



Procurement guidelines for developer works



Version 5

March 2021

Sydney
WATER

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1 Introduction

1.1 Objective

These guidelines set out the minimum requirements for procurement that developers (including NSW Government agencies and utilities) must demonstrate, when seeking reimbursement of costs under the Sydney Water's *Funding infrastructure to service growth* policy.

1.2 Principles

The key principles underlying Sydney Water procurement are:

- value for money
- efficient and effective
- probity and equity
- effective competition.

All Tender Evaluation Committee members must ensure that they have no conflicts of interest with the proposed works in performing their roles. They must declare any conflict, so that the committee can assess and resolve it.

Tenderers must disclose any circumstances, arrangements or understandings that could reasonably be considered as an actual or potential conflict of interest with the obligations or activities required by these procurement guidelines.

The tenderer or its respective officers, staff, agents and advisers should not place themselves in any position which could give rise to an actual or potential conflict of interest, between the tenderer and Sydney Water, while performing obligations or activities required by these procurement guidelines.

No tenderer, or respective staff should engage in any collusive or anti-competitive conduct or any other similar, improper, inappropriate or unlawful conduct with any other person when preparing, creating or lodging proposals for procurement under these guidelines. Sydney Water may reject any proposals from tenderers who breach this condition.

Any tenderer who breaches these conditions may be barred from future opportunities to bid for work with Sydney Water.



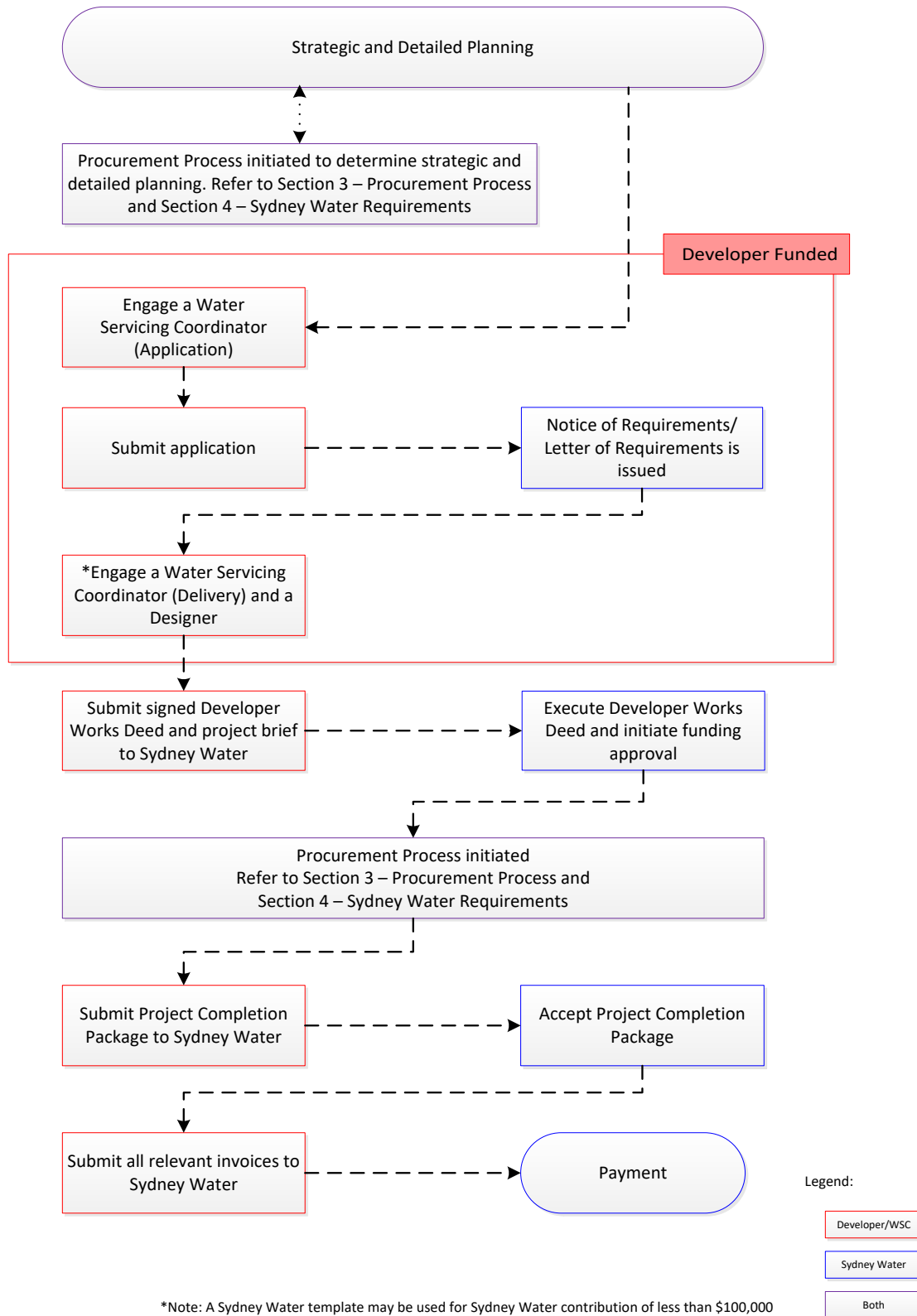
1.3 Funding of works

Sydney Water may reimburse the developer for some or all of the costs of delivering certain infrastructure. The amount we'll reimburse is determined by our *Funding infrastructure to service growth* policy. When we fund works, developers, water servicing coordinators and professional service contractors must minimise procurement risks and obtain the best value for money.

