for all roading <ul style="list-style-type: none"> • including customer queries, • day to day operational management and • Contractor management

3.4 Need for specialised skills

On occasion there may be a need to procure specialist skills i.e. professional services or specialist contractors. If a need arises requiring some specific specialist skills, we would initially ask our contracted suppliers to source these from either their own organisations or from relationships they have through the wider national market. We believe this approach will be successful for any perceived occurrence and do not consider this a major risk. If there is a wider need for specialists skills or specialists advice then the Buller District Council will procure these from the market as and when required.

3.5 High risk or unusual procurement activities

At this time the Buller District Council has not identified any particularly high-risk activities nor the need for unusual procurement activities that are not covered adequately by the NZTA Procurement Manual.

As part of this procurement strategy timeframe, the Buller District Council remains committed to explore possible collaboration opportunities with other West Coast based Approved Organisations.

4 Procurement Environment

4.1 Analysis of supplier market

The local roading construction and maintenance marketplace is dominated by one national Tier One contracting firm (Fulton Hogan), and this firm is supported by Westreef in the Buller regional and local content portion of the State Highway NOC.

There are local contracting firms with the capability to undertake physical works, but some lack the nationally developed management systems and available resources to undertake the full-service contracts currently being tendered in accordance with expected roading industry standards. These local firms are able to subcontract to Westreef or a future successful contractor. Nonetheless there is adequate competition at this local level at present and this is encouraged and is expected to continue. However, there is a limited level of competition at a local level amongst the national firms. When the NOC contract was awarded it meant that other larger firms left the West Coast and they are now not represented locally anymore.

The proposed procurement plan will not run through a two-stage market approach with a Registration of Interest (ROI) due to a constrained timeline and will undertake direct market engagement throughout April and May 2020 as a single stage procurement.

Even with an extended timeline there is little to be gained by a two-stage market approach as most local and national tier one firms have indicated their awareness of the up coming Buller Local Roading Maintenance Contract. There is an adequate tender response period and the tender will be advertised on both GETS and Tenderlink.

The procurement timeline is as per Fig 4.1.1

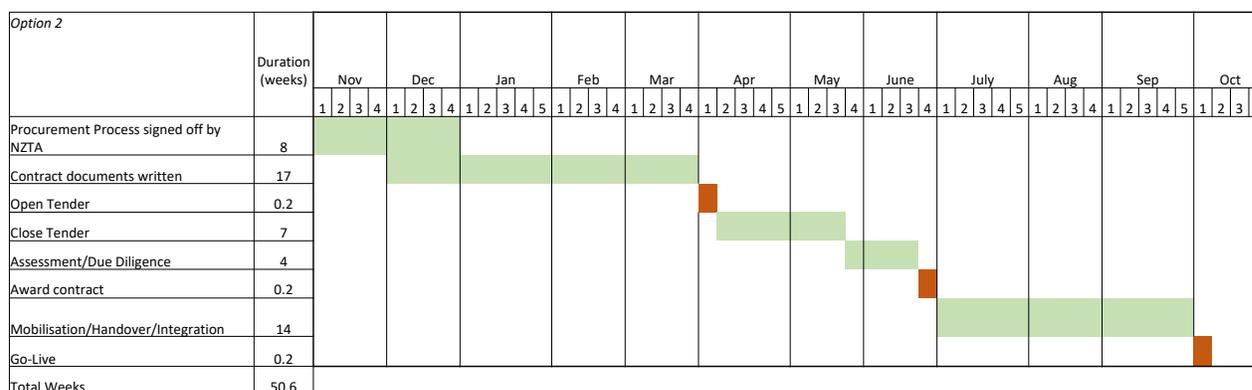


Fig 4.1.1.

Market engagement in other regions has confirmed that large National Tier 1 firms holding maintenance contracts throughout NZ indicated a preference for contract values ranging from \$3.5 million to over \$ 10 million annually, an initial tenure of five years with possible further extensions as well as a collaborative style with reward mechanisms where decisions and programmes are owned by the principle.

The Buller District Council local roads maintenance contracts are on a lower annual value scale. We intend to have a 3+2+2 year tenure. However, there are aspects of

contract improvement on ensuring collaborative style and clear KPI mechanisms and programme approval levels and ownership that we are incorporating into the new contract.

