



**REQUEST FOR PROPOSALS**

CIIC Consultancy Panels

|  |  |
| --- | --- |
| Reference No: | CIC2000 |
| Date of Release: | 12 November 2024 |

Cook Islands Investment Corporation

All queries regarding this Request for Proposal should be directed to:

Contact Officer

[tutemaeva.poaru@cookislands.gov.ck](mailto:tutemaeva.poaru@cookislands.gov.ck)

**PROPOSAL CLOSING TIME: 4.00pm (CI Time) 25 November 2024**

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# GLOSSARY AND DEFINITIONS

|  |  |
| --- | --- |
| TERM | EXPLANATION |
| Electronic Tender Account | Asia Pacific Public Electronic Procurement Network e-GP System  <https://in-tendhost.co.uk/adbprocurementnetwork/aspx/Home> |
| Manual | The Cook Islands Government Financial Policies and Procedures manual |
| Policy | The Cook Islands Government Purchase and Sale of Goods and Services Procurement Policy |
| Principal / CIIC | Cook Islands Investment Corporation |
| RFP | Request for Proposals |
| Proposal Team | The group of people responsible for the management of the Proposal process and includes those people who are specifically responsible to evaluate Proposals. |
| Third Party Agencies | Third Party Agencies in respect to Panel engagements refer to Government Agencies/Ministries, State Owned Entities or Crown Controlled Entities other than Cook Islands Investment Corporation |

## 

# INTRODUCTION

## Summary of Requirements

The Cook Islands Investment Corporation (the Principal) is responsible for managing Government’s buildings portfolio and lands on Rarotonga and the Pa Enua. Through this Request for Proposal (RFP) process, the Principal wishes to establish Consultancy Panels comprising of capable specialist expertise so it can efficiently procure these services as and when required, to support the delivery of its projects and work plans.

Successful Panel Members may be engaged directly, or invited to submit Proposals, to provide specialist services that fit within the Panel’s areas of expertise. Panel members may also be engaged directly in the role of Lead Consultant to coordinate one or more consultant services. The value of any one engagement will be no more than $199,999. Work estimated to cost more than $199,999 will be procured in line with the Cook Islands Government Procurement Policy.

There are thirty two (32) Panel Categories of consultants within the following areas of specialisation:

* + Architecture
  + Structural and Civil Engineering
  + Quantity Surveying
  + Geotechnical Engineering
  + Electrical and Mechanical Engineering
  + Project Management
  + Environmental, Marine and Coastal
  + Procurement Advisory
  + Social Impacts
  + Economic Impacts
  + Renewable Energy
  + Land Surveyor
  + Property Valuation

The minimum requirements for each category are set out in section 5. Panel Categories and Eligibility Requirements. Proposals may be submitted for one or several categories provided the minimum requirements of the selected categories are met. The description on how the Panel will operate is provided in section 6. Panel Arrangements.

The Panel will operate for a period of four (4) years from the Commencement Date of the Panel. The Principal reserves the right to re-advertise the Panel to increase the number of Panel members for one or more categories, to engage consultants outside the Panel, or to cancel the Panel Arrangement after one (1) year.

Proposals must comply with the conditions of proposals as set out in section 3. Conditions of Proposals.

Sub-contractors or joint ventures are not permitted.

Consultants engaged through the Panel will be contracted using the Cook Islands Government Conditions for a Consultancy Agreement in section 8. Contract Conditions.

# CONDITIONS OF PROPOSALS

1. All proposals should conform to the Conditions of Proposal, but must conform to the Mandatory Conditions as set out in this RFP.

## Contact Officer

1. The Contact Officer is:

**Name of Person: Tu-Te-Maeva Poaru   
Phone: Ph: +682 23139  
E-mail:** [**tutemaeva.poaru@cookislands.gov.ck**](mailto:tutemaeva.poaru@cookislands.gov.ck)

## Proposal Registration

1. Prospective respondents should register their interest to participate in this RFP process by registering on the Cook Islands Government E-Government Procurement portal at:

<https://in-tendhost.co.uk/adbprocurementnetwork/aspx/Home>

1. In order to participate in the RFP process you will need to register as a supplier on the Portal.
2. Should there be any issues registering please inform the Contact Officer as soon as possible and alternative registration processes will be advised.
3. Only registered respondents will receive notices directly as and when they are issued. It is the responsibility of the respondent to ensure they are properly registered for this RFP. The Principal reserves the right to extend the list of registered Respondents beyond those who register interest in this RFP through the Portal.
4. Once the RFP is published on the portal, any suppliers registered will receive automatic advice of the RFP and a link to access the RFP documentation via the Electronic Tender Account. Submission of Proposals will be through the same account.
5. Suppliers who register after the RFP is published will receive notification of the RFP upon registration.

## Proposal Closing Time

1. Proposals must be received by the Electronic Tender Account by the following deadline, or they will not be considered:

**Proposal Closing Time and Date: 4.00pm (CI Time) Monday 25 November 2024.**

1. It is the Respondent’s responsibility to ensure that their Proposal reaches the Electronic Tender Account by the specified closing date and time.
2. Late Proposals will not be accepted.

## Submission of Proposals

1. The cost of preparing and submitting the Proposal shall be borne by the Respondent.
2. The Principal may vary the Panel Categories and Eligibility Requirements in section 5 or the Panel Arrangements in section 6 at any time, including the closing date, by notice in writing to the Respondents still involved in the RFP at the time the variations are issued.
3. Proposals shall be submitted in electronic copy only, as specified below.
4. Telefax and hardcopy Proposals will not be accepted.