The costs for each service to be procured must be fair and reasonable, as would be measured in a competitive market. We reserve the right to review any requests for funding against these principles/guidelines and policies.

We will not reimburse the developer if the tender process does not comply with these *Procurement guidelines for developer works*.

2 Developer works flow chart



3 Procurement process

Note: Before proceeding please see Section 3.14 to determine the funding pathway to use.

3.1 Professional service and construction contracts with Sydney Water road map

Process step	Under \$100,000 (excl. GST)	\$100,000 to \$500,000 (excl. GST)	Over \$500,000 (excl. GST)
Commence project	<ul style="list-style-type: none"> Strategic and detailed planning process initiated Develop scope of work based on Requirements package/Notice of requirements/Letter of requirements Prepare and submit a project brief to Sydney Water Determine financial limits and associated tender requirements Receive written advice from Sydney Water to commence project 		
Tender Evaluation Committee	<ul style="list-style-type: none"> Form a Tender Evaluation Committee which includes a Tender Committee Chair that meets the criteria listed in Attachment A1 		
Prepare brief for package of work	<ul style="list-style-type: none"> Prepare detailed scope of work Prepare suitable tender documentation Prepare a tender evaluation plan 		
Review tender evaluation plan	<ul style="list-style-type: none"> For facility assets, Sydney Water must endorse the tender evaluation plan for all types of contracts before tenders being called 		
Invite responses	<ul style="list-style-type: none"> Identify and invite suitable tenderer/s 	<ul style="list-style-type: none"> Identify and invite minimum of three tenderers 	<ul style="list-style-type: none"> Identify and invite minimum of five tenderers
Evaluate responses	<ul style="list-style-type: none"> Confirm tenders meets requirements and resolve qualifications Evaluate tender 		
Recommend to Sydney Water	<ul style="list-style-type: none"> Submit to Sydney Water the tender evaluation report summary, all checklists, a signed tender evaluation report and a tender evaluation plan 		
Sydney Water approval	<ul style="list-style-type: none"> Sydney Water confirms funding is available and advises developer approval to proceed 		
Let contract	<ul style="list-style-type: none"> Let contract and start construction 		
Variations	<ul style="list-style-type: none"> Seek Sydney Water approval on variations 		
Payments	<ul style="list-style-type: none"> Submit project completion package and tax invoices to Sydney Water for payment 		



3.2 Strategic and detailed planning

Where a developer wishes to service their development ahead of Sydney Water's timeframe, they may need to do strategic and detailed planning. If a developer must complete this work, we'll issue them a planning requirements package detailing the tasks they must complete. To engage any Sydney Water-funded consultants for strategic or detailed planning, developers must comply with these procurement guidelines.

3.3 Commencing the procurement process

The procurement process for delivery commences after executing the developer works deed. The water servicing coordinator (delivery) must submit a project brief (see Section 4) based on the Notice of requirements/Letter of requirements to Sydney Water to initiate the funding approval process.

We won't reimburse the developer for any service provider engaged before the submission of the developer works deed (except for water servicing coordinator services).

3.4 Pre-tender estimate of value of works

Every engagement requires a tender evaluation plan and a pre-tender estimate. You must document the pre-tender estimate, of the total value of the works being procured, in the project brief and tender evaluation plan. The pre-tender estimate must identify the Sydney Water share of works and you must use this value to determine which of the three broad procurement options you must follow (see Section 3.1).

3.5 Prepare appropriate tender documents

Tender documentation enables prospective tenderers to properly prepare their bids for the Tender Evaluation Committee to consider. Tender documentation usually contains instructions to tenderers including:

- selection criteria
- various schedules that the tenderer may need to complete
- the proposed terms of engagement
- the proposed project brief/work specifications that outline the technical, commercial and financial conditions, and the work to be performed.

The tender documentation lists the criteria by which the committee will evaluate tenders. Selection criteria, weightings and its evaluation form part of the strategy and method for the committee to determine the overall suitability and/or value for money of offers and bids received.

Refer to Section 4 for further details.



3.6 Invite tenders/seek quotes

Tendering should be done in a fair and confidential manner. No invited tenderer should know the identity of any other invited tenderers. Tenders should have a set closing time. Tenders must not be viewed before the tender closes.

