

19 December 2024

File Ref: IRC-7532

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Tēnā koe Mr McCashin

Thank you for your email of 21 November 2024 to Te Kaunihera o Pōneke | Wellington City Council (the Council) requesting the following information:

- *As a follow up can you please provide*
 1. *Procurement processes / rules to engage consultants for this cost*

The Council ensures that suppliers are sourced and engaged in a manner consistent with our Procurement Policy and Procurement Strategy, which are informed by (and seeks to align with) the Government Procurement rules; used by central government and represent best practice for the public sector (noting local Government is not subject to those rules). We abide by our procurement strategy and policy - the objectives are best value, fit for the future, effective and efficient processes and partnering for greater impact.

This includes (in cases that are both practical and appropriate) leveraging All-of-Government, or other supplier panels to take advantage of government-wide, pre-negotiated rates and contractual terms.

In the case of the Wellington Waterfront Edge Protection Project, there have been a number of separate engagements across a range of specialist areas of expertise. While the requirements differ for each engagement, at a high level, due to the unique considerations needed around waterfront areas, the Council have selected the required consultancy expertise based on most or all of the below criteria:

- Track record – in particular, successful projects delivered on the Wellington Waterfront or other similar waterfront locations.
- Engineering expertise specific to wharf structures.
- Methodology proposed to deliver the required outcomes.
- Specialist heritage-site/structural knowledge.
- Capability and capacity to deliver the contracted services within required timeframes.
- Relative value, based on published rate cards and/or proposal assessments.

2. *Procurement process that was gone through*

Processes that have been undertaken to source suitable suppliers have been consistent with the principles detailed in our Procurement Policy. Consultants have been engaged with robust rationale according to the criteria above.

In any of these cases, at minimum, prospective suppliers must provide fee proposals to the Council detailing their proposed scope of works alongside associated costs and other breakdowns. These are assessed by a panel of evaluators and, if approved, engagement occurs via an Association of Consulting and Engineering New Zealand (ACENZ) industry standard contract. This agreement details the scope of works required and consultant fees for agreed work, which is usually capped in value, based on the proposal submitted.

3. Companies engaged

The companies that were engaged with for consultancy services are as follows: -

- Isthmus
- Holmes NZ Limited
- Baked Design
- R&D Architects
- Peter Coop
- Spencer Holmes
- Rationale
- WSP NZ Ltd
- Barnes Beagley Doherr Ltd
- Portable Fence Hire Ltd

4. Terms of Services for engagement - hourly? Hourly rates? Fixed fee? Total costs estimated?

The ACENZ Short Form Agreement terms generally detail a fixed consulting fee for an identified scope of work. Standard practice is to also include specified, agreed hourly rates for any other work required which is related to, but in addition to the initial scope listed. This work is approved via a written contract variation between the parties and undergoes an approval process with appropriate financial controls.

Estimated total consulting costs (as determined by a Quantity Surveyor) have indicated that the allowance for consulting fees will be circa 15 percent of the total construction costs. As final scope (and therefore construction costs) is not yet fully defined, final estimated consulting costs are yet to be determined.

5. Ideally could you also provide the "itemised" invoices to date that these consultants have submitted and charged.

The Council will not release any of the invoices received from the suppliers, pursuant to section 7(2)(b)(ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

As per section 7(1) of the LGOIMA, I do not consider that in the circumstances of this response, the withholding of this information is outweighed by the other considerations which render it desirable to in the public interest to make the information available.

You have the right, by way of complaint under section 28(1) of the LGOIMA, to request an investigation and review of the Council's decision to withhold information by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you require further information, please contact official.information@wcc.govt.nz.

Nāku noa, nā



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