



**TRANSPORT ACTIVITY
PROCUREMENT STRATEGY
2023-2026**

Prepared at

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CONTENTS

1	EXECUTIVE SUMMARY	3
	1.1 Procurement strategy requirement	3
	1.2 Scope of the transportation network	3
	1.3 Key issues and opportunities	4
	1.4 Recommendations	4
2	POLICY CONTEXT	5
	2.1 Background	5
	2.2 Tararua Alliance Strategic Principles	6
	2.3 Tararua Alliance Performance Monitoring	6
	i Non-Financial Performance Mechanism	7
	ii Financial Performance Mechanism	7
	2.4 Audits	9
	2.5 Strategic Procurement Objectives	9
	2.6 Procurement framework	9
	2.7 Risk management	10
	2.8 Health and safety	10
3	PROCUREMENT ENVIRONMENT	11
	3.1 Introduction	11
	3.2 Supply market analysis - contractors	11
	3.3 Supply market analysis – professional services	11
4	APPROACH TO DELIVERING THE WORK PROGRAMME	13
	4.1 Strategic Objectives	13
	i Ministry of Transport Outcomes Framework	13
	ii Regional Land Transport Plan Strategic Objectives	13
	iii Council's 2021-31 Long Term Plan Strategic Objectives	13
	iv Council's Procurement Strategy Objectives	13
	4.2 Improving Broader Outcomes	13
	4.3 Advanced components	14
5	IMPLEMENTATION	15

TRANSPORT ACTIVITY PROCUREMENT STRATEGY 2023-2026

5.1	<i>Internal procurement process</i>	15
5.2	<i>Performance measurement and monitoring</i>	16
5.3	<i>Communication plan</i>	17
5.4	<i>Strategy ownership and implementation</i>	17
6	CONCLUSION	17
7	APPENDICES	Error! Bookmark not defined.

1 EXECUTIVE SUMMARY

1.1 Procurement strategy requirement

The Land Transport Management Act (LTMA) 2003 requires organisations funded through the National Land Transport Programme (NLTP) to use procurement procedures designed to:

- obtain best value for money;
- enable fair competition; and
- encourage competitive and efficient markets.

All Approved Organisations (AO's) require a Waka Kotahi - NZ Transport Agency (Waka Kotahi) endorsed Transport Activity Procurement Strategy. The Strategy will be reviewed and updated regularly and formally reviewed and updated at least once every three years, in conjunction with the Council's Long-Term Plan (LTP) cycle.

1.2 Scope of the transportation network

Tararua District Council (Council) has statutory obligations under the Land Transport Management Act 2003 to manage and maintain a road network within the district, providing a safe and efficient road network that enables the movement of people and products, both within and through the district. An effective road network is also essential to ensuring the economic and social wellbeing of the community through the provision of access and mobility for people, goods and services.

The Tararua district includes a significant rural area with multiple rural towns spread across the district. Tararua has a strong local industry base mostly supporting the agricultural sectors. State Highways 2 and 3 pass through the district, which provides ready access to the nearest significant town of Palmerston North, Masterton and Hawkes Bay. Local sources of most general materials and services are available locally, while more complex supplies and services are generally sourced in Palmerston North.

As part of the transport activity, Council owns and manages:

- A vehicular network, comprised of 1,187km of sealed roads, 772km of unsealed roads and 410 bridges and 115 high-capacity culverts;
- A pedestrian network, comprised of 31,348m² of footpaths;
- Enabling infrastructure, including: 1,842km of stormwater channels and drains (mainly shallow, unlined surface water channels and kerb and channel);
- 10,885 culverts and 1,222 other drainage assets including sumps and manholes;
- 1,336 retaining walls; and
- Safety infrastructure, comprised of 1,587 streetlights, 8,489 road signs, and 10,891km of rails and barriers.

The depreciated replacement value of Council's roads and associated assets is approximately \$773 million.

Management of the transport activity, including maintenance and renewal of associated assets, is the costliest of the Council's major activities (refer section 4.4) and, due to the low ratepayer base, the Council is heavily reliant upon subsidies received from Waka Kotahi.