As a medium sized, rural local authority, the Buller District Council needs to ensure value for money for the ratepayer funding it is entrusted with. Following the procurement rules are essential in order to:

- Provide open and fair competition that supports innovation and helps create a competitive, productive market place in the Buller District.
- Ensure Council is valued as a desirable principle / client organisation – that demonstrate professional practice and has a reputation for integrity.

While the Buller Districts isolated and remote location may at times create an impediment to outside contractors, we can maintain a competitive market for general civil works with a range of local contractors capable of supplying the full range of services we need to procure. Efforts to nurture this marketplace can include unbundling work packages, maintaining a regular work flow by softening out peaks where possible i.e. weather dependent work not conflicting with civil works, collaborating with neighbouring approved organisations and communicating work through the District Annual Plan and Long-Term Plans so contractors are aware of forward programmed works.

Diversity and competition are less evident in specialised areas such as streetlight maintenance and road-marking, so careful attention is needed in these areas to ensure value for money – where direct competition is less likely to contribute to that goal.

Overall, Council considers that there is sufficient level of interest in tenders and competition between suppliers.

The Buller District Council has, over a period of years, experimented with various models for delivering the relevant services relating to the roading asset. This has transitioned from 'own-forces' delivery in the 1980's, through a multitude of individual contracts for various services in the 1990's, to comprehensive roading maintenance contracts.

Buller' remote geographic location impacts on our procurement environment. Council needs to attract creative, clever and commercial suppliers, contractors and consultants to help deliver innovative and effective solutions to get the best value for the ratepayers of the Buller District - which isn't always the cheapest price. To be an attractive customer, it is essential that Council fosters productive relationships with suppliers.

Typically, the following types of contracts are procured outside the roading maintenance contracts:

- Kerb and channel renewal;
- pavement rehabilitation;
- Various individual bridge maintenance and retaining structures; replacement/upgrading contracts;
- Streetlight network maintenance contracts;
- Low cost low risk works (LCLR), miscellaneous seal widening, seal extension;
- Re resurfacing sealed roads;
- Pavement marking (to be combined into the maintenance contract);

There is a continuing programme of rehabilitation projects, seal widening, LCLR projects and bridge renewals/upgrades planned in the Asset Management Plan (AMPs)

to maintain the interest of the local contracting industry and hence encourage competition.

The projected total expenditure on the roading asset is similar to the current level of expenditure with some minor fluctuations only. This steady demand for services will continue to provide opportunities to a range of suppliers in the market.

To achieve the best value in the long-term the Buller District Councils procurement will remain to be flexible, collaborative and encourage development of the local contracting market. This will benefit local businesses and the local economy.

Further, if the contracts were awarded to different suppliers there will be a broader maintenance resource remain in the region, leading to a more sustainable local industry, which would support the region's wider economic development strategic aims.

4.2 Analysis of the Impact of the Procurement Programmes on Other Approved Organisations and Other Entities

Other agencies that impact on our markets include NZTA (Highway Managers), Grey District Council and Westland District Council. These agencies, along with local farming and forestry companies, provide a base load of work which complements the ability of local contractors to service the districts infrastructure needs.

Collaboration with neighbouring Councils is essential. This cross collaboration is evident in the current development of the combined Activity Management Plan for the West Coast. The development of this plan clearly demonstrates how Councils can work together to achieve a common goal and ensure cost effective management of the roading and transportation network for the West Coast

The term of the current procurement programme allows future discussions amongst all West Coast approved organisations on future coordinated procurement. This will be undertaken where possible or where there could be a direct collaboration on a particular project or contract. Generally, each organisation has its own requirements for the timing of project delivery and it is not always practical to provide a coordinated pipeline of tenders to the market. However, with a more collaborative approach to our activity management planning these larger scale market engagements can be phased and planned better through our annual and long-term plans.

4.3 Local Suppliers

The wellbeing of local communities is highly dependent on the strength of local businesses. This is certainly the case in the Buller District, where maintaining attractive employment prospects and strengthening local suppliers' businesses provides the backbone of the regional economy.

Local suppliers are encouraged to tender as this creates healthy competition and discourages complacency or monopolies in small communities like Buller where opportunities for work can be limited.