## Electronic Format Submission

1. Electronic Proposals must be submitted through the Electronic Tender Account in the format contained in section 7 Proposal Forms to be Submitted, by the due date. Failure to do so will result in the Proposal being disqualified.
2. The default portal is the Asia Pacific Public Electronic Procurement Network e-GP System (refer <https://in-tendhost.co.uk/adbprocurementnetwork/aspx/Home>). The title and reference number of this document is the Proposal identifier.
3. The Proposal Form and all additional documents should be submitted in PDF format. Respondents should seek approval for any other alternative electronic formats. If offers do not comply with the approved formats they will be deemed non-compliant and may not be accepted.
4. If the Respondent is not able to access or upload Proposal documents through the default CIG Procurement Portal they should first seek guidance from the user guide using the following link, [**https://in-tendhost.co.uk/adbprocurementnetwork/aspx/BuyerProfiles**](https://in-tendhost.co.uk/adbprocurementnetwork/aspx/BuyerProfiles)or by clicking the “user guides” tab on the portal. Thereafter further guidance may be available through the Contact Officer.
5. If still not successful the Contact Officer will arrange a secure email account for the upload of documents. The Electronic Tender Account will send a confirmation of receipt email in response to your electronic submission and the time of upload will be used to confirm the date and time of upload. If you do not receive a confirmation of receipt email within five working days please contact the Contact Officer for this RFP.

## Conflict of Interest Declaration

1. Respondents must complete the Conflict of Interest Declaration form in section 7 to disclose any potential or actual conflicts of interest that they may have or may be perceived to have, in respect of their responsibilities to the Principal and other parties should they be selected onto the Panel. Where potential or actual conflicts of interests are identified, the Respondent must specify how this will be managed in order to provide assurance that it will not adversely impact the performance of any services.

## Further Information or Clarifications

1. Negotiations will not be permitted between the Proposal Team and any prospective respondents during the RFP advertising period.
2. Any further information or clarification required by a Respondent in relation to this RFP must be directed to the **Contact Officer**. Respondents should note that to ensure no disadvantage to any respondents, responses to questions pertaining to this RFP will be circulated to all those who have registered their interest.
3. Where the Principal considers that the competitive advantage of the individual Respondent may be compromised by the distribution of responses to such requests for information and/or clarification to all Respondents, the Principal reserves the right to issue such response(s) only to that particular Respondent.
4. Any additional information relating to this RFP will be circulated to all registered suppliers via the E-Government Procurement portal and emailed to all registered Respondents as a Notice to Respondents.
5. Details of questions and answers provided during the RFP process will be logged in the Electronic Tender Account accessible by all registered respondents.
6. **The final date for submitting questions: 4.00pm (CI Time), Wednesday 20 November 2024.**

## Probity

1. No gifts or entertainment of any nature will be permitted between any parties involved throughout the RFP process, including: respondents or potential respondents, Proposal team members, evaluation team members, the Head of Agency, or any other member or organisation that may have an involvement with any aspect of the RFP process.

## Selection Process

1. All Proposals received in the Electronic Tender Account by the closing date and time will be assessed on whether they have conformed to the Mandatory Conditions. Failure to conform to the Mandatory Conditions will result in exclusion from RFP process and will result in non-selection to the Panel. All Proposals deemed compliant will progress to the evaluation stage.
2. Evaluation of compliant Proposals will be in accordance with section 4 Proposal Evaluations.
3. Notification will be sent out immediately to non‐conforming respondents, informing them of the failure of their proposal to conform to the mandatory conditions. The letter will advise the respondent that their proposal will not be considered in the RFP process. The letter will be sent out before the evaluation process is complete. The letter will give the non‐conforming respondent 48 hours to respond with reasons for why the Proposal should be deemed conforming. The Proposal team may accept the reasons or may determine that the reasons do not affect the decision to deem the Proposal non‐conforming and their decision is final and binding.

## Notification of Acceptance

1. Proposals shall remain valid for acceptance and shall not be withdrawn for a period of sixty (60) working days from the Closing Date of the Proposal.
2. Successful respondents will be notified by the Principal or their representative in writing on the outcomes of their Proposal within sixty (60) working days from the Closing Date of the Proposal.
3. The Proposal Team reserves the right to contact referees and/or other Clients regarding the performance of the respondent as it may pertain to this RFP.
4. The Principal shall not be bound to accept any Proposal.
5. Respondents are entitled to the release of their evaluation report on request. Any requests for evaluation reports of other Proposals must be processed under the Official Information Act 2009.
6. Respondents have the right to make a complaint and may do so under the complaints process of the Cook Islands Government Purchase and Sale of Goods and Services Policy.
7. If an insufficient number of quality responses have been reached the Principal reserves the right to re-advertise the RFP and extend the closing date of the Proposal. Respondents may either resubmit their Proposal or provide additional information to support their existing Proposal already received by the Principal, if necessary.

## Confidentiality

1. Information submitted by a Respondent shall be regarded as confidential and shall not be disclosed to a third party except with the prior written agreement of the Respondent.

## Non-Resident Respondent

1. Non-Cook Islands Respondents will be considered for this RFP in selected categories only. (*Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands).
2. In order for foreign companies to carry out business in the Cook Islands, an application for, and approval, must be sought from the Business Trade Investment Board (BTIB). Any fees associated with the registration are to be covered by the Respondent. Respondents should inform themselves of the registration process and confirm in their Proposal that they are willing to register once a Letter of Acceptance is issued. Information can be found at [www.btib.gov.ck](http://www.btib.gov.ck).

## Price Escalation

1. Price escalation will not be considered within the first 12 months of the Panel commencement date.
2. Escalation after 12 months may be considered, where justification can be provided by the Panellist, at the Principals discretion.
3. Price escalation will only be considered once at 12-monthly intervals.

## Mandatory Conditions

1. All Proposals must conform to the Mandatory Conditions below. Any Proposal that fails to comply with one or more of the mandatory requirements will be deemed non-compliant and will be excluded from the Evaluation stage.
2. Proposals must be completed in the format contained in section 7. If offers do not comply with the format contained in section 7, they will be deemed non-compliant and may not be accepted.
3. Proposals must be deposited in the required form in the Electronic Tender Account by the closing time as specified in this RFP.
4. All Proposals and related documentation in respect of this RFP may be presented in the English or Maori language. Proposals presented in Maori or any other language must be provided with an English translation.
5. Proposals must be presented in electronic copy format as specified in this RFP. Hardcopy and Telefax Proposals will not be accepted.
6. All prices must be in New Zealand dollars.
7. Sub-contractors or joint ventures are not permitted.