1.3 Key issues and opportunities

Key issues for Council's transport activity have been identified as:

- Declining levels of service - funding constraints associated with a very large road network, small ratepayer base and rising costs is resulting in reduced levels of service compared to our peers, low customer satisfaction and possible asset consumption
- Limited transport options - Limited options for walking and cycling and low service levels, combined with a lack of public transport, is resulting in high vehicle use within Tararua's urban towns and villages, increasing the risk of accidents for vulnerable users and environmental impacts
- Asset return - Reassuming responsibility of relatively high profile and high-cost roads will significantly increase our investment requirements.
- Resilience - Our road network is extremely vulnerable to changing climate and land use activities resulting in poor access, safety and resilience for users
- Safety - An inconsistent transport system, and inadequate safety controls is resulting in accidents with a high risk of death or serious injury to people in the district.

The current opportunities for Waka Kotahi and Council are:

- Resilience - reducing road closures and restrictions will improve transport reliability, increasing user confidence and the economic productivity of our district
- Safety - A safer Tararua transport system in which the risk of fatal and serious injury crashes is reduced.
- Asset stewardship - whole of life cost to deliver fit-for-purpose levels of service will be reduced, enabling investment in other priorities
- Environment - negative impacts to our environment as a result of the transport activity will be reduced
- Customer satisfaction - transport related customer satisfaction in Tararua will be improved.

1.4 Recommendations

That Waka Kotahi:

- Endorses the Tararua District Council Transport Activity Procurement Strategy 2023-26.
- Approves the continued use of an approval under s26 of the LTMA to employ in-house professional services.
- Approves the continued use of a variation to procurement manual, section 10.5 Procurement procedure advanced components to use a shared risk delivery model for physical works for the Road Transport Corridor Maintenance term service contract.
- Approves the continued use of a variation to Procurement manual, section 10.21 Maximum term of a term service contract for infrastructure or planning and advice to use a maximum term of ten years for the Road Transport Corridor Maintenance term service contract.

2 POLICY CONTEXT

2.1 Background

In 2014, Council engaged a supplier to enter a collaborative working model (or alliance) tasked with delivering all transport related activities. The key reasons and intentions for pursuing the alliance model included:

- **Delivery of value for money:**
Reducing lifecycle times, and therefore cost by staff and suppliers spending unnecessary time managing contractual requirements, enabling increased investment in transport assets;
- **Best for network decision making:**
by having a single delivery team and a fixed profit margin, investments are made with a 'best for network' approach;
- **Agility and flexibility:**
a collaborative supplier relationship the enables effective and efficient change to ever changing network demands;
- **Transparency:**
a contract based on shared and open book decision making and financial mechanisms;
- **Growing sector capability:**
a collaborative contract and financial mechanism that enables the development of staff, benefiting both partners and the broader sector;
- **Alignment with TDC's objectives to the community:**
an alliance that aligns its objectives to that of TDC;
- **More attractive for supply partners:**
a collaborative, shared risk and long-term contract that attracts and retains good suppliers and enables ongoing investment in people, innovation and plant.

Downer NZ Ltd were the successful tenderer and, with Council, established the Tararua Alliance.

The Tararua Alliance is an unincorporated joint venture, with staff from both parent organisations "posted" (or seconded) to the Tararua Alliance to work as a collaborative single management and delivery team. Responsibilities include management of all transport assets, short and long term planning for the maintenance and renewal of assets, the delivery of physical works to maintain, renew and improve assets, and management of compliance obligations for operators on the network.

Council's original strategic objectives of the Tararua Alliance were:

- **Reputable:** enhancing the reputation of The Alliance, the Council and Downer as business partners and service providers.
- **Zero Harm:** targeting no injury or incident to people and the environment.
- **Asset Stewardship:** providing 'best in class' asset management through ownership and accountability to the LTP strategies.
- **Value for Money Solutions:** delivering optimal solutions in terms of quality, time and cost.

- **Thought Leadership:** innovating to provide agility in meeting changing demands and developing increased local capability.

In late 2019, the contract with Downer NZ was extended for a further ten years to expire on 31st October 2029. The decision to extend the contract was made through engagement with Waka Kotahi staff and approval from Council's elected members.