To ensure unfair bias, a robust procurement process must be followed to ensure that tender evaluation and awarding is done in a fair way that meets NZTA requirements as well as the Buller District Council Procurement Policy.

5 Approach to Delivering Work Programme

5.1 Specific objectives

Delivering the transportation procurement programme outlined in Section 4 is intended to achieve council's vision and strategic objectives outlined in Section 2, in particular the following:

- Must be designed to obtain best value for money spent.
- Enabling persons to compete fairly for the right to supply outputs.
- Encouraging competitive and efficient markets for the supply of outputs.
- Promote stability in the marketplace,
- Provide confidence to the Council and the contracting industry,
- Encourages investment in systems, training and equipment.

Along with these objectives from the Transport Agency:

- Obtaining best value for money spent.
- Enabling persons to compete fairly for the right to supply outputs.
- Encouraging competitive and efficient markets.

5.2 The procurement approach

Buller District Council has a Roading Activity Management Plan for the three-year period from July 2018 to June 2021.

The three year and 10 year forward works programme, developed for the Long-Term Plan from the AMP, are given in Appendix 4. The National Land Transport Programme 2018-2021 for the West Coast Region documents the level of funding approved over the first three years.

During the three-year period the term maintenance contract is due to expire in 2020 and will be retendered in the period March – April 2020. As stated, our strategy is to tender this out for three years with the option to renew for a further two years and then again two years making a maximum seven-year term.

There are other delivery models available to Buller District Council, including traditional models and network outcome Maintenance Contracts (NOC). Pure performance-based contracts such as these can place limits on the Councils ability to influence the contracts during their term. Considering all of the issues and in the interest of maintaining a competitive industry it has been determined that the traditional model, with a full-service package on a Cost-Plus basis, delivers the best overall performance and fit for the district.

The medium term of the contracts, and the ability to maintain input into the management of the network through contract tightening and setting clear KPI indicator performance levels, gives the Buller District Council the best outcome through retaining ongoing tension and performance in the contract.

The service delivery review made clear recommendations to ensure vertical integration of Key Performance Indicators that are embed into the contract. This should include Councils requirement to report performance towards long term strategic objects. This procurement and rewriting of the roading term maintenance contract will ensure these KPI's are integrated as per Fig 5.2.

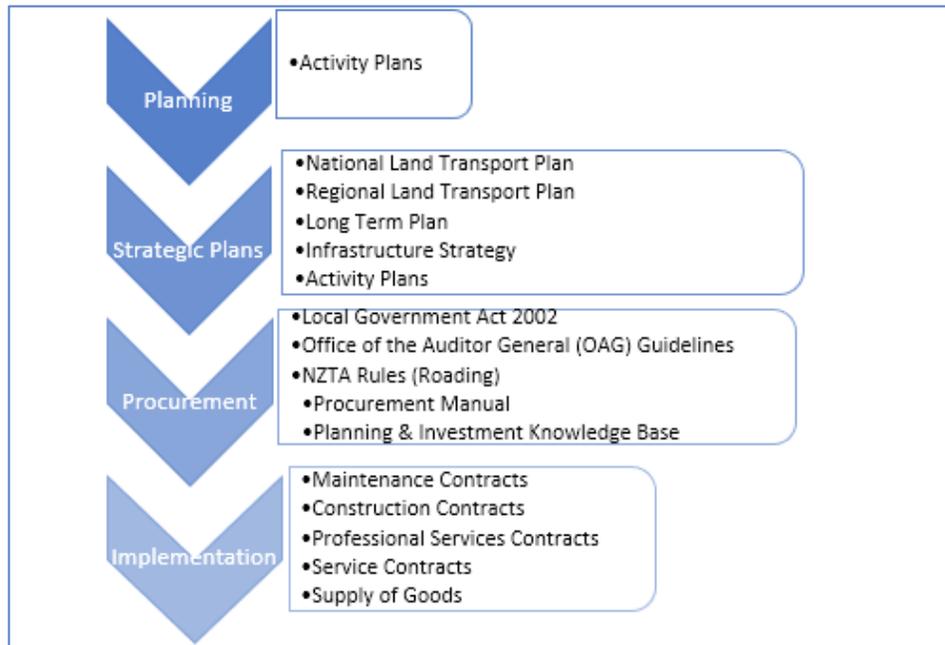


Fig 5.2

The Buller District Council procurement strategic self-assessment has shown there are areas for continues self improvement. There was strong system improvement needed in procurement and contractor management. This improvement programme included specifying the required contract outputs and ensuring value for money in the delivery models.