3.6.1 Single source tendering

Single source tendering is permitted where the pre-tender estimate of the Sydney Water Share of Works is less than \$100,000. The maximum reimbursable amount for single source tendering is limited to \$100,000 in total, including any approved variations. We won't fund costs above \$100,000 even if the final amount, inclusive of variations exceeds \$100,000.

If the developer uses single source tendering, this must capture all project costs and is not subject to scope splitting for different disciplines. The WSCs must demonstrate that single source tendering provides value for money.

Single source tendering, where the pre-tender estimate of the Sydney Water share of works is over \$100,000 is only permitted by exception, where we provide written approval before the tender is called. We'll only approve this where the developer demonstrates that a single source approach will provide value for money.

3.7 Tender evaluation

The committee must evaluate tenders with probity and equity. The committee should choose the contractor who provides the best value for money to Sydney Water. The committee must select the preferred contractor based on the process set out in tender evaluation plan. The committee must properly document the evaluation process and justify their decision in the tender evaluation report.

3.8 Procurement approval

The water servicing coordinator must submit the tender evaluation report summary, all checklists, a signed tender evaluation report and a tender evaluation plan as set out in the guidelines, for our approval. The tender evaluation report, submitted as part of the procurement approval, will form the basis of any reimbursement funding. This will be in the form of a written confirmation that we'll issue to the developer.

3.9 Letting of contract

The contract must not be awarded before we confirm in writing that the developer will be eligible for reimbursement (except for water servicing coordinator services).

It's the developer's responsibility to ensure that, in any contract with a provider, all conditions agreed to in the tender evaluation report approved by us are included.



3.10 Manage contracts

The developer must ensure that the contract is managed competently. They must submit any variations to the tender evaluation report, as part of the procurement approval, to us for approval and endorsement (See Section 5).

3.11 Commission and handover works

After the works are completed, the developer must commission and handover the works in line with Sydney Water's requirements.

3.12 Funding

After they hand over the necessary infrastructure, the developer will seek reimbursement for all or part of the associated costs of the constructed assets, in line with our *Funding infrastructure to service growth* policy or commercial agreements. We'll seek approval of any payments in line with its delegations.

3.13 Auditing

Sydney Water may audit the water servicing coordinator to ensure these procurement guidelines have been met. If we determine that the procurement process is not following these guidelines, we'll raise a corrective action request against the water servicing coordinator.

3.14 Schedule of rates where our share of works is between \$5,000 and \$350,000

Where we require the developer to upsize a main and the upsizing component (only) is our share of works, we'll will calculate the amount using the schedule of rates and the developer can obtain reimbursement if the amount is between \$5,000 and \$350,000.

Where we require the developer to provide reticulation works, the developer will receive a letter of offer from us with a funding contribution amount. The developer will then need to choose whether they accept or reject our offer and we won't consider any variations once this schedule of rates is applied. Note: We no longer fund works under \$5,000 in line with our *Funding infrastructure to service growth* policy. (See Addendum 1 for more information).

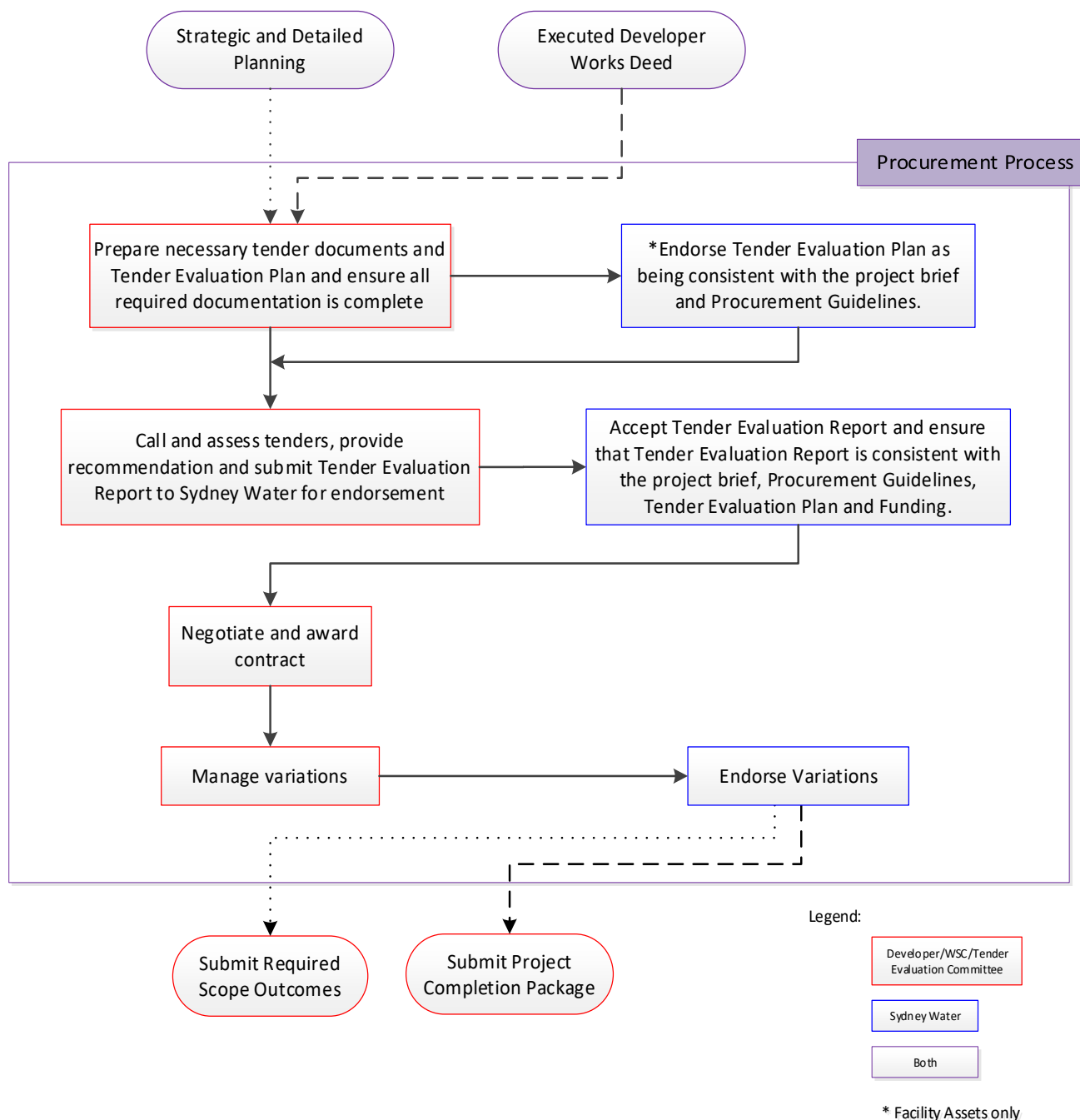
3.15 NSW Government agencies and utilities