Governance is managed by the Principals Group (PG). The PG is made up of two (2) senior representatives from both parent organisations, Tararua District Council and Downer NZ. If agreed, an independent 5th member can be added. The PG takes overall accountability for the performance of the Alliance. They approve the cost estimates, performance framework and procurement-based decisions on high-risk activities.

Financial and non-financial performance mechanisms within the Tararua Alliance ensure value for money is measured, continuous improvement is enabled, there is fair competition among suppliers and broader outcomes are achieved.

2.2 Tararua Alliance Strategic Principles

In 2021, Council and Downer NZ leadership reviewed the key strategic objectives sought from the partnership between the two entities. This review acknowledged that the significant changes within industry and the model's strengths and limitations, which reinforced that the partnership needed to evolve, and evolution required change.

The new strategic objectives are summarised below.



2.3 Tararua Alliance Performance Monitoring

Council manages the non-financial performance of the Tararua Alliance (and therefore Downer as the supply chain partner) through the financial and non-financial performance mechanisms embedded within the contract.

Part of the Tararua Alliance contract, financial and non-financial performance measures have been developed to enable and measure the Tararua Alliance's market competitiveness, value for money, and continuous improvement.

i Non-Financial Performance Mechanism

The non-financial performance framework includes a range of Key Results Areas (KRA) and Key Performance Indicators (KPI). The performance framework is currently based on the 2010 European Foundation for Quality Management (EFQM) Model, with measures largely based on outcomes aligned to the desired strategic outcomes.

The Performance Management Framework is being reviewed in 2023, and will include additional measures to support the achievement of broader outcomes.

ii Financial Performance Mechanism

The 3-limb financial performance mechanism embedded within the Tararua Alliance contract drives and measures the delivery of value for money in the following ways:

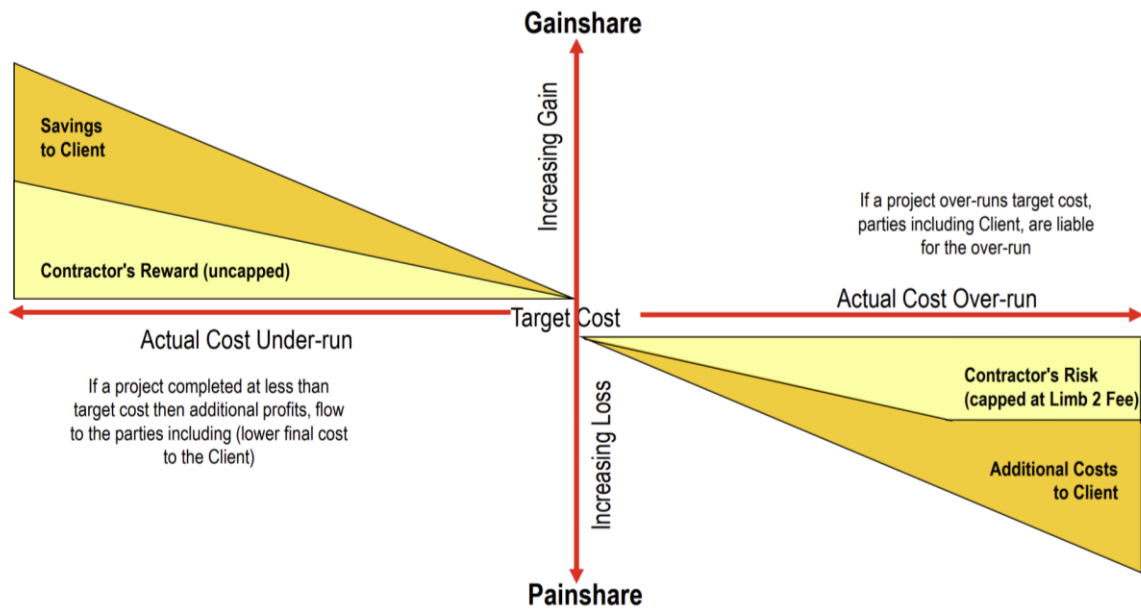
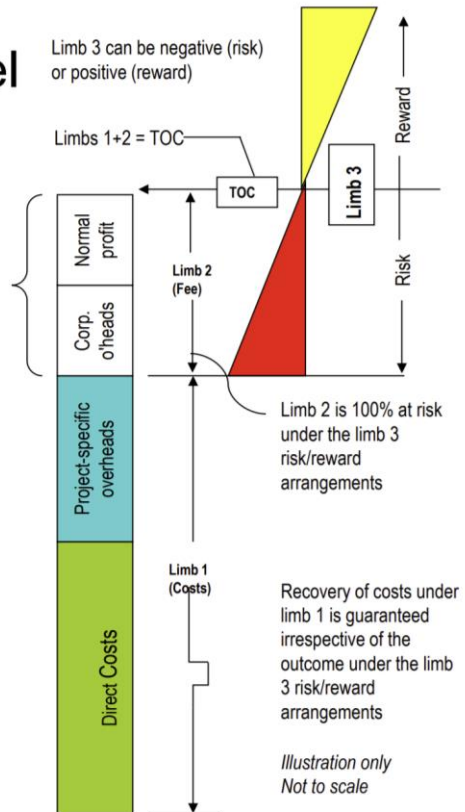
- Effective planning is completed using targeted cost estimation.
We work towards improving cost estimation accuracy through effective procurement planning.
- An open book approach allows both parties to identify and target value improvements in overhead costs.
We utilise the strength of a large national alliance partner to reduce off-site and on-site overhead costs.
- Fixed & transparent profit margins can be benchmarked against the market to ensure value for money; and
Benchmarking is more time and cost effective than numerous open market engagements.
- The gain share is incentivised by the performance framework, which is reviewed annually, allowing us to flex with changing strategic requirements and drive value for money.
We monitor the changing strategic priorities (shown in section 5.1) and can quickly adapt our approach to drive improved performance in those areas (e.g., Broader Outcomes).