An integrated work prioritization and monthly forward work pogramme endorsement approval steps need to be integrated into the new roading maintenance contract to ensure compliance with network improvement outcomes and ensure the attainment of best value for money over the long term.

The Buller District Council procurement self-assessment score is outlined in Fig 5.2.1 and this self-assessment scoring exercise will be rerun at the completion of the first three-year term with the new contract. The aim is for a score improvement in delivery.

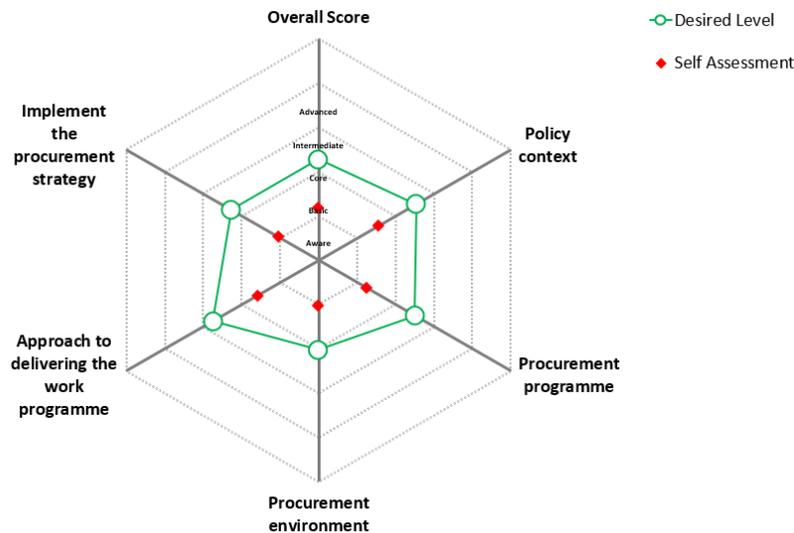


Fig 5.2.1

Other specialist services undertaken under separate contracts include professional services, specific bridge maintenance, renewals and upgrades. Some of these services only have a moderate local contracting base with average competition.

Emergency works do occur from year to year generally as a result of heavy rain, storm events and localised flooding. Historically, the annual expenditure averages fluctuates. The Buller District Council puts aside an amount into reserves to cover their share of the cost of these abnormal events. To ensure that the Buller District Council meets the subsidy requirements it must ensure that value for money is being achieved when using a direct appointment, or closed contest for minor flood damage works. Larger, more extensive and more significant works are tendered out to the open market if possible, once the site is made safe and open to traffic.

The Buller District Council recognises the intrinsic value received from its current Council Control Organisation supplier Westreef Services Ltd. They provide an intimate local knowledge and service delivery. This is particularly relevant to this long-term maintenance cyclical contract where the incumbent contractor's value needs to be correctly recognized. This is valued at tender time with quality-price considered, not only lowest price.

Contracts for roading in the Buller District are delivered utilizing the following accepted standard conditions of contract:

- NZS 3910:2013 Conditions of Contract for Building and Civil Engineering Construction
- NZS3917:2013 Conditions of Contract for Building and Civil Engineering Construction – Fixed Term
- Conditions of Contract for Consultancy Services (4th Edition 2017) (CCCS)

The contract for the Buller District Road Maintenance Contract will be to NZS3917:2013. The procurement of works will comply with the Transport Agency's procurement manual.

For all other works if there are organisations capable of doing the work, we will use an open tender process for all works greater than \$200k in value². For lesser amounts, we will seek proposals generally from three suppliers under the closed contest approach. For amounts below \$100k in value we may use a direct appointment

² Except streetlight LED installation which will be direct appointment

approach in certain situations, for example where there is a need for a specialist or the value of bidding for a number of suppliers is not an effective outcome for low value work.

Risk based estimating is utilised giving value through identifying where further investigatory work might drive improved cost certainty.

Risk processes used are covered in the Rooding Asset Management Plan.