# PROPOSAL EVALUATIONS

The Principal will establish an Evaluation Team to assess conforming Proposals against the Evaluation Criteria. **Only Proposals that comply with the mandatory conditions stated in clause 45 of the Conditions of Proposals will be assessed**. Proposals that do not meet one or more of the mandatory conditions are deemed non-compliant.

The Evaluation Team will:

1. Include staff and external expertise;
2. Assess Proposals against each category requirements nominated by Respondents; and
3. Evaluate the Respondent’s suitability for membership on the Panel based on the extent to which they meet the evaluation criteria described below.

Panel membership will be awarded to the Respondents who demonstrate that they have sufficient capability and capacity to provide high quality services in the selected category(s).

The Principal reserves the right to appoint as many or as few Respondents to the Panel, as it sees fit.

## Evaluation Criteria

Offers will be assessed against the following criteria for each category submitted:

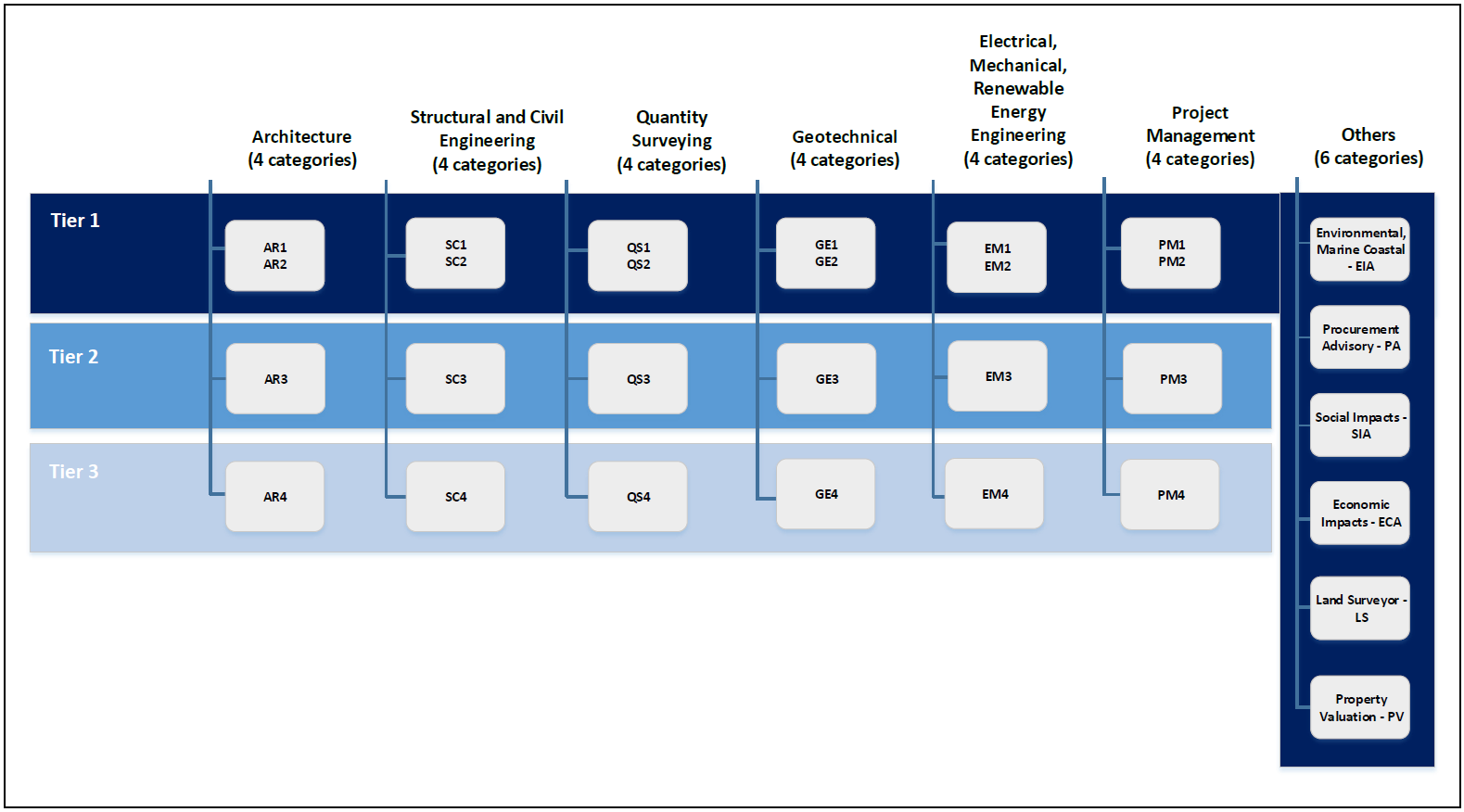
|  |  |
| --- | --- |
| **Criteria** | **Description** |
| 1. Eligibility for selected category | Respondents will be assessed against the minimum requirements of the selected categories in section 5 |
| 1. Track record | Based on references and verified information on work history and performance in the selected categories. |

The criteria will not be point scored. Each Proposal will be assessed and deemed to have either **“Met Requirements”** or **“Did Not Meet Requirements”** for the selected category. Respondents are responsible for ensuring the necessary information is fully captured in the Proposal submission to satisfactorily demonstrate the extent to which their submission meets the criteria.

Respondents deemed as **“Did Not Meet Requirements”** will be informed immediately and given a set timeframe to respond with further information required by the Evaluation Team. The Proposal will be rejected should the Respondent fail to respond within the timeframe or to provide satisfactory supporting details.

# PANEL CATEGORIES AND ELIGIBILITY REQUIREMENTS

CIIC intend to create thirty two (32) Panel Categories. Respondents may select one or more categories but must demonstrate that the minimum requirements for each category have been met.



The minimum requirements for each category is stated in Tables 1 to 7 below.

The Panels do not distinguish between fields of practise. Respondents are however required to provide this information in the CV and profile information sections of the Proposal submission. The field of practise will be considered in the selection of Panel members for specific work packages.