As the cost risk is with the Council, remuneration to Downer is linked to cost and performance. This incentivises Downer, through the Tararua Alliance, to drive value for money. To manage the cost risk, TDC ensures that financial performance is independently audited and benchmarked against current market costs to ensure the Alliance is achieving better cost efficiencies than an open market approach.

Alliance Compensation Model

The non-owner participants are typically compensated in accordance with the following "3-limb" model:

- Limb 1** 100% of what they expend directly on the work including project-specific overheads.
- Limb 2** A fee ("Fee\$") to cover corporate overheads and profit.
- Limb 3** An equitable sharing between all Alliance Participants of gain/pain depending on how actual outcomes compare with pre-agreed targets in cost and various non-cost key result areas (KRAs),



2.4 Audits

The Tararua Alliance is independently audited to assess performance and determine whether value for money is being provided by a long-term alliance. Audits include:

Asset Type	Current Auditor(s)	Audit Frequency
Tararua Alliance Financial Audit	Brian Smith, <i>Brian Smith Advisory</i>	Annual
Tararua Alliance Non-Financial Audit	Dave MacDonald, <i>Opoet Limited</i> Johnathon Dogget, <i>Downer NZ</i> Raj Suppiah, <i>Tararua District Council</i>	Annual
Waka Kotahi Investment Audit	Waka Kotahi	Periodic
Waka Kotahi Technical Audit	Waka Kotahi	Periodic

2.5 Strategic Procurement Objectives

In addition to the overall strategic objectives (refer to section 5.1), Council has set the following strategic procurement objectives for the Tararua Alliance to deliver on:

- Achieve the right outcomes and best value for money for TDC's ratepayers and residents;
- Utilise the collaborative long-term contract to drive overhead efficiencies;
- Manage risk through:
 - improved planning; and
 - and empowering non-procurement personnel while allowing staff to exercise professional business judgment and be innovative via a centre-led procurement model;
- Be able to demonstrate fairness to suppliers in:
 - participating in opportunities; and
 - managing contracts post award.
- Promote efficient and effective purchasing processes and encourage continuous improvement;
- Ensure all procurement activities are in accordance with legal obligations and probity requirements (including management of conflicts of interest); and
- Be flexible to tackle transport-related emergencies and urgent work.

