**Note: Guidance is provided in this document in RED HIDDEN TEXT. Information is to be inserted where ‘**»**’ appears. Remove the hidden text, examples, ‘**»**’ symbols and this note before giving the draft Evaluation Plan to the Evaluation Team for concurrence.**

##### **Evaluation Plan for Expressions of Interest**

**insert applicable details below.**

|  |  |
| --- | --- |
| Proposed contract name: | » |
| EOI/RFT no: | » |
| Principal: | » |

## Background

**insert a brief description of the proposed work, e.g.:**

Aston City Council has received Federal Government funding to improve infrastructure within central Aston. This Expressions of Interest process invites construction contractors to apply for consideration to tender for upgrading work at the Aston Transport Interchange. The work will involve upgrading Aston Railway Station Carpark and improvements to Athel D’Ombrain Drive.

This Expressions of Interest Evaluation Plan (EP) is for the evaluation of applications received for

## The Evaluation Plan

The EP is consistent the Request for Expressions of Interest (EOI) Documents. None of its contents will be made known to applicants.

## Evaluation objectives

The objective of the evaluation process is to:

* identify the applicants that best demonstrate the capacity to perform the proposed contract work; and
* recommend between three and five applicants to be invited to tender for the proposed construction contract.

## Evaluation Team

The Evaluation Team (ET) is listed in section 7 of this EP.

Where the ET considers it necessary, assistance for the evaluation may be sought from others in relation to technical, legal or other matters.

The ET will:

* evaluate applications in accordance with this EP,
* comply with principles of probity and fairness to all applicants, and
* produce an evaluation report and recommendation for future action.

## Evaluation criteria

The evaluation of applications will be carried out on the basis of scoring and weighting the following criteria:

**Insert the evaluation criteria and their weightings, e.g:**

|  |  |  |
| --- | --- | --- |
| * Experience and capability | 30% |  |
| * Proposed personnel | 20% |  |
| * Understanding of project risks and proposed risk management strategies | 40% |  |
| * Understanding and experience of GC21 | 10% |  |
| **Total** | **100%** |  |

**note: in selecting criteria, consider how the subsequent tenders will be evaluated. do not use the same criteria for the eoi and the non-price aspects of the tenders.**

In order to be recommended as a tenderer, an applicant must be an acceptable legal entity and meet mandatory criteria including having:

* acceptable WHS and environmental management systems,
* satisfactory past performance, including in relation to WHS and environmental management,
* an accredited Quality Management system,
* a satisfactory record of workplace relations management,
* satisfactory financial capacity, and
* a satisfactory record of compliance with the NSW Supplier Code of Conduct.

## Evaluating Applications

The following key elements will be applied in evaluating the applications:

1. Late Applications

An application that is received after the specified closing time will not be considered unless the lateness is due to solely to mishandling by the closing office or the ET is satisfied that the integrity and competitiveness of the process has not been compromised.

1. Withdrawn application

If an application is withdrawn after the closing time, it will not be included in the scoring calculations.

1. Non-complying applications

An application that does not comply with any essential requirement of the EOI Documents may be excluded from consideration. Essential requirements are:

* submission of completed Returnable Schedules,
* meeting the mandatory requirements stated above in **Evaluation criteria**; and
* meeting the minimum requirements for the evaluation criteria (see below).

Reasons for excluding any application from consideration will be documented and included in the evaluation report and recommendation.

1. Contact with applicants and referees

The ET may seek clarification of information provided in an application, to assist in the evaluation process. Communications with applicants will be in writing. The ET will nominate a reasonable time for supply of requested information.

The ET may approach referees. Such approaches and responses will be recorded.

1. Scoring the evaluation criteria

Each member of the ET will score each application against each evaluation criterion, based on information submitted with the application and the standards set out in this EP. The ET will then exchange views and reach consensus on the scores.