## Architecture

The scope of works will generally include one or a combination of:

* Design drawings and/or design reports
* Technical advice
* Design reviews and/or recommendations
* Site investigations and stakeholder consultations
* Quality assurance/performance monitoring
* Product reviews and/or recommendations

**Table 1: Minimum requirements for Architecture categories**

|  | Category AR1 | Category AR2 | Category AR3 | Category AR4 |
| --- | --- | --- | --- | --- |
| Residency / Country of registration[[1]](#footnote-1) | Cook Islands | New Zealand or Australia | Cook Islands | Cook Islands |
| Minimum number of professionals | 1 | 2 | 1 | 1 |
| Qualifications | Relevant Degree and  Registered Architect NZRAB or equivalent | Relevant Degree and  Registered Architect NZRAB or equivalent | Relevant Degree | Relevant Degree |
| Experience | Minimum 10 years’ experience (leading role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years | Minimum 10 years’ experience (leading role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years  and  Extensive Pacific Islands experience | Minimum 10 years’ experience (senior or supporting role)  or  Completed at least 1 project of $5m or more, or a range of projects of $1m or more in the last 10 years | Minimal experience or graduate |
| Professional indemnity insurance[[2]](#footnote-2) | $5,000,000 | $5,000,000 | - | - |

## Structural and Civil Engineering

The scope of works will generally include one or a combination of:

* Design drawings and/or design reports
* Technical advice
* Design reviews and/or recommendations
* Site investigations, inspections, tests
* Quality assurance/ performance monitoring

**Table 2: Minimum requirements for Structural and Civil Engineering categories**

|  | Category SC1 | Category SC2 | Category SC3 | Category SC4 |
| --- | --- | --- | --- | --- |
| Residency / Country of registration[[3]](#footnote-3) | Cook Islands | New Zealand or Australia  CPEng or equivalent | Cook Islands | Cook Islands |
| Minimum number of professionals | 1 | 2 | 1 | 1 |
| Qualifications | Degree holder  CPEng or equivalent | Degree holder  CPEng or equivalent | Degree holder | Relevant Degree holder |
| Experience | Minimum 10 years’ experience (leading role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years | Minimum 10 years’ experience (leading role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years  and  Extensive Pacific Islands experience | Minimum 10 years’ experience (senior or supporting role)  or  Completed at least 1 project of $5m or more, or a range of projects of $1m or more in the last 10 years | Minimal experience or graduate |
| Professional indemnity insurance[[4]](#footnote-4) | $5,000,000 | $5,000,000 | - | - |

## Quantity Surveyor

The scope of works will generally include one or a combination of:

* Preparation of cost reports and/or schedule of quantities
* Technical advice
* Design reviews and/or recommendations
* Value and buildability analysis
* Whole of life cost estimation
* Measure and value analysis (for contract payments)

**Table 3: Minimum requirements for Quantity Surveying categories**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Category QS1 | Category QS2 | Category QS3 | Category QS4 |
| Residency / Country of registration[[5]](#footnote-5) | Cook Islands | New Zealand or Australia | Cook Islands | Cook Islands |
| Minimum number of professionals | 1 | 2 | 1 | 1 |
| Qualifications | Relevant Degree and  NZISQ registered or equivalent | Relevant Degree and  NZISQ registered or equivalent | Relevant Degree | Relevant Degree |
| Experience | Minimum 10 years’ experience (senior role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years | Minimum 10 years’ experience (senior role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years  and  Extensive Pacific Islands experience | Minimum 10 years’ experience (senior or supporting role)  or  Completed at least 1 project of $5m or more, or a range of projects of $1m or more in the last 10 years | Minimal experience or graduate |
| Professional indemnity insurance[[6]](#footnote-6) | $5,000,000 | $5,000,000 | - | - |

## Geotechnical Engineer

The scope of works will generally include one or a combination of:

* Design drawings or design reports
* Technical advice
* Ground investigations and analysis reports
* Design reviews and/or recommendations
* Site investigations, inspections, tests
* Quality assurance/ performance monitoring

**Table 4: Minimum requirements for Geotechnical Engineering categories**

|  | Category GE1 | Category GE2 | Category GE3 | Category GE4 |
| --- | --- | --- | --- | --- |
| Residency / Country of registration[[7]](#footnote-7) | Cook Islands | New Zealand or Australia | Cook Islands | Cook Islands |
| Minimum number of professionals | 1 | 2 | 1 | 1 |
| Qualifications | Relevant Degree and  CPEng or equivalent | Relevant Degree and  CPEng or equivalent | Relevant Degree | Relevant Degree |
| Experience | Minimum 10 years’ experience (senior role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years | Minimum 10 years’ experience (senior role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years  and  Extensive Pacific Islands experience | Minimum 10 years’ experience (senior or supporting role)  or  Completed at least 1 project of $5m or more, or a range of projects of $1m or more in the last 10 years | Minimal experience / graduate |
| Professional indemnity insurance[[8]](#footnote-8) | $5,000,000 | $5,000,000 | - | - |

## Electrical, Mechanical, Renewable Energy Engineering

The scope of works will generally include one or a combination of:

* Feasibility studies and options assessments
* Design drawings or design reports
* Technical advice
* Design reviews and/or recommendations
* Site investigations, inspections, tests
* Quality assurance/ performance monitoring

**Table 5: Minimum requirements for Electrical and Mechanical engineering**

|  | Category EM1 | Category EM2 | Category EM3 | Category EM4 |
| --- | --- | --- | --- | --- |
| Residency / Country of registration[[9]](#footnote-9) | Cook Islands\* | New Zealand or Australia | Cook Islands | Cook Islands |
| Minimum number of professionals | 1 | 2 | 1 | 1 |
| Qualifications | Relevant Degree and  CPEng registered or equivalent | Relevant Degree and  CPEng registered or equivalent | Relevant Degree | Relevant Degree |
| Experience | Minimum 10 years’ experience (senior role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years | Minimum 10 years’ experience (senior role)  and  Completed at least 1 project of $10m or more, and a range of projects between $2m and $25m, in the last 10 years  and  Extensive Pacific Islands experience | Minimum 10 years’ experience (senior or supporting role)  or  Completed at least 1 project of $5m or more, or a range of projects of $1m or more in the last 10 years | Minimal experience or graduate |
| Professional indemnity insurance[[10]](#footnote-10) | $5,000,000 | $5,000,000 | - |  |

