



17/06/2019

"Contractors Representative"
"Contractor Name"
"ADDRESS 1"
"ADDRESS 2"
"ADDRESS 3"

Our ref: NTT#003

Dear "NAME"

**Contract No. CK181930 – Access Road Maintenance Contractor Panel
Notice to tenderers number: 003**

Please find the following clarification in regards to this Request for Tender from the previous tender workshop.

TENDER WORK SHOP (20TH FEBRUARY 2019)

The following are some of the questions raised at the workshop and the corresponding formal responses are below:

1. Q: If the work is an emergency how quickly can a Works Order be awarded?
A: *If the work is very urgent, or an emergency, then a Works Price Request will be issued all eligible Panel Contractors with an appropriate (short) response time and completion date. The contractor who returns the lowest price and can meet the short time frame will be awarded the work. If no responses are received to the Works Price Request, the Principal may opt to negotiate directly with the panel contractor with the lowest rates relevant rates to complete the work as a sole sourced Works Order.*
2. Q: Are the rates in the schedule for aggregate supply 'Uncompacted' rates or 'Compacted' rates?
A: *The rates for supply of aggregate are to be Compacted Rates ie based on a compacted volume in the Works Request Scope.*
3. Q: Is there a price for different depth ranges in the drainage schedule?
A: *The Contractor will be able to adjust their machinery time in the Works Price Request to allow for deeper excavations, the materials will be measured based on the actual situation i.e. bedding material and back fill.*

4. Q: The Contract is a Measure and Value Contract and yet the Works Order is based on a Lump Sum Price?

A: The measure and value format of the contract agreements does not preclude individual pieces of work, or in this situation a variation, from being done on a Lump Sum basis.

MATERIAL RATES

All material rates in the Contract are for supply (or disposal) only. Any machinery cost or labour cost associated transporting, or installing the materials shall be compensated for through the appropriate labour and machinery rates.

The tenderers should refer to the individual Basis of Payment item for each Schedule Item contained in each of the Schedules.

ADDITIONAL MATERIALS

Where machinery, or materials, that are not included in the schedule of quantities are required to complete a scope of works contained in a Works Order Price Request, The Contractors will be given an opportunity to include prices for these items as part of that Works Price Request.

MATERIAL SUPPLIERS

For the purposes of this contract material suppliers shall NOT be classed as sub-contractors.

TESTING OF MATERIALS IN THE SPECIFICATION

Testing of materials and workmanship will be to the New Zealand Standard in the Technical Specification where appropriate. Where there are no facilities available for testing to these standards then an appropriate standard will be determined on site by the Engineer.

TIMEFRAMES FOR SUPPLY OF MATERIAL AND COMPLETION OF WORKS

When a Contractor is issued a Work Order Price Request, they will be required to provide a date by which they can start and a date by which they can complete the scope contained in the Works Order Price Request. These dates provided by the Contractor may, or may, not align with the expected completion date contained in the Works Order Price Request. The Contract should endeavour to provide realistic date for completion of the works.

NON-RESIDENT TENDERERS

Conditions of Tendering - Clause 65, only companies registered in the Cook Islands can tender for this contract.

BOND

Refer to clause 3.1.1 of the Special Conditions of Contract. No Contractor's Bond is required.

PAYMENTS

It is expected that the scope in each Works Order Price Request will not generally be more than a few days work (typically 1-5 days total work). It is expected that the Contractor will only apply for payment at completion of the work to the satisfaction of the Engineer. In extenuating circumstances, and where a Works Order Price Request is expected to last more than 20 (working) days, through the Contractor Response to a Works Order Price Request, they can request, along with justification, an interim payment be made.

REGISTRATION FEE

There is no registration required to become part of the Panel of Contractors. However, the Contractors must supply valid insurance certificate before any Works Order Price Requests are issued to the eligible Contractors.

RETENTIONS

In accordance with Clause 12.3.2 (b) of the Special Conditions of Contract; there shall be no retentions under the contract.

CONTRACTOR'S P&G COSTS

The rates are to be priced to cover all the Contractor's P&G Costs, on-site overheads and off-site overheads and profit.

MACHINERY

The Contractor can use any machinery in their supplied list of equipment to price, and if successful, complete the works. Once the Works Order has been awarded to the successful Contractor, it is their responsibility to complete the work on the time line they provided in their Contractor Response to Works Order Price Request.

USE OF SUB-CONTRACTORS

'Dry hired' (i.e. without an operator) equipment does NOT constitute the use of the subcontractor. If a specialist item of plant is required that is not in the price schedule then this may be added by the Contractor to the Works Order Price Request Response. The Contractor must supply their own operator for any equipment hired.

DISPOSAL OF ORGANIC AND NON ORGANIC MATERIAL

Under Site Clearance, Item C1.1, Disposal - Provisional Items; The disposal of organic and non-organic material will be measured by weight in Tonnes not by volume.

WORK INSIDE AREAS CONTROLLED BY McCONNELL DOWELL

Works will not be undertaken within McConnell Dowell's work areas. However, it is expected that there will be works that require McConnell Dowell to move through the Panel Contractors work area, or require the Panel Contractor to move through a McConnell Dowell works area. Where these movements are required, it is expected that neither Contractor will prevent reasonable access through their respective site areas, and both Contractor must adhere to any Health and Safety requirements when travelling through the other Contractor site. Any requirement for movements through site works areas will be identified in the Works Order Request.

SUPERVISION ON SITE

The level of supervision on site will be determined by the Engineer for each individual Works Price Request. Generally the level of supervision will be appropriate for the level of complexity of the works and level of risk.

SILT FENCING

The requirement for silt fences is determined by the requirement to meet NES Conditions in accordance with Section 1.3 of the Specification.

TENDERING AND CONTRACT PROCESS WORK FLOW

A process work flow is attached to assist the tenderers in understanding how the contract is intended on being executed and when information associated with tendering and contract works is required.

Yours Sincerely

MARTIN SMITH

Project Managert

Te Mato Vai (Cook Islands Water Partnership)

Rarotonga Water Supply Upgrade Project

Attachment: Process Work Flow