Each criterion will be scored out of 100, based on the following scale:

|  |  |
| --- | --- |
| 100 | Meets all requirements of an ideal application. |
| 80 | Meets most requirements of an ideal application. |
| 60 | Meets a reasonable number of the requirements of an ideal application. |
| 40 | Meets the minimum requirements but is only just satisfactory for this criterion. |
| <40 | Fails to meet the minimum requirements. At the ET’s discretion, the application may be excluded from further consideration or allocated an appropriate score. |

Examples of how the scale should be applied are provided in the Appendix ‘Guide to Scoring Evaluation Criteria – Examples’.

Scores will be recorded using the form in the Appendix ‘Evaluation Criteria Scoresheet’.

Weighted scores will be calculated by multiplying the score for each criterion by its weighting. The weighted scores will be totalled for each application. The totals will be normalised so that the normalised highest total equals 100%.

The scoring procedure is illustrated in the following example:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | Application 1 | Application 2 | Application 3 |
| Criterion 1, weight 30 | Score | 90 | 80 | 80 |
| Weighted score | 27 | 24 | 24 |
| Criterion 2, weight 20 | Score | 80 | 70 | 60 |
| Weighted score | 16 | 14 | 12 |
| Criterion 3, weight 40 | Score | 80 | 70 | 75 |
| Weighted score | 32 | 28 | 30 |
| Criterion 4, weight 10 | Score | 90 | 90 | 70 |
| Weighted score | 9 | 9 | 7 |
| Total weighted score (100) | | 84 | 75 | 73 |
| Normalised total score | | 84 x (100/84) | 75 x (100/84) | 73 x (100/84) |
| 100 | 89.3 | 86.9 |

The Appendix ‘Scores Calculations Spreadsheet’ provides for these calculations.

1. Identification of recommended applicants

The recommended applicants will be those with the highest normalised scores (subject to meeting the mandatory criteria stated above in **Evaluation Criteria**). The aim is to identify between three and five applicants with the demonstrated capacity to carry out the proposed construction work, and recommend that they be invited to tender for that work.

The ET may recommend that more than five applicants be invited to tender if a significant number achieve comparable high scores.

1. Review and approval

The evaluation process and draft recommendation will be reviewed by an independent officer to confirm that the outcome complies with the EP and with relevant procurement policies and procedures.

**include applicable details, ie:**

* **the officer who will endorse the recommendation;**
* **the client officer who will approve the list of tenderers;**

After endorsement, the recommendation will be forwarded to » for the » to approve the proposed list of tenderers.

1. Supporting documents

The following documents form part of this Evaluation Plan:

* Tender Process Code of Conduct
* Appendix: Guide to Scoring Evaluation Criteria - Examples
* Appendix: Evaluation Criteria Scoresheet
* Appendix: Scores Calculations Spreadsheet

## Concurrence of the Evaluation Team

The members of the ET concur with the evaluation process described in this Evaluation Plan, have read and understood the attached Tender Process Code of Conduct, and have undertaken to sign it after the identities of the applicants are known and before commencing the evaluation.

**insert applicable details below. Identify who is the chair.**

|  |  |  |
| --- | --- | --- |
| **Name of ET Member** | **Position** | **Signature & Date** |
| » | » |  |
| » | » |  |
| » | » |  |
| » | » |  |

##### **Tender Process Code of Conduct**

The Tender Process Code of Conduct is to be signed by the members of the Evaluation Team.

## Tender Process Code of Conduct

Introduction

The objective of tender processes is to achieve best value for money while being fair, ethical and transparent. People involved in a tender process must act fairly and without bias. Their decisions must not be influenced by their personal situations, inclinations or preferences, or those of their families, friends or associates.

Conflicts of Interest

A ‘conflict of interest’ occurs when a person is in a position to be influenced, or appear to be influenced, by their private interests. A conflict of interest can involve gaining personal advantage or avoiding personal disadvantage.

Conflicts of interest can be:

* **actual**: a person is in a position to be influenced by their private interests;
* **perceived**: a person is in a position to appear to be influenced by their private interests; or
* **potential**: a person may be influenced in the future by their private interests.

Conflicts of interest can be :

* **pecuniary**: a person may gain or lose financially, eg through owning property, having unpaid debts, or receiving benefits such as hospitality or travel; or
* **non-pecuniary**: where personal or family relationships or involvement in professional, sporting, social or cultural activities could influence decisions.