Where NSW Government bodies (for example, Transport for NSW, Roads & Maritime Services) are concerned and where Sydney Water share of works is involved, the *NSW Code of Procurement* must be followed in appointing the principal Head Contractor.

Where applicable, a copy of our requirements should be included in the Government body tender brief.

The principal Head Contractor must follow these *Procurement guidelines for developer works* when appointing the Sydney Water listed provider.

3.16 Procurement process flowchart







4 Our requirements

We require you to follow the list below, when seeking tenders for works and services. The list is not exhaustive, and the Tender Evaluation Committee must ensure that it complies with these *Procurement guidelines for developer works*.

1. The water servicing coordinator (delivery) must ensure that the developer works deed is signed and the project brief includes a project estimate to determine which tender process to follow in the Sydney Water road map. The project brief should include (but is not limited to):
 - project background
 - scope of work for all services. For example, water service coordination, design, construction, commissioning, program
 - a pre-tender estimate form, which must be provided to us so we can allocate budget
 - a tender evaluation plan and a tender evaluation report to engage a water servicing coordinator (delivery) and a designer. The water servicing coordinator may use a Sydney Water template where our contribution is under \$100,000.
2. Before inviting tenders, the developer must form a Tender Evaluation Committee to evaluate the tenders and include a Tender Evaluation Committee Chair that meets the criteria listed in Attachment A1.

The Tender Evaluation Committee must prepare a tender evaluation plan and suitable tender documents to invite tenders. The tender evaluation plan should include (but is not limited to):

- scope of work
 - weighted selection criteria and percentage weighting allocated for weighted criteria, such as assessed cost, past performance, quality assurance, methodology and program
 - closing date
 - make up of Tender Evaluation Committee
 - evaluation criteria
 - evaluation process.
3. The tender evaluation plan must be consistent with the project brief and these procurement guidelines. The water servicing coordinator must complete the tender evaluation plan checklist and submit it to us (see Attachment A2).
 4. For **facility assets**, we must endorse the tender evaluation plan for all types of contracts before the committee calls for tenders.
 5. The Tender Evaluation Committee will then proceed to call for tenders and nominate a closing place and date for the submission of the tenders. No one may open any of the tenders until after the closing date.



The Tender Evaluation Committee must allow enough time for the tenderers to submit the tender responses and must ensure that the security and confidentiality of the information contained in the tender offer documents received must be safely stored in a tender box.