## Project Manager

The scope of works will generally include one or a combination of:

* Management of initial concept development stages of one or more projects
* Management of specific project components
* Management of full project phases from conception and/or design through to completion
* Fulfilling Tarai Vaka Process requirements
* Project financial and procurement management
* Maintaining proper stakeholder communication and reporting

**Table 6: Minimum requirements for Project Management categories**

|  | Category PM1 | Category PM2 | Category PM3 | Category PM4 |
| --- | --- | --- | --- | --- |
| Residency / Country of registration[[11]](#footnote-11) | Cook Islands | New Zealand or Australia | Cook Islands | Cook Islands |
| Minimum number of professionals | 1 | 2 | 1 | 1 |
| Qualifications | Project Management Qualification or Construction-related degree and registered Project Management Professional or equivalent | Project Management Qualification or Construction-related degree and registered Project Management Professional or equivalent | Project Management Qualification or Construction-related degree | Project Management Qualification or Construction-related degree |
| Experience | Minimum 10 years project management experience (senior role)  and  Minimum 5 years’ experience as client-side project manager for government construction project(s) in the last 10 years[[12]](#footnote-12)  and  Completed at least 1 project of $15m and above in the last 10 years | Minimum 10 years project management experience (senior role)  and  Minimum 5 years’ experience as client-side project manager for government construction project(s) in the last 10 years10  and  Completed at least 1 project of $15m and above in the last 10 years and  Extensive Pacific Islands experience | Minimum 10 years project management experience (senior role)  or  Minimum 5 years’ experience as client-side project manager for government construction project(s) in the last 10 years | Minimal experience or graduate |

## Others

The scope of works will generally include one or a combination of:

* Research, investigations and/or impact assessments
* Stakeholder consultations
* Reporting on findings and recommendations
* Providing ongoing or intermittent services relating to the field of practise for one or several projects
* Site investigations, maps and plans

**Table 7: Minimum requirements for other categories**

|  | Environment, Marine and Coastal Impacts - Category EIA | Procurement Advisory – Category PA | Social Impact Assessment - Category SIA | Economic Impact Assessments – Category ECA | Land Surveyor - Category LS | Property Valuation -Category PV |
| --- | --- | --- | --- | --- | --- | --- |
| Residency / Country of registration[[13]](#footnote-13) | Cook Islands, New Zealand, Australia or Pacific island region | Cook Islands, International | Cook Islands, New Zealand, or Pacific island region | Cook Islands, New Zealand | Cook Islands | Cook Islands, New Zealand, or Pacific island region |
| Minimum number of professionals | 1 | 1 | 1 | 1 | 1 | 1 |
| Qualifications | BSc or Advanced degree (Environmental/ Coastal management, design or related field) | University Degree in contracting, law or other related field | BA or advanced degree with a specialization in social development or related fields | Commerce degree or equivalent | Bachelor of Surveying Degree or equivalent | Registered with Valuers Registration Board  (NZ) or equivalent. |
| Experience | Minimum 10 years (continuous) experience in senior design/advisory role in environmental and coastal modelling  and  Extensive Pacific Islands experience | Minimum 10 years’ experience (senior role) in construction contract advisory to Government or regional organizations  and  Extensive Pacific Islands experience  and  Extensive knowledge of NEC, PPP, and Framework and Alliance contracting | Minimum 10 years’ experience (senior role) in social and gender impact assessments for Government or regional organization projects  and  Extensive Pacific Islands experience | Minimum 10 years’ experience (senior role) in economic analysis and impact assessments (infrastructure related projects) for Government or regional organization projects  and  Extensive Pacific Islands experience | Minimum 2 years’ continuous work experience | Minimum 5 years’ continuous experience and  Extensive Pacific Islands experience |

# PANEL ARRANGEMENTS

## How the Consultancy Panel Works

Panel Members may be engaged directly or invited to submit Proposals to provide specialist services within a specialisation. Panel members may also be engaged directly in the role of Lead Consultant to coordinate one or more consultant services for a project. The value of any one engagement will be no more than $199,999. Work estimated to cost more than $199,999 will be procured in line with the Cook Islands Government Procurement Policy.

The Panel will operate for a period of four (4) years from the Commencement Date of the Panel.

The Principal reserves the right to re-advertise the Panel to increase the number of Panel members for one or more categories, to engage consultants outside the Panel, or to cancel the Panel arrangement after one (1) year.

Where there is a works package that the Principal determines, in its sole discretion, to contain elements that are of a specialised nature, the Principal may choose to conduct secondary procurement from outside of the Panel.

The Principal will not guarantee or represent that the Panel members will be entitled to any quantity or scope of services. However, it is intended that procurement using the Panel will be maximised.

Where an Agency other that CIIC (referred to in this section as ‘Third Party’) wishes to engage Panel members under this arrangement, only those who elected to provide services to Third Party Agencies in their Proposal will have their details made available to those Agencies. The following sections apply to CIIC and Third Party engagements under this Panel Arrangement. The Principal to Third Party engagements will be Agency to whom the services are for.

## Buying rules

The following buying rules apply when engaging from the Panel:

|  |  |
| --- | --- |
| Estimated value of the work  (exclusive of VAT) | Selection method |
| Up to $99,999 | Direct engagement   * Terms of Reference sent to at least 1 consultant * Principal confirms the successful consultant |
| Up to $199,999 | Selected from Proposals   * Terms of Reference sent to all consultants in a particular service category * Responses evaluated and recommendation submitted to Proposal T for approval. * Principal confirms the successful consultant and notifies unsuccessful consultants. |
| Over $200,000 | As per Government Procurement Policy (Tenders) |

The Principal reserves the right to modify the buying rules at its sole discretion at any time with reasonable written notice to Panel Members.

## Process

The following process applies to all engagements from the Panel.