The checklist on the next page is provided to help determine whether your private interests are, or may be, in conflict with your duty to act in a fair and unbiased way.

If any of the private interests listed in the checklist may influence your judgement and decisions in relation to the tender process, you must disclose them and, in consultation with other panel members or the responsible senior manager, determine how they will be managed.

Application of the Code

This Code applies to any person involved in prequalification of contractors, selection of tenderers, evaluation of tenders and tender evaluation review. This includes members of tender evaluation committees, Tenderer Selection Committees, Panels of Assessors and Tender Opening Committees. It includes client representatives and consultants.

Personal interests - Declaration of potential conflicts

Conflicts of interest are not wrong in themselves, but must be managed effectively.

If you have any actual, perceived or potential conflict of interest in respect of a tender process, you must disclose it to the chair of the panel or, if you are the chair, to the responsible senior manager. To do so, use the form on the next page. Depending on the significance of your interest, you may be required to take no further part in the process, to have a reduced role or to continue your involvement with your interest being known and managed effectively and transparently.

Confidential information

Information acquired through your involvement in the tender process must only be released to people entitled to have it in order to carry out their functions in the tender process, or as required by law. If you are in any doubt as to whether to release information to someone, consult the responsible senior manager.

Determining whether you have a conflict of interest

To determine whether your private interests are in conflict with your duty to act fairly and without bias in the tender process, consider your:

* financial and economic interests, such as debts or assets
* family or private business
* secondary employment commitment(s)
* affiliations with for-profit and non-profit organisations, sporting bodies, clubs and associations
* affiliations with political, trade union, industry or professional organisations, and other personal interests
* obligations to professional, community, ethnic, family or religious groups in a personal or professional capacity, or relationships to people living in the same household
* feelings of enmity towards, or competition with, another individual or group
* significant family or other relationships with clients, contractors or other staff working in the same (or a related) organisation
* specialist skill(s) in areas where demand for the skill(s) frequently exceeds supply
* future employment prospects or plans (ie. post-separation employment)

Before participating in a **routine tender process** (eg. contractor prequalification, tenderer selection, tender opening, tender evaluation review) all officers involved must have completed Part 1 (only) of the Declaration and signed this form.

Before participating in any **contract-specific tender evaluation**, complete Parts 1 and 2 of the Declaration (even if you have previously completed Part 1), sign below and attach the signed copy to the Tender Evaluation Plan.

Declaration

**Part 1**: I, ...............................................…………………….., declare that I have read this

|  |
| --- |
| *(insert your full name)* |

Tender Process Code of Conduct, understand what it means and agree to comply with it in carrying out the tender process.

|  |  |
| --- | --- |
| **Part 2**: I ………………………..…… have a conflict of interest in relation to the tender | |
| *(insert ‘DO’ or ‘DO NOT’ as applicable)* |
| process for ……………………………………………………………………………………….…………… | |
| *(insert the contract name)* |

Details of my conflict of interest are: *(provide details if you declared a conflict of interest, or insert ‘N/A’)*

………………………………………………………………………………………………....……………….

|  |  |
| --- | --- |
| **Signature:** | .......................................................................................... **Date:** …………………….... |