When the tenders are opened, the Tender Evaluation Committee is to:

- perform a compliance check
 - assess tender qualifications and departures. Seek clarification if required from each tenderer to assess the implications of any qualifications and departures from the offer
 - fully evaluate the tenders, based on the tenderer's response to each selection criteria and rank the tenderers based on total weighted scores gained.
6. The Tender Evaluation Committee must follow the tender evaluation plan to determine the preferred tenderer. The highest-scoring/ranking tenderer is typically considered the preferred tenderer.
 7. If the difference between the highest ranked tenderer and other tenderers assessed score is less than three per cent, the tenders must be treated as being effectively of equal score. The Tender Evaluation Committee will recommend the tender with the lowest price of the equally ranked tenders. No sensitivity analysis is required.
 8. The Tender Evaluation Committee must submit the tender evaluation report summary (see Attachment A3), all checklists, a signed tender evaluation report and a tender evaluation plan to us for approval. These documents must be submitted before they award the tender.
 9. We'll only accept the tender evaluation report if it's consistent with the project brief, these procurement guidelines, the tender evaluation plan and funding allocation.
 10. The developer must not engage the recommended tenderer until we confirm in writing that the developer will be eligible for reimbursement, except for engaging water servicing coordinator services that are under \$100,000 in value.
 11. The developer may engage a water servicing coordinator, where the value is under \$100,000, before obtaining written confirmation from us. In these cases, we may ask the developer to demonstrate that the proposed costs (set out in the tender evaluation plan and report) are fair and reasonable before we confirm in writing that the developer will be eligible for reimbursement for these services.

5 Variation process

Variation works resulting from a deviation from the works nominated in the tender evaluation report, submitted as part of the procurement approval, must comply with the following process:

1. **Variation works (positive or negative value) must be endorsed by Sydney Water in writing.** Sydney Water will not reimburse positive variation works that have not been endorsed.
2. The water servicing coordinator must certify the variation notification – form 1 ^{a b c d} (see Attachment A4) and use e-Developer to submit in writing the notification of variation to us **within five business days** of becoming aware of the variation by the developer or their constructor.
3. Within 10 business days of receiving form 1, we'll endorse, respond or reject the proposal. We are under no obligation to endorse the variation for the convenience of the developer, professional service contractor or construction contractor. Endorsement does not mean the variation is reimbursable, we'll determine whether we'll reimburse the variation after form 2 submission.
4. Within 10 business days of completing the variation work activity, the water servicing coordinator must certify the variation claim – form 2 ^{a b c d} (see Attachment A5) and use e-Developer to submit in writing the variation claim to us for approval of positive variations. The WSC should submit negative variations the same way and aim to meet the same timeframe. The WSC can only submit form 2 after we've endorsed form 1.

Notes:

- a. The developer must assess, verify and determine all variations to be fair and reasonable. The developer is responsible for the variation costs until we confirm in writing that the developer will be eligible for reimbursement of the variation.
- b. The water servicing coordinator must certify that the variation notification and claim is a legitimate variation to the works nominated in the tender evaluation report submitted as part of the procurement approval, and under the developer works deed.
- c. Variations where the scope should have been and could have been reasonably considered in the tender and design processes will not be reimbursed.
- d. The water servicing coordinator must submit a notification and claim for each variation at the correct times for us to consider reimbursement.



6 Important notes

6.1 Head contracting arrangements

The developer may enter into a head contractor agreement where our share of works is made up of water and wastewater works to be done by the subcontractor.

The tender evaluation plan for the combined civil works must include the following criteria for the water and wastewater subcontractors:

- a. The head contractor must select any subcontractors to do our share of works from our list of providers to demonstrate that the companies have water and wastewater experience in doing these kinds of works.
- b. The appropriate classification such W1, W2 or S1 or S2, depending on the work that is being done.
- c. Up to date Quality Assurance, Work Health and Safety accreditation.
- d. Financially capable.
- e. Evidence of similar works that have been carried out in the last five years.
- f. Minimum of two referees for reference checks.

The tender evaluation process and tender documentation for the head contractor must comply with these *Procurement guidelines for developer works*.

6.2 Rollover of contracts for constructing the same asset class

Our approval is required before tendering the initial stage, if a developer wishes to use the same contractor for subsequent stages of the development.

6.3 Tender evaluation report

The water servicing coordinator must submit a tender evaluation report to us for approval before awarding the tender.

6.4 Designs

All designs must be finalised before awarding the tender. We aren't obligated to pay for any variations that arise because designs were incomplete when tenders were awarded.

6.5 Tender evaluation summary and checklists

The water servicing coordinator must submit the tender evaluation report summary and all checklists together with the tender evaluation report and tender evaluation plan.

6.6 Tender award

The Tender Evaluation Committee typically recommends the highest scoring/ranking tender who conforms to the tender evaluation plan. They must demonstrate that they adhered to the tender evaluation plan.

6.7 Price weighting

Category	<ul style="list-style-type: none">• Facility assets• Pipework >DN450• Professional Services Contracts	All others
Price weighting (%)	50	70

Note: This table is **only a guide** for the Tender Evaluation Committee. The price weighting must be within 50 – 70% and must not fall outside this range.



7 General notes

7.1 Closing date of tenders

The closing date of tenders is the day when the tender period ends. The Tender Evaluation Committee must communicate promptly to all tenderers, before the closing date, any change to the tender period that arises to allow for changes advised in an addendum, or for any other reason, to allow tenderers sufficient time to prepare and lodge a tender.

7.2 Tender schedules in invitation to tender

The Tender Evaluation Committee must include tender schedules, addressing each specific non-priced criteria, in the invitation to tender document. Tenderers must include these tender schedules in the tender submission.