5.2.1 Approach for Network Maintenance Contract Procurement planning

In planning for procurement of the maintenance contract the Buller District Council utilizes the organisations procurement planning template for procurement planning and RFT development. This is modelled on government best practice. Procurement decisions and risks were aligned to rooding maintenance priorities and its drivers to achieve value for money.

Force Field 4 and Simpson Grierson are supporting the organisation in constructing contract specific performance specification, contracts conditions and key performance indicators to specifically tighten and improve the maintenance contract. They will also support the formulating of the tender processes and the non-price attributes for bid assessment.

Information supporting this process has been included in appendix 3 and this provides further background and support towards the Buller District Council procurement approach to the maintenance contract. This procurement plan will be used to develop the request for tender (RFT) and contract documentation.

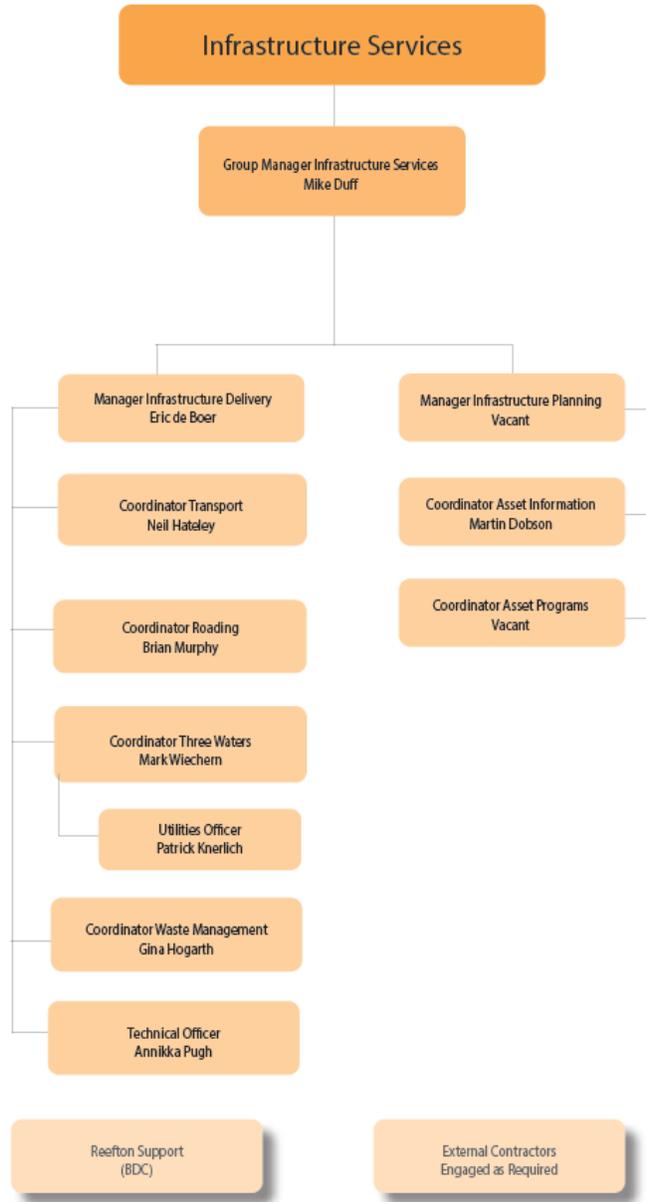
5.3 Analysis of whether advanced components, customised procurement procedures or variations to procurement rules are required

Outside of the LED Street light installation direct appointment under NZTA Procurement Rule 10.10, no other has been identified for advanced or customised procurement procedures that are allowed within the Transport Agency's procurement manual. Should this situation change during the term of this strategy we will work with the Transport Agency on the specific requirements and seek approval if an advanced or customised procurement approach is considered necessary.

6 Implementation

6.1 Capability and capacity

The organisation structure is given below.



At present, procurement and the management of any procurement process is carried out in-house through our roading business unit.

Buller District Council currently holds some capacity and experience in procurement. We currently have limited staff who are trained, experienced and capable of managing the procurement requirements of this contract value (\$2.7mill).

Certain procurement staff are currently undertaking training to be qualified evaluators for assessing proposals for works valued more than \$200k. In the interim this roading maintenance procurement process will contract in a NZTA qualified roading consultant or utilize a qualified Grey District or Westland District Council staff member, to provide additional technical skills on the tender evaluation team and also satisfy the

requirements of the NZTA Procurement Manual Rule 10.19 which looks to ensure adequate qualifications of proposal evaluators.