* 1. The Principal will determine the scope and nature of services required and, if possible, estimate the number of hours or days required and the consequent cost of the work.
  2. Where the scope is estimated to cost up to $99,999, the Principal may approach a single Panel member to negotiate a contract to deliver the required services, or implement c. below.
  3. Where the scope is estimated to cost up to $199,999, the Principals representative or Project Manager will invite all Panel members in the Panel Category to which the scope of the services relate, to submit Proposals based on the proposed scope of work, and will seek confirmation on the availability of the key personnel nominated by Panel members in their original Proposal submission.
  4. Where the scope is estimated to cost over $200,000, procurement of the required services shall follow the requirements of the Cook Islands Government Procurement Policy.
  5. Responses to requests for Proposals must be within the specified timeframe stated on the request. Failure to respond within the timeframe may impact on planned work plans, and late responses may not be considered. Fees proposed must not exceed the rates provided in the original Proposal submission.
  6. The Principal will offer a contract to the preferred Panel member, selected based on:
     1. Best Total Price
     2. Availability and timelines
     3. Place of residence / business (Cook Islands will be preferred)
     4. The results of further due diligence undertaken on selected panel members
     5. Other project specific critical success factors

Proposals received will be point scored against a predefined weighted criteria set for that particular work package. Panel members who have been invited to submit proposals will be informed of the weighted criteria when the request for Proposals are issued. An Evaluation Team will be convened to conduct the selection process and full records of the process and outcomes kept for auditing purposes.

* 1. Unsuccessful Panel members will be informed of the factors leading to the rejection of their Proposal.
  2. The conditions of contract for all engagements shall be the Cook Islands Government Conditions for Consultants (refer to section 8).
  3. If a Panel member is engaged for work that is yet to be fully defined, the Panel Member agrees that once the scope of work is clearly defined, the Principal may at its sole discretion subsequently set a Lump Sum Fee for that engagement. This Lump Sum Fee will be based on the now clearly defined scope of work, time required to perform that work, and the hourly/day rate, in agreement with the Panel Member.

The Principal reserves the right to modify the process at its sole discretion at any time with reasonable written notice to Panel Members.

## Work allocation factors & performance monitoring

In selecting Panel Members for direct engagement or selected from proposals, the Principal will take into consideration the following factors:

* Nature of the work and risk profile;
* Specialisation and panel category to which the work applies;
* Area of practise and software proficiencies required for the assignment;
* Known expertise, experience and availability of Panel Members;
* Past performance of the Panel Members;
* Current and previous allocation of work across the Panel;
* Stakeholder requirements; and
* Proximity of Panel Member’s place of business to the project.

Primary consideration is to be given to the Panel categories set for Cook Islanders.

The Principal will seek to allocate higher proportions of appropriate work to members that demonstrate consistent quality performance. The Principal at its sole discretion may review the status of any Panel Member, at any time, and may temporarily suspend or remove any Panel Member if it, or any of its personnel:

* Fails to perform satisfactorily or breaches the requirements of the Panel on a repeated basis;
* Exposes government to significant financial loss;
* Engages in unprofessional conduct or unreasonable dealings with the Principal or its agents;
* Makes negative comments about the Principal or its agents to other parties;
* Repeatedly declines or does not respond to offers for work or requests for Quotations.

Before such action is taken, the Panel Member will be given details of the matters prompting the Principal’s concern and will be given an opportunity to justify why it should not be suspended or removed.

## Panel personnel changes

Panel members are required to notify the Principal within 2 weeks of changes to its key personnel stated in the Proposal. A replacement may be proposed for consideration by the Principal. The Principal may accept the replacement or terminate the Panel member’s membership on the Panel if in the Principals opinion the Panel member no longer meets the eligibility criteria of the Panel.

## Changes to Schedule of Rates

The submitted schedule of rates are fixed for the first year of the Term. Panel members may re-submit adjusted hourly rates on the anniversary of the Commencement Date of the Panel. If no new rates are submitted, the previously submitted rates will apply for the following twelve (12) months. Any new rates will only apply to new engagements after acceptance of the new rates by the Principal.

## Insurances

Proof of insurances, where applicable, must be provided prior to an engagement being finalised.

## Public Disclosure

Contract information for all contracts above $200,000 will be publically available and published on the Cook Islands Government Procurement website after the contract is finalised. Documents and other information relevant to the Contract may be disclosed when required by law or in line with the Official Information Act.

## Approvals

No work shall proceed without the prior written approval of the Principal.

# PROPOSAL FORMS TO BE SUBMITTED

## Instructions

* 1. New Respondents must complete and submit all of the following:

|  |
| --- |
| Document required: |
| A1 – Respondent Profile |
| A2 – Completed Schedule of Rates |
| A3 – Statement of Departures from Contract Term and Conditions |
| A4 – Conflict of Interest Declaration |
| A5 – Selected Categories |
| A6 – Client references |
| A7 – Key Personnel Curriculum Vitae (CV) |
| A8 – Respondent’s Declaration |
| Business or Work Profile – maximum number of pages permitted is six (6) A4-sized pages |

* 1. Previous Panel Members who are reapplying for the initial selected categories must complete and submit all of the following:

|  |
| --- |
| Document required: |
| A1 – Respondent Profile |
| A2 – Completed Schedule of Rates |
| A3 – Statement of Departures from Contract Term and Conditions |
| A4 – Conflict of Interest Declaration |
| A5 – Selected Categories |
| A8 – Respondent’s Declaration |

* 1. If you are a previous panel member who is reapplying for new selected categories, you must complete and submit all the documents in Instruction 1 above.

## A1 – Respondent Profile

**RESPONDENT TIPS:**

• This section gives the Principal basic information about your organisation and identifies your Point of Contact for the RFP process.

• If an item is not applicable e.g. you do not have a registered office, complete the box by stating   
‘not applicable’.

• Sub-contractors or joint ventures are not permitted.