7.3 Opening of tenders

No tenders (hard copy or electronic form) are to be opened before the tender closing date. The Tender Evaluation Committee must specify the nominated place, time and date of tender close, in the invitation to tender. At least two members of the Tender Evaluation Committee must be present when tenders are opened.

7.4 Receiving tenders

When the number of tenders received does not meet the guidelines, the Tender Evaluation Committee must receive our approval before starting to assess any tenders they have received.

7.5 Sign off


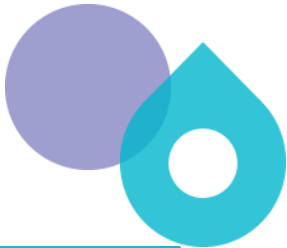
Tender Evaluation Committee and the developer must sign and date the tender evaluation plan before the tender closing date. The Tender Evaluation Committee and the developer must also sign and date the final tender evaluation report before awarding the tender.

7.6 Code of conduct declaration

All parties who are present during the tender evaluation must sign the code of conduct declaration form before evaluating the tender.

8 Glossary


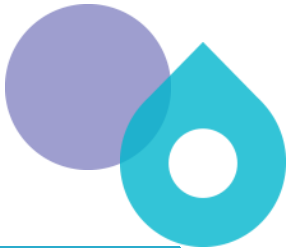
Word	Definition
Certify	To confirm and recognise that all the requirements have been met based on what had been presented at that time.
Conflict of interest	Conflict of interest can arise where there is a direct or indirect benefit or loss for an individual with a particular personal interest in the performance of their duties. The benefit or loss may be financial or non-financial.
Contract	An agreement between two or more parties to do something that is legally enforceable. The agreement may be written, oral or inferred by conduct.
Collusive tendering	Tendering can be considered collusive where it involves such practices as: <ul style="list-style-type: none"> • agreements between tenderers or their agents as to who should be the successful tenderer • any exchange of information between tenderers or their agents before the submitting their tenders that is designed to reduce the tender process competitiveness and may disadvantage the party receiving the tenders • agreements between tenderers to fix prices.
Developer's representative	The person who represents the developer and administers the contract terms and conditions within a contract. This cannot be the WSC.
Facility assets	Major infrastructure (high risk and/or high dollar value), such as pumping stations, pressure mains, water booster pumping stations, treatment plants, reservoirs.
Fair and reasonable	Being unbiased, reasonable and even-handed. Being fair does not mean satisfying everyone or not reasonably pursuing one's legitimate interests. A fair decision may still adversely affect parties.
Invitation to tender	Issuing an invitation, by advertisement or directly, to respond to tender requirements by lodging a tender. Other terms commonly used include 'call tenders', 'invite tenders', 'call for detailed proposals'.
Invitation to tender documents	The set of documents prepared by the party seeking tenders and provided to tenderers, detailing the tender process, the requirements involved and including the conditions of tendering, proposed contract conditions, and technical specification.
Listed provider	Contractors, suppliers and consultants who are listed on our website.
Minimum reticulation	The size specified by the Water Services Association of Australia (WSAA) codes.

Word	Definition
Probity	<p>Uprightness, honesty, proper and ethical conduct and propriety in dealings. There are a number of essential requirements to promote probity. All parties should consider these essential requirements throughout all stages of the process. These requirements are:</p> <ul style="list-style-type: none"> • fairness and impartiality • use of a competitive process • consistency and fairness of process • tender security and confidentiality • identification and resolution of conflicts of interest.
Procurement	Process involving all activities following the decision to acquire professional services or construction works.
Professional service contract	Agreement to provide professional or management consulting services, such as designing, feasibility studies, superintendence, contract management, or specialist reports.
Project brief	A project brief contains key documentation which includes (but is not limited to) the project background, scope of work, program, project cost estimate and risk assessment.
Project estimate	A cost estimate of the work, based on the scope of work before the invitation to tender documents are issued and updated as necessary before tenders close.
Qualifications and departures	This means proposals in, or in connection with, a tender which attempt to limit or change the effect of the contract or to perform the contract other than according to the specified requirements.
Strategic and detailed planning	High-level investigations to determine the infrastructure needed to service a development including the optimal location, route and sizing of the infrastructure.
Tender	Includes a price, bid, offer, quotation, proposal or expression of interest, or the like, lodged in response to an invitation to tender.
Tender box	Location, physical or virtual, that receives tenders lodged by service providers, and maintains them secure and confidential until close of tenders, and commencement of the tender opening process.
Tender Evaluation Committee	A committee of people which convenes to open, process, evaluate and recommend tenders. For Sydney Water share of works over \$100,000, this committee must be a minimum of three people who must not all be from the same organisation.