2.6 Procurement framework

Council requires the Tararua Alliance to follow the New Zealand Government Procurement principles, policies and rules as set by the Ministry of Business, Innovation and Employment (MBIE) and the Waka Kotahi NZ Transport Agency Procurement Manual (Amendment 6, April 2022).

2.7 Risk management

Council's Risk Management Policy and Framework is applied to all activities, including transport. The policy aims at enhancing opportunities and minimising threats, as risk is inherent in the Council's operations. The main objective of the Council's risk management policy is to:

- Support the achievement of council's vision, purpose, strategic goals and objectives, and strategies;
- Safeguard assets, people, finances, property and reputation of the Council;
- Integrate and align risk management with our strategic, operational and project planning approaches;
- Provide an organisation-wide systematic structured and timely approach to enabling all staff to identify, and appropriately manage, monitor, report on and respond to risks;
- Create a culture and provide the tools and support required for all staff to take responsibility for managing risks;
- Ensure a common and consistent understanding of risks, risk management process and risk related concepts and terminology
- Improve performance and service delivery to maximise resource utilisation.
- Aid decision making and encourage innovation.

2.8 Health and safety

Council recognises its obligations under the Health and Safety at Work Act (HSWA) 2015 and, as such, requires its suppliers to take practical steps to ensure safe work practices are employed. Council also recognises that there are shared responsibilities under HSWA to consult, cooperate and coordinate activities with suppliers and contractors.

Council require that suppliers undertaking work for and/or on behalf of are Site Wise prequalified. Site Wise pre-qualification requires verification that suppliers have effective health and safety management systems and are holding current and relevant insurances.

Council's internal procurement team provides advice on procurement, including at the procurement planning stage, tender document preparation, health and safety, and audits as appropriate.

3 PROCUREMENT ENVIRONMENT

3.1 Introduction

Council do not plan to procure any services associated with the transport activity during the 2023-26 period, with the Tararua Alliance and associated contract with Downer NZ Ltd not expected to end until 2029.

Through the Tararua Alliance, Downer NZ Ltd will procure a wide range of suppliers for the purchase of professional services, physical works contractors, materials, etc.

Over the 2021-24 NLTP period to date, at least 25% of physical works (by value) have been delivered through subcontractors. Council expected this to increase during the 2023-26 period, with requirements for sub-procurement detailed in the sections below.

3.2 Supply market analysis - contractors

Tier 1 contractors do not have a presence in the Tararua district, with the exception of Downer due to the Tararua Alliance contract. Three tier 1 contractors are currently engaged by Tararua's neighbouring approved authorities as the predominant maintenance contractor, as summarised below:

Approved authority	Predominant maintenance contractor
Palmerston North City Council	Fulton Hogan
Manawatu District Council	Higgins
Masterton District Council	Fulton Hogan
Central Hawke's Bay District Council	Downer
Waka Kotahi – Hawke's Bay NOC	Higgins
Waka Kotahi – Manawatu NOC	Higgins
Waka Kotahi – Wellington NOC	Fulton Hogan

There is a large group of tier 3 contractors within the Tararua district and nearby that are capable of completing relatively low complexity civil works and ancillary services (e.g. pavement marking, vegetation control) within the district.

Council's current contract with Downer ensures a tier 1 contractor is secured in delivering road maintenance and renewals activities until October 2029. During this time, several other approved authorities will be looking to enter into new contracts due to their existing arrangements coming to an end. This provides some security that Council will not be directly competing for a term maintenance contractor at the same time. However, this does reduce the ability to collaborate with neighbouring districts in procuring greater 'value for money' cost efficiencies that can be garnered from joint contract tenders and/or shared services.

3.3 Supply market analysis – professional services

Council seeks to reduce the reliance on external professional services by delivering the bulk of asset management and engineering services through the Tararua Alliance, by both Council and Downer staff members. This typically reduces the cost to Council

while enabling the development of internal capability, capacity, and local knowledge.

No large professional services consultants have a presence within the Tararua district. When required on a case-by-case basis, these services are largely sought from the Palmerston North and Napier/Hastings areas.