As needed for various projects or items of procurement the Buller District Council in-house team are complemented when necessary by a range of professional services providers. Any design and planning inputs for construction projects are a mixture of in-house and externally sourced depending on the value and complexity of the project.

Approval of contracts is given to various council officers as per the Chief Executive and Staff Delegations depending on the contract value and delegated financial authority.

Claims, Progress Payment Schedules and Contract payments are authorized by the appropriate Engineer to Contract and vouchers or progress payment schedules are then prepared for payment and debited to the appropriate council budget ledger item.

Buller District Council complies with NZTA procurement policies and current purchasing requirements. Project approvals, contract documentation, and tender management are carried out by internal staff or appropriately qualified contracted professional service providers. All tenders are managed in-house by the portfolio co-ordinator responsible for the work and held in a secure location.

Policies are routinely reviewed and subsequently discussed with the NZTA. This ensures consistency with the greater region and nationally. Council officers and consultant's staff communicate with other roading authorities and suppliers through a range of forums such as the RCA forum, REG group, IPWEA, IPENZ, and courses, presentations, etc. through the year.

6.2 Current contract incumbent

Westreef Services Ltd is a Council Controlled Trading Organisation (CCTO), 100% owned by the Buller District Council.

Westreef specializes in construction and maintenance of all types of civil construction, infrastructure and roading and provides such services to Council through maintenance and capital works contracts.

Westreef, as a CCO, is subject to the same procurement procedures as other organisations working in the District and Council needs to maintain rigorous adherence to NZTA guidelines to ensure these are not compromised.

To ensure conflicts of interests are managed, large value contracts subsidised by NZTA are at times outsourced to external consultants to ensure the tender procurement process is fair and impartial.

6.3 Local suppliers

The wellbeing of local communities is highly dependent on the strength of local businesses. This is certainly the case in the Buller District, where maintaining attractive employment prospects and strengthening local suppliers' business activity provides the backbone of the regional economy.

Local suppliers are encouraged to tender for work as this creates healthy competition and discourages complacency or monopolies in small communities like Buller where opportunities for work can be limited.

To ensure unfair bias, a robust procurement process must be followed to ensure that tender evaluation and awarding is done in a fair way that meets NZTA requirements as well as the Buller District Council Procurement Policy.

6.4 Cost effective delivery of services

In order to demonstrate that the delivery of services is efficient, effective and appropriate; Buller District Council has developed a procurement system which is based on providing fair payment for the delivery of services. Council has utilised a cost-plus contract for all of its maintenance contracts with WestReef Services Ltd which is a Council owned entity. The Council uses the system thinking strategy to identify waste in both the delivery of the service and the manner in which the Council conducts its business.

Service Delivery Reviews (LGA 2002 section 17a) are being undertaken across all of council activities to assess their effectiveness and efficiency. A priority assessment has been undertaken which will guide the level of detail that will be included in these reviews. The results of these evaluations will be integrated into future LTPs.

Council is increasing its collaborative and shared services approach. This is generally with other West Coast Local Authorities with initiatives such as the common One District Plan, combined roading activity management plan, funding business cases for roading and emergency management. Further integration of services should be expected, but without loss of local decision making and character.

As part of the contract review the Buller District Council will work with its supply partner to identify areas and gaps where upskilling is required and then to work collectively to address those aspects. Furthermore, we will look for ways to enable the wider sector to attract people to engineering through initiatives such as cadetships and apprenticeships.

Identified capability gaps in the organisation includes geotechnical, structural and specialised RAMM data management. Further impending retirements of senior engineers and roading managers with considerable experience is also cause of concern. An effective early transition plan needs to be put in place throughout the early 2020 calendar year to ensure the recruitment of a new roading engineer and coordinator before the retirement of the incumbent (indicated to be June 2020).

The organization is committed to continuing staff development, mentoring and training programmes. The aims are to retain existing staff and by encourage inter-organisation growth. Specialist skills and knowledge will continue to be bought in as required.

The Industry provides a wide range of opportunities for career growth both within the workforce and in contract management. In selecting companies to work with, we will request via their non-price attributes and the evaluation of responses for companies to explain their plans and intentions for undertaking ongoing training and upskilling of their people and support of their wider supply partners and sub-contractor base.