Word	Definition
Tender Evaluation Committee Chair	This person has overall responsibility for the tender evaluation process and tender evaluation report. The Chair must have the necessary qualifications listed in Attachment A1. The developer or water servicing coordinator can fulfil this role if qualified.
Tender evaluation plan	<p>A tender evaluation plan is the planning and control document for evaluating tenders received in response to an invitation to tender. It outlines, but not limited to, the conditions for:</p> <ul style="list-style-type: none"> • participation and process • evaluation criteria and weightings • methodology • roles and responsibilities of the selected tender evaluation committee members.
Tender evaluation report	A tender evaluation report is a report documenting the analysis and assessment of tenders against each predetermined selection criteria. It documents the tender process and provides a recommendation to award to contract, based on the highest ranked tenderer together with project specifics and criteria.
Tenderer	Entity submitting a tender.
Upsize/upsizing	Where we require a main to be a larger diameter than the minimum reticulation.
Value for money	<p>The benefits compared to the life cycle costs. This may be determined between tenders by considering their benefits taking into account all factors relevant to the contract outcome, such as:</p> <ul style="list-style-type: none"> • price with life cycle costs • experience • quality • reliability • timeliness • delivery • innovation • product servicing • fitness for purpose • value adding components, such as meeting the government's economic, social and environmental objectives where relevant.

Word	Definition
Water servicing coordinator (WSC)	<p>A company listed by us and engaged under contract to act as an intermediary between us and developers.</p> <p>The developer/project manager can fulfil this role (as a certifier) when procuring services during the strategic and detailed planning stage.</p> <p>WSC (application): This WSC, on behalf of the developer, submits an application to us for a development.</p> <p>WSC (delivery): This WSC is engaged to perform duties during the delivery phase (after the Notice of requirements / Letter of requirements is issued).</p>

9 Attachments

A1 – Tender Evaluation Committee Chair declaration

The Tender Evaluation Committee Chair must complete and sign the following declaration. The water servicing coordinator must submit this declaration to us with the tender evaluation plan. This will form part of the final approval for payment and may be audited.

Sydney Water share of works:

☐ <\$100,000 ☐ \$100,000 – \$500,000 ☐ \$500,000 – \$1 million ☐ >\$1 million

Case number: []

Requirements for the Tender Evaluation Committee Chair	Yes
For all tender evaluations, regardless of price:	
Meet one of the following criteria:	
Chaired in one or more tender evaluations where the value of works, contract and risk were similar to those in this evaluation	<input type="checkbox"/>
Member of a Tender Evaluation Committee in five or more tender evaluations where the value, contract and risk were similar to those in this evaluation.	<input type="checkbox"/>
Additional requirement where the Sydney Water share of works is over \$500,000:	
Possess Professional Indemnity Insurance for over \$1 million	<input type="checkbox"/>



Details of projects referred to above		Contract value	Role on committee	Two referee contact details
1				
2				
3				
4				
5				

- ☐ I certify that I have met the necessary criteria as listed on this form.
- ☐ I certify that I have read and understood my role as the Chair as per the *Procurement guidelines for developer works* and *NSW Code of Practice for Procurement*, and will fulfil that role.
- ☐ I certify that no conflict of interest exists in my performance as the Chair of this Tender Evaluation Committee.
- ☐ I certify that the tender evaluation plan and tender evaluation report include a list of all the committee members, their names, employers and role on the committee.
- ☐ I certify that I have obtained written and signed statement from each member of the committee declaring any real or potential conflict of interest.

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A2 – Tender evaluation plan checklist

The water servicing coordinator must complete the following checklist, sign and submit it to us with the tender evaluation plan. This will form part of the final approval for payment and may be audited.

Sydney Water share of works:

☐ <\$100,000 ☐ \$100,000 – \$500,000 ☐ \$500,000 – \$1 million ☐ >\$1 million

Case number: []

Number of tenders to be called: []

Number of tenders expected to be received: []

Requirement	Yes	N/A	Section of plan
A complete Tender Evaluation Committee Chair declaration is attached to the tender evaluation plan.	<input type="checkbox"/>	<input type="checkbox"/>	
Project scope	<input type="checkbox"/>	<input type="checkbox"/>	
Outlined details of the tender process	<input type="checkbox"/>	<input type="checkbox"/>	
Timetable for delivery of key project activities	<input type="checkbox"/>	<input type="checkbox"/>	
Closing date, time and place for tender submission	<input type="checkbox"/>	<input type="checkbox"/>	
Tender Evaluation Committee (including the Chair) nominated	<input type="checkbox"/>	<input type="checkbox"/>	
Selection criteria and the percentage weightings allocated	<input type="checkbox"/>	<input type="checkbox"/>	
Scoring guidelines to assess weighted selection criteria	<input type="checkbox"/>	<input type="checkbox"/>	
Tender evaluation plan signed off by the Tender Evaluation Committee	<input type="checkbox"/>	<input type="checkbox"/>	
Tender evaluation plan approved by the developer (with signature)	<input type="checkbox"/>	<input type="checkbox"/>	
All parties participating in the tender evaluation to sign the code of conduct declaration	<input type="checkbox"/>	<input type="checkbox"/>	



Certification by the water servicing coordinator:

- ☐ I certify that I am the WSC for this case.
- ☐ I certify that I have read and understood the requirements of the *Procurement guidelines for developer works*.
- ☐ I certify that I have read and understood the tender evaluation plan and that it meets the *Procurement guidelines for developer works*.
- ☐ I certify that the responses recorded on the above checklist are true and correct, based on the information provided in the tender evaluation plan.