4 APPROACH TO DELIVERING THE WORK PROGRAMME

4.1 Strategic Objectives

Council aims to deliver the transport activity in alignment with the following strategic objectives:

i Ministry of Transport Outcomes Framework

- **Travel Choice:** Transport users in the region have access to affordable transport choices that are attractive, viable and encourage multi-modal travel.
- **Connectivity and Efficiency:** The regional transport network connects central New Zealand and is efficient, reliable and resilient.
- **Safety:** The transport network is safe for all users.
- **Environment:** The impact of transport on the environment, and the transport system's vulnerability to climate change, is minimised.
- **Land Use Integration:** Transport and land use are integrated to support well connected communities that promote a strong regional economy and liveable region.

ii Regional Land Transport Plan Strategic Objectives

- **Connectivity and Access:** Provide better transport connections and options to enable efficient and safe movement of people and freight, and improved access to health, social and economic opportunities.
- **Safety:** Improve the transport network to create a safe transport system for all users.
- **Better Travel Options:** Make active and public transport, and alternative freight modes, safe, attractive and viable options for more trips throughout the region.
- **Environment:** Reduce environmental impacts and carbon emissions from the transport system.
- **Resilience:** Build resilience into the region's transport network by strengthening priority transport lifelines.

iii Council's 2021-31 Long Term Plan Strategic Objectives

- Delivering Resilient Infrastructure
- Prudent Financial Management
- Growing Strong Communities
- Building a Vibrant Economy

iv Council's Procurement Strategy Objectives

- Increased Procurement Planning
- Improved Cost Estimation Accuracy
- Reduced Procurement Lifecycle Times & Costs

4.2 Improving Broader Outcomes

Council acknowledge that whilst broader outcomes are currently being delivered through the Tararua Alliance, formalising and monitoring of these objectives needs to be improved.

Existing initiatives include gateway programmes with local high schools and tertiary training organisations, employment initiatives with the Ministry of Social Development,

social and enterprise-based training for Council and Downer employees within the Tararua Alliance, and supporting small-medium enterprise contractors to improve Health and Safety compliance across the local industry.

Council's objectives with regards to achievement of broader outcomes associated with delivery of the transport activity includes:

- Recruitment and retention of Tararua residents through targeted employment and training/development initiatives, as measured by:
 - The number of construction skills-based training courses attended by staff
 - The number of new recruits that are Tararua residents
 - The number of Civil Engineering Cadets undertaking studies
- Increasing opportunities provided to small-medium enterprise contracting businesses, as measured by:
 - the quantity and value of works delivered by small-medium enterprise contracting businesses
- Supporting and growing the capability of regional supply partners to establish best practice systems and processes relating to health and safety, worker conditions and financial stability, as measured by;
 - The number of new regional supply partners capable of meeting TDC's typical market engagement pre-conditions
- Increasing engagement and opportunities for Council's iwi partners, as measured by:
 - the quantity and value of works delivered by Council's iwi partners
 - the number of staff recruited through active engagement with Council's iwi partners
 - The number of iwi staff trained via initiatives provided through the Tararua Alliance

The Tararua Alliance non-financial performance framework is currently being reviewed and will be in place for July 2023. It will include the measures above (or similar) to increase the visibility and accountability of the Tararua Alliance in delivery of Council's broader outcomes objectives.

4.3 Advanced components

The procurement procedures Council currently undertakes contain advanced components (that provide greater procurement flexibility to approved organisations authorised to use them).

Council seeks confirmation via its procurement strategy that it can continue to procure services through its existing 'shared risk' / Alliance model contract, utilising the following components:

- Shared Risk Delivery Model

Council believes that it has sufficiently demonstrated its capacity and capability (see Section 6.1) to obtain best 'value for money' using the associated advanced components and requests written approval from Waka Kotahi, in accordance with Section 25 of the LTMA.

5 IMPLEMENTATION

5.1 Internal procurement process

Council are currently going through a transformation of their overall procurement model where risk will become the determining factor for which procurement process/market approach will be taken. Value will become the determining factor for the approval process/level that will be allocated to signing off procurement plans, evaluations summaries and contracts.