##### **Appendix: Guide to Scoring Evaluation Criteria - Examples**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Evaluation criteria | Meets all requirements of an ideal application | Meets most requirements of an ideal application | Meets a reasonable number of the requirements of an ideal application | Meets the minimum requirements but is only just satisfactory for this criterion | Fails to meet the minimum requirements. May be excluded from consideration |
| Score ranges | 100 | 80 | 60 | 40 | <40 |
| **Experience & Capability (30%)** |  |  |  |  |  |
| - similar recent projects | Has successfully completed several similar projects during the past 3 years. CPRs or referee reports confirm superior performance | Has successfully completed several similar projects previously. CPRs or referee reports confirm good performance | Has successfully completed some similar projects, but they were not as complex or of equivalent value. CPRs or referee reports confirm satisfactory performance | Has a limited record of completed projects, not in the same work category. Referee reports indicate some marginal areas of performance | Fails to demonstrate recent experience in similar projects |
| **Proposed Personnel (20%)** |  |  |  |  |  |
| - qualifications and experience of the proposed team | Nominates personnel with demonstrated extensive experience in all required disciplines | Nominates personnel with a good level of experience in all required disciplines | Nominates personnel with a reasonable level of experience in the key disciplines | Nominates personnel with appropriate qualifications and limited experience in the key disciplines | Fails to nominate a team with appropriate qualifications and the required level of experience |
| - proposed team structure | Proposes an excellent team comprising personnel with all the relevant capabilities and demonstrates how strong management support will be applied to the project | Proposes appropriate numbers of personnel with appropriate backgrounds, with a good level of management support | Nominates a reasonable number of personnel for the site work, with some indication of support from management | Nominates an adequate number of personnel for the site work but provides minimal details about the proposed management support | Fails to identify sufficient experienced staff to undertake the work |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Evaluation criteria | Meets all requirements of an ideal application | Meets most requirements of an ideal application | Meets a reasonable number of the requirements of an ideal application | Meets the minimum requirements but is only just satisfactory for this criterion | Fails to meet the minimum requirements. May be excluded from consideration |
| Score ranges | 100 | 80 | 60 | 40 | <40 |
| **Understanding of risks & proposed risk management strategies (40%)** |  |  |  |  |  |
| - understanding of key project risks | Demonstrates an excellent understanding of all the risks, including site, timing, design, construction, regulatory & stakeholder risks | Demonstrates a good understanding of most of the risks | Demonstrates a reasonable understanding of the most significant risks | Has identified the key risks | Fails to identify the key risks |
| - proposed risk management strategies | Comprehensively and satisfactorily addresses all risks, with suitable management strategies | Satisfactorily addresses most of the foreseeable risks, with a satisfactory level of detail | Demonstrates a satisfactory approach to the significant risks, in reasonable detail | Demonstrates the ability to manage the key risks, but provides little detail | Fails to demonstrate a reasonable approach to managing the key risks |
| **Understanding & experience of GC21 (10%)** |  |  |  |  |  |
| - understanding of provisions of the GC21 contract | Shows an excellent understanding of the contract, including design responsibilities, Defects management & Issue resolution | Shows a good understanding of most of the contract requirements | Shows a reasonable understanding of the key contract requirements | Has addressed some of the key requirements but not very well | Fails to address most of the key requirements. |
| - experience of proposed personnel with GC21 | All members of the proposed team have experience with GC21 and have undertaken GC21 Ed 2 training | Most of the proposed team have experience with GC21 and some have undertaken GC21 Ed 2 training | Some of the proposed team have experience with GC21 but none have undertaken GC21 Ed 2 training | Some of the proposed team have received GC21 training but experience with GC21 has not been demonstrated | None of the proposed team has experience with GC21 and no GC21 training has been identified |

##### **Appendix: Evaluation Scoresheet**

|  |  |
| --- | --- |
| **Respondent:……………………………………………………………..** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Criterion/element | **Score**  (out of 100) | **Weighted Score** | **Comments** |
| **Experience & Capability (30%)** |  |  |  |
| - similar recent projects |  |  |  |
| **Proposed Personnel (20%)** |  |  |  |
| - qualifications and experience of the proposed team |  |  |  |
| - proposed team structure |  |  |  |
| **Understanding of risks & risk management strategies (40%)** |  |  |  |
| - understanding of key project risks |  |  |  |
| - proposed risk management strategies |  |  |  |
| **Understanding & experience of GC21 (10%)** |  |  |  |
| - understanding of provisions of the GC21 contract |  |  |  |
| - experience of proposed personnel with GC21 |  |  |  |

**Evaluation Team sign-off:**

………………………………… ……………………………..…..……. ………..

Signature Name (print) Date

………………………………… ……………………………..…..……. ………..

Signature Name (print) Date

………………………………… ……………………………..…..……. ………..

Signature Name (print) Date

**insert details applicable to your RFT. examples are provided in the table below.**

**Double click inside the worksheet area to open the excel spreadheet and make changes**

##### **Appendix: Scores Calculations Spreadsheet**