Signature [] Date []

Print name []

Company []



A3 – Tender evaluation report summary and checklist

The water servicing coordinator must complete the following summary and checklist, sign and submit it to us with the tender evaluation report. This will form part of the final approval for payment and may be audited.

Summary: []

Case number: []

Sydney Water share of works pre-tender estimate: []

Sydney Water share of works recommended tenderer: []

Justification/s for significant cost difference between the recommended tenderer and pre-tender estimate: [] (Attach additional pages as required)

List any provisional items: [] (Attach additional pages as required)

List any excluded items: [] (Attach additional pages as required)

Number of tenders called: []

Number of tenders received: []

Construction commencement: [] (Proposed date)

Connection to Sydney Water system: [] (Proposed date)

Tenderer's name					
Assessed tender cost (\$)					
Tender score (%)					
Tender ranking					
Comments					

Checklist:

Requirement	Yes	N/A	Section of report
Outlined details of the tender process	<input type="checkbox"/>	<input type="checkbox"/>	
Outlined brief details of tenders received and de-brief notes and reasons for invited tenderers not participating in the tender process	<input type="checkbox"/>	<input type="checkbox"/>	
Outlined conformance of tenders received and that tenders were fully conforming to the scope of work	<input type="checkbox"/>	<input type="checkbox"/>	
Compared the tendered costs to the pre-tender estimate for the work, noting the reasons for any significant deviation	<input type="checkbox"/>	<input type="checkbox"/>	
Assessed fully each qualification and departure and sought clarification from each tenderer on the implication for the removal of such departures and qualifications from the offer	<input type="checkbox"/>	<input type="checkbox"/>	
Tenders assessed against mandatory and weighted criteria	<input type="checkbox"/>	<input type="checkbox"/>	
Ranked tenders based on scores gained	<input type="checkbox"/>	<input type="checkbox"/>	
Tender committee members carried out a full tender evaluation to recommend the highest-ranking assessed tenderer	<input type="checkbox"/>	<input type="checkbox"/>	
Identified and justified the preferred tender, including establishing the preferred tenderer financial capability	<input type="checkbox"/>	<input type="checkbox"/>	
The tender evaluation report meets the requirements of the tender evaluation plan	<input type="checkbox"/>	<input type="checkbox"/>	
Final tender evaluation report signed off by the tender evaluator/Tender Evaluation Committee and endorsed by the developer	<input type="checkbox"/>	<input type="checkbox"/>	



Certification by the water servicing coordinator:

- ☐ I certify that I am the WSC for this case.
- ☐ I certify that I have read and understood the requirements of the *Procurement guidelines for developer works*.
- ☐ I certify that I have read and understood the tender evaluation plan and that it meets the *Procurement guidelines for developer works*.
- ☐ I certify that the responses recorded on the above checklist are true and correct, based on the information provided in the tender evaluation plan.

Signature [] Date []

Print name []

Company []



A4 – Variation notification – form 1

Variation notification

Case title	
Case number	
Variation notification no.	
Variation name	
Date variation identified	
Correspondence ref	
Addendum to	
Scope of work: Outline the scope of the project.	
History and reason for variation Outline chronologically the history of events, correspondence and reason(s), relevant to the claim. Attach supporting information.	
Other alternatives Indicate any alternatives to eliminate this cost or minimise the scope through other alternatives, etc and attach supporting information.	
Design or construction work changes Outline the proposed changes.	
Cost (\$) Provide breakdown of cost components.	
Cost justification How has the price been checked? Refer to any negotiations. Indicate whether there is an increase/decrease/nil variation in price. Also outline why Sydney Water should be liable.	



Was the variation allowed for in the tender or as a provisional sum? If yes, provide reference. If no, explain why.

Indicate any other effects, such as any effect on the specifications, etc.

Signature [] Date []
 Print name [] Position []
 Company []

- ☐ I certify that I am the WSC for this case.
- ☐ I certify that assessment of alternatives to reduce or eliminate this variation have been considered by a suitably qualified person and I have provided this evidence to support this notification.
- ☐ I certify that I have read and understood the requirements of the *Procurement guidelines for developer works*.
- ☐ I certify that I have read and understood this variation notification and that it represents a legitimate variation to the works nominated in the tender evaluation report submitted as part of the procurement approval, and under the developer works deed.

Sydney Water acknowledges the receipt of this variation No: ____ notification dated _____.



The Variation claim – form 2 must be submitted to Sydney Water with justification of the claim.

This variation notification is not an approval that Sydney Water will reimburse the claim