**Our Profile**

**Item Detail**

|  |  |
| --- | --- |
| **Trading name:** | [insert the name that you do business under] |
| **Full legal name (if different):** | [if applicable] |
| **Physical address:** | [put the address of your head office] |
| **Postal address:** | [e.g. P.O Box address] |
| **Registered office:** | [if you have a registered office insert the address here] |
| **Business website:** | [url address] |
| **Type of entity (legal status):** | [sole trader / partnership / limited liability company / other please specify] |
| **Company registration number:** | [if your organisation has a CI Company or NZBN registration number insert it here] |
| **Country of residence:** | [insert country where you (if you are a sole trader) or your organisation is resident for tax purposes] |
| **VAT registration number:** | [CI-VAT number] |

**Our Point of Contact**

**Item Detail**

|  |  |
| --- | --- |
| **Contact person:** | [name of the person responsible for communicating with the Principal] |
| **Position:** | [job title or position] |
| **Phone number:** | [landline] |
| **Mobile number:** | [mobile] |
| **Email address:** | [work email] |

**Our Professional Indemnity Insurance Details**

**Item Detail**

|  |  |
| --- | --- |
| **Insurer:** | [name of current insurer] |
| **Limit of indemnity:** | [state the amount] |
| **Conditions:** | [state the conditions] |

## A2 – Completed Schedule of Rates

**RESPONDENT TIPS:**

• Submit your financial information and pricing using the following pricing schedule. Please note, you can use as many rows as required.

• Hourly and day rates are your maximum charge-out fees. The rates must include all costs associated with the following:

* Working on Rarotonga or in the case of an international respondent, work from your usual place of residence/business.
* Maintaining ongoing communications and attending face-to-face or online meetings as required.
* Hardware and software licenses applicable to the specialisation,
* Professional indemnity premiums and fees relating to maintaining professional registrations where applicable.
* Business registration and applicable charges

• Costs associated with international and outer island travel (i.e. airfares, accommodation, and daily subsistence allowances) should not be included. All related cots shall be at the rate determined by UNDP and international travel at economy rate.

• All amounts are to be in New Zealand dollars and to be exclusive of CI Value Added Tax.

**Completed Schedule of Rates:**

|  |  |  |  |
| --- | --- | --- | --- |
| Specialisation  (i.e Architecture) | Panel Category  (i.e AR1) | Hourly Rate – NZD  (exclusive of VAT) | Date of Rate – NZD  (exclusive of VAT) |
|  |  | $ | $ |
|  |  | $ | $ |
|  |  | $ | $ |
|  |  | $ | $ |

(add additional rows if required)

## A3 – Statement of Departures from Contract Terms and Conditions

**TIPS FOR COMPLETING THIS SECTION:**

* If there are changes proposed to the Conditions of Contract, clearly state the Proposed Changes, relevant sections of the Conditions of Contract, and reasons for proposed changes. Leave section blank if there are no proposed changes.

|  |  |  |
| --- | --- | --- |
| **Proposed Changes to Contract:** | **Contract reference:** | **Justification:** |
| Example:  We propose that the fourth insurance be removed. The Respondent confirms it will be liable for all costs that may be determined by the Cook Islands High Court. | Contract Data pg 3.  Insurance Cover 83.3 Fourth insurance “Death of or bodily injury to employees of the Contractor….” | We are unable to secure this type of insurance. We are insured under the Cook Islands Employers Liability Insurance through the Ministry of Internal Affairs. We comply with the Employment Relations Act 2012. |
|  |  |  |
|  |  |  |
|  |  |  |

## A4 – Conflict of Interest Declaration

A conflict of interest arises if you or a close family member has an interest e.g. is a board or committee member or is employed in a senior position in the Government agency that wants to purchase the goods or services relating to this RFP process.

In submitting this Proposal I declare:

* I understand that an actual, potential or perceived conflict of interest may arise in participating in this RFP process and that I am obliged to declare any such conflict of interest.
* I confirm that in submitting this information that I have either declared any potential conflicts of interest or that I am not aware of any situation or issue that would conflict with the interest of the Principal.
* If a conflict of interest arises at any time before the selected respondent has been awarded, I will advise the Principal immediately.
* I have personally completed this declaration on behalf of the respondent (s) and declare that the submitted Proposal and information provided are true and correct.

|  |  |  |
| --- | --- | --- |
| **I declare that I have a potential conflict of interest as follows:** | | |
|  | | |
|  | | |
|  | | |
|  | | |
| **I will manage this conflict of interest by:** | | |
|  | | |
|  | | |
|  | | |
| **Declared by:** | | |
| *Signature* |  | *Date* |
| *Full Name* |  | *Position (if Company)* |

## A5 - Selected Categories

Respondents are to select the relevant categories in the table below, and demonstrate eligibility for the selection in A5 and A6. Refer to the eligibility requirements for each category in section 5.

|  |  |  |
| --- | --- | --- |
| **Specialisation** | **Panel Category Selection** | |
|  |  | |
| Architecture | AR1 |  |
|  | AR2 |  |
|  | AR3 |  |
|  | AR4 |  |
| Structural and Civil Engineering | SC1 |  |
|  | SC2 |  |
|  | SC3 |  |
|  | SC4 |  |
| Quantity Surveying | QS1 |  |
|  | QS2 |  |
|  | QS3 |  |
|  | QS4 |  |
| Geotechnical Engineering | GE1 |  |
|  | GE2 |  |
|  | GE3 |  |
|  | GE4 |  |
| Electrical, Mechanical, Renewable Energy Engineering | EM1 |  |
|  | EM2 |  |
|  | EM3 |  |
|  | EM4 |  |
| Project Management | PM1 |  |
|  | PM2 |  |
|  | PM3 |  |
|  | PM4 |  |
| Environment, Marine and Coastal Impacts | EIA |  |
| Procurement Advisory | PA |  |
| Social Impact Assessment | SIA |  |
| Economic Impact Assessments | ECA |  |
| Property Valuation | PV |  |
| Land Surveyor | LS |  |

## A6 – Client references

Client references must be provided for key personnel nominated in the Proposal. A minimum of two (2) references are required for each person nominated, and must be based on past or current work that is relevant to the categories selected.

Referees may be former or current clients and/or employers. In the case of Tier 3 submissions, this may be completed by a former lecturer and/or employer.

The Principal will at its sole discretion verify the information provided or use other known clients to verify past performances.