6.5 Internal procurement processes

The Buller District Council internal procurement processes are as per the organizations procurement strategy and policy. Any requirements that are allowed within the Transport Agency procurement manual shall be given precedence. Endorsement of this approach has been included through the approval of this strategy.

6.6 Performance measurement and monitoring

In line with the requirements of the NZTA Procurement Manual, the Buller District Council intends to align its performance measures and monitoring of the following indicators to determine the success of this strategy.

Table 6-6 Performance Measurement

Key Results Area	Performance Indicator	Measure
Value for Money	<ol style="list-style-type: none"> 1. Quality. 2. Cost Plus audit assessment. 3. For quality, timeliness, collaborative measures. 4. Benchmark indicators PACE for Maintenance contract. 	<ol style="list-style-type: none"> 1. BDC satisfaction with the goods or services procured. For contracts over \$1m such as the roading maintenance contract, BDC will utilize the NZTA PACE system. 2. Audit levels on value for money in Cost-plus method. 3. Develop clear KPI's within contract, measures and compare overall results. As an example, Timeliness: planned finish date versus actual finish date, work backlog, number of outstanding jobs, actual vs estimated costs. 4. Other measures will relate to rework, defects, customer complaints (or compliments), resolution timeframes, H&S incidents, traffic delays 5. Develop key measures PACE to assess performance across the maintenance contracts.
Regard for markets	<ol style="list-style-type: none"> 1. Fairness 2. Bids received 3. Innovation 	<ol style="list-style-type: none"> 1. Whether or not the supplier selection process was an open or a closed contest, and the reasons for these decisions. 2. Number of bids received. 3. Whether alternative bids that add value for money were permitted; whether alternative bids were received and accepted or rejected; what added value alternative bids realize and their cost.
Compliance with procedures	Measure how well the Council is complying with this strategy	Number of complaints received on purchasing process

Due to the length of time that it takes to develop a sufficient sample size for these types of performance measures, it is intended that this analysis will be undertaken at three milestones, being mid-way through the 3 year strategy cycle, at the end of the life this strategy, and as part of the development/review of the next strategy to measure the success or otherwise of this procurement strategy. A Section 17A service delivery review will be required before the end of the term of the maintenance contract and this review will consider the cost effectiveness of the current improvement to arrangements and provide a continues improvement action plan pathway forward.

The Buller District Council will continue to rely on NZTA audits to ensure compliance with procedural and technical requirements and performance with other RCAs.

Overall success is measured by achievement of the approved programme in the NLTP. The Buller District Council will continue to monitor a range of criteria through its Long-Term Plan processes. This includes performance measures in pavement and surface condition, health and safety, financial performance, technical measures, and customer satisfaction.

6.7 Data collection

Data will be collected in accordance with the NZTA Procurement Manual, Appendix E.

6.8 Communication plan

The procurement strategy will be communicated through the following media:

- To the NZTA seeking their approval,
- On the intranet for internal stake holders,
- On the council website for external stakeholders,
- To Council as part of the Activity Management Plan.

Each tenderer is currently advised of the outcome of each tender in accordance with the NZTA requirements and Councils Procurement Policy.

6.9 Implementation plan

The NZTA Procurement Manual has considerable detail on the process for correctly determining which procurement model should be utilized in each situation, i.e.; staged, design & build, shared risk, and supplier panels.

The Procurement Manual also has considerable detail on the process for correctly determining the supplier selection method;

- Direct appointment
- Closed contest
- Lowest price conforming
- Price quality
- Purchaser nominated (target) price
- Quality based

For the roading maintenance contract the procurement will be as per the procurement plan attached which is Cost-Plus RFT NZS3917 Contract with a weighted attribute approach to Price Quality as prescribed by Appendix C in the NZTA Procurement Manual.

6.10 Extend Term service and maintenance contract

The NZTA Procurement Manual Rule 10.21 states that an approved organization must not let a term service contract for a term greater than five years unless documented, supported and approved by the NZTA through that organisations procurement strategy.