Council's procurement processes that are available to the Tararua Alliance to utilise (but not required to utilise) are summarised in the table below:

Risk	Available Processes	Market Approach	Contract Template	Typical Requirements*
Low	RFQ RFT RFP	Non-Panel Direct Appointment	Minor Terms & Conditions + any applicable add- on modules	No dependencies No bespoke design Well defined requirements Sufficient time to complete
		Panel Direct Appointment		
		Panel Competitive		
		Open Competitive		
Medium	RFQ RFT RFP 2-stage	Panel Direct Appointment	Minor T&C's + applicable modules	No dependencies No bespoke design Well defined requirements Supplier not known Limited time to complete
		Panel Competitive	Major T&C's + applicable modules	
		Open Competitive	NZS391X T&C's	
High	RFT RFP 2-stage ECI Sub-Alliance Partnering	Open Competitive	Major T&C's + applicable modules	Has dependencies Has a bespoke design Utilises an outcome statement Supplier not known Limited time to complete
			NZS391X T&C's	

* Each procurement is unique and has its own risks, each will be assessed on its own merits via a Procurement Plan.

The Tararua Alliance can apply the following methodologies, in line with procurement rules, when evaluating and selecting its suppliers:

Evaluation Method	Considerations
<p>Lowest Price Conforming The preferred supplier meets all the requirements set and offers the lowest-priced proposal.</p>	<p>Physical Works Used for tenders falling within the low to low / medium risk.</p> <p>Professional Services Only be used in circumstances where the output can be very clearly specified, and where it can be shown to both deliver best public value and meets the requirements.</p>
<p>Price/Quality method The quality attributes of suppliers whose proposals meet the requirements are graded, and the preferred supplier is selected by balancing price and quality through the use of a formula. Supplier quality premiums are influenced by:</p> <ul style="list-style-type: none"> • The price estimate • Chosen non-price attributes • How the non-price attributes are graded • Weight given to the non-price attributes • Weight given to price 	<p>Physical Works Used for tenders where there are specialised levels of expertise required to manage the risks or complexity.</p> <p>Professional Services Used where the specified outputs can be priced by the supplier and where Council determines that best public value will be obtained by selecting the supplier that offers the best combination of price and quality requirements.</p>
<p>Purchaser Nominated Price (Target Price) A supplier selection method where the Council fixes the price to be paid and proposals are evaluated on the basis of quality (non-price attributes) only.</p>	<p>Physical Works Not recommended.</p> <p>Professional Services This method is typically used for such activities as strategy, feasibility or transportation studies or investigations.</p>
<p>Weighted Attributes A supplier selection model that seeks to balance the trade-off between price and quality. Under this model, the price and nonprice attributes are weighted and graded to reflect their relative importance and the preferred supplier selected by balancing price and quality using a weighting formula.</p>	<p>Physical Works Not used when purchasing outputs for activities funded under section 20 of the LTMA.</p> <p>Professional Services Not used when purchasing outputs for activities funded under section 20 of the LTMA.</p>

5.2 Performance measurement and monitoring

Performance measures and monitoring systems are included as part of the Performance Management Framework that Council applies to The Alliance.

5.3 Communication plan

Council's Procurement Strategy is made publicly available on its website for suppliers to access as a key audience.

Staff maintain regular contact with Waka Kotahi as well as other Road Controlling Authorities (RCA's) through the Regional Land Transport groups including the Regional Advisory Group (RAG) and Te Ringa Maimoa, the Transport Excellence Partnership.

5.4 Strategy ownership and implementation

This Procurement Strategy is owned by Council's Transport Manager and is implemented by the Tararua Alliance Manager, who oversees management of the Alliance Agreement. The Transport Manager and Council's procurement staff will support and monitor Tararua Alliance procurement activities to ensure alignment with this strategy. Requirements of this strategy will also be embedded in the revised Tararua Alliance non-financial performance framework, with performance measured annually.

6 CONCLUSION

The Procurement Strategy principles outlined in this document demonstrate a clear line of sight between Council's vision and Community Outcomes. They provide a high-level approach which focuses on key areas and have the capacity to be added to or changed as the economy and environment changes.