Refer to the template provided on the next page.

Client Reference Form

|  |  |
| --- | --- |
| **REFEREE DETAILS** |  |
| **Name:** |  |
| **Position and business/company name, if applicable:** |  |
| **Country:** |  |
| **Contact email & phone:** |  |
| **REFERENCE:** |  |
| **Name of person for whom this reference is for:** |  |
| **Role or position held and location:** |  |
| **Contract duration, start and end date:** |  |
| **Specific responsibilities:** |  |
| **Specific deliverables:** |  |
| **Value of projects/work delivered:** |  |
| **General comments on work performance:** |  |

## A7 – Key Personnel Curriculum Vitae (CV)

Complete a separate form for each individual

|  |
| --- |
|  |

Full Name

|  |
| --- |
|  |

Current Residential Address

|  |  |
| --- | --- |
|  |  |

Date of Birth Citizenship

|  |
| --- |
|  |

Education (qualification, institution, year)

|  |
| --- |
|  |

Membership of Professional Associations

|  |
| --- |
|  |

Other Training

|  |
| --- |
|  |

Field of practise

|  |
| --- |
|  |

Software proficiencies

|  |
| --- |
|  |

Countries of Work Experience

**Employment Record relevant to selected categories:**

|  |  |
| --- | --- |
| From: | To: |
| Employer: | Position held: |

|  |  |
| --- | --- |
| From: | To: |
| Employer: | Position held: |

|  |  |
| --- | --- |
| From: | To: |
| Employer: | Position held: |

**Work Undertaken that Best Illustrates Capability relevant to selected categories:**

|  |  |
| --- | --- |
| Name of assignment of project: | |
| Year: | Location: |
| Client: | Position held: |
| Main project features: | |
| Activities performed: | |

|  |  |
| --- | --- |
| Name of assignment of project: | |
| Year: | Location: |
| Client: | Position held: |
| Main project features: | |
| Activities performed: | |

|  |  |
| --- | --- |
| Name of assignment of project: | |
| Year: | Location: |
| Client: | Position held: |
| Main project features: | |
| Activities performed: | |

|  |  |
| --- | --- |
| Name of assignment of project: | |
| Year: | Location: |
| Client: | Position held: |
| Main project features: | |
| Activities performed: | |

## A8 – Respondent’s Delcaration

| **RESPONDENT TIP**  **i**   * Here you are asked to make a formal declaration. Select 'agree' or 'disagree' at the end of each row. If you don't, you will be deemed to have agreed. * Have the declaration signed by someone who is authorised to sign and able to verify the declaration, e.g. chief executive or a senior manager. |  |
| --- | --- |

| **Topic** | **Declaration** | **Respondent’s declaration** |
| --- | --- | --- |
| **RFP-Terms:** | I/we have read and fully understand this RFP, including the RFP-Terms. I/we confirm that the Respondent agrees to be bound by them. | [agree / disagree] |

*DECLARATION BY THE RESPONDENT*

**I/we declare that in submitting the Response and this declaration:**

* **the information provided is true, accurate and complete and not misleading in any material respect**
* **the Response does not contain any material that will infringe a third party’s intellectual property rights**
* **I/we have secured all appropriate authorisations to submit this Response, and to make the statements and to provide the information in the Response.**

**I/we understand that the falsification of information, supplying misleading information or the suppression of material information in this declaration and the Response may result in the Respondent being eliminated from further participation in any procurement process flowing out of the RFP, and may be grounds for termination of a Contract awarded as a result of such a procurement process.**

**By signing this declaration the signatory below represents, warrants and agrees that they have been authorised by the Respondent to make this declaration on its/their behalf.**

**Signature**:

**Full name**:

**Title/position**:

**Name of organisation**:

**Date**:

# CONTRACT CONDITIONS

See separate file labelled Attachment 8 – Draft Contract for Consultancy

The successful Consultant’s details, the final contract price and price list will be inserted into the Schedule for Services Contract when the Contract is awarded, along with the relevant sections of the Proposal Specifications.

When submitting a Proposal, Respondents acknowledge that it has reviewed and the Terms and Conditions for the Supply of Consultancy Services and has allowed for all associated costs.

1. *Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands. [↑](#footnote-ref-1)
2. Respondents are not required to provide proof of insurances in order to be eligible to be part of the Panel. However, insurance certificates must be provided prior to a contract being signed. All costs associated with meeting the insurance requirements must be borne by the Panel member/consultant. [↑](#footnote-ref-2)
3. *Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands. [↑](#footnote-ref-3)
4. Respondents are not required to provide proof of insurances in order to be eligible to be part of the Panel. However, insurance certificates must be provided prior to a contract being signed. All costs associated with meeting the insurance requirements must be borne by the Panel member/consultant. [↑](#footnote-ref-4)
5. *Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands. [↑](#footnote-ref-5)
6. Respondents are not required to provide proof of insurances in order to be eligible to be part of the Panel. However, insurance certificates must be provided prior to a contract being signed. All costs associated with meeting the insurance requirements must be borne by the Panel member/consultant. [↑](#footnote-ref-6)
7. *Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands. [↑](#footnote-ref-7)
8. Respondents are not required to provide proof of insurances in order to be eligible to be part of the Panel. However, insurance certificates must be provided prior to a contract being signed. All costs associated with meeting the insurance requirements must be borne by the Panel member/consultant. [↑](#footnote-ref-8)
9. *Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands. [↑](#footnote-ref-9)
10. Respondents are not required to provide proof of insurances in order to be eligible to be part of the Panel. However, insurance certificates must be provided prior to a contract being signed. All costs associated with meeting the insurance requirements must be borne by the Panel member/consultant. [↑](#footnote-ref-10)
11. *Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands. [↑](#footnote-ref-11)
12. Demonstrate working knowledge of a Government Activity Management system in CV and/or profile [↑](#footnote-ref-12)
13. *Cook Islands* refers to a person of Cook Islands descent, a Cook Islands permanent resident or a resident permit holder, or in the case of a firm, is registered and operating in Cook Islands. [↑](#footnote-ref-13)