The Buller District Council request an three-month extension (with the opportunity to double this to six months if needed) to the current Local Roads Maintenance contract under Procurement Manual Rule 10.21 3. (a)

- 6.10.1 There will be negligible impact on the competitive nature of the market with this short extension to the existing supplier
- 6.10.2 It will allow the approved organization to run an adequate market engagement procurement process
- 6.10.3 It will ensure that an adequate timeframe is allocated in the procurement timeline for contact engagement and transition

6.11 Supplier selection endorsement

The following table summarizes the approach to be used for supplier selection – in accordance with the NZTA Procurement Manual, Appendices A,B & C:

Table 6-11 Supplier selection method by programme

Programme	Annual Expenditure [\$M] (18/19)	Direct Appointment	Closed Contest	Lowest Price	Price Quality Physical works	Price Quality Professional services	Quality based
Network maintenance	2.7	Y	Y	Y	Y		
Network maintenance – road resurfacing	0.9	Y	Y	Y			
Network maintenance – footpaths and transport	0.6	Y	Y	Y			
Renewals <i>(Bridge Construction, maintenance)</i>	By project	Y	Y	Y	Y		
Street Lighting Maintenance	0.15	Y	Y	Y			
Street Lighting Energy LED Upgrade	0.55	Y	Y	Y			
Street Lighting energy supply	0.15	Y	Y	Y			
Professional Services	By project	Y	Y			Y	

Programme	Annual Expenditure [\$M] (18/19)	Direct Appointment	Closed Contest	Lowest Price	Price Quality Physical works	Price Quality Professional services	Quality based
Low Cost Low Risk – Local Roads	0.24	Y	Y	Y	Y		
Low Coast Low Risk – SPR	1.35	Y	Y	Y	Y		
Emergency Works	tbc	Y	Y	Y	Y		

All supplier selection will be in accordance with the following supplier selection method usage as outline in Table 6-11-1.

Table 6-11-1 Supplier selection method usage

Supplier Selection Method	Expected Usage	Typical Value	Price weight [%]	Assessed Risk
Direct Appointment (to incl. physical works, professional services)	Generally	Up to \$100k*	NA	L
Closed Contest (LPC & PQ)	Generally	Up to \$200k*	See below	L-M
Lowest Price Conforming	Generally	all	100	L-M
Price quality (physical works)	Occasionally	>\$200k	50-70 #	M
Price quality (professional services)	Rarely	>\$100k	30-50	M-H
Purchaser Nominated Price	Rarely	NA	0	M-H
Quality Based	Rarely	>\$1M	0	M-H
Prequalification	To be reviewed	all	NA	all

* NZTA upper limit

Price quality price weight for the local road maintenance contract will be approx. 30%

The method of supplier selection will be based on the assessment of risk and in accordance with the NZTA Procurement Manual Appendix C.

BDC have not typically used prequalification systems for procurement, however NZTA's prequalification processes can be used in the registration of interest for any particular procurement processes. Prequalification will be further explored by BDC if benefits can be seen for both the council and its contractors.

6.12 Corporate ownership and endorsement

This strategy has been approved by the Buller District Council (Approved Organisations).

Refer to Appendix 1 for Council endorsement of this Strategy.

Procurement Strategy Owner	Group Manager Infrastructure Services	
This version is prepared by	E de Boer	December 2019
This version has been reviewed by	Manager Service Delivery – Acting M Wiechern	December 2019
This version has been endorsed by	Group Manager Infrastructure Service M Duff	December 2019
This version has been approved by NZTA	By:	On:

7 References

- Buller District Council. (2019). *Financial Delegations Manual*.
- NZ Transport Agency. (Amendment 4, October 2017). *Procurement manual for activities funded through the National Land Transport Programme*. Wellington: NZ Transport Agency.
- Field Force 4 Ltd. *Buller District Council Service Delivery Review of Local Roding Maintenance Contract and Activities*.
- Rationale Ltd. (2019). *West Coast Combined Activity Management Plan Improvement Project*.

8 APPENDIX 1: COUNCIL ENDORSEMENT

9 APPENDIX 2: FORCE FIELD 4 LTD SERVICE REVIEW – LOCAL ROAD MAINTENANCE REPORT

**10 APPENDIX 3: BDC PROCUREMENT PLAN – LOCAL ROAD
MAINTENANCE**

11 APPENDIX 4: Forward works programme – AMP - LTP

12 APPENDIX 5: BDC PROCUREMENT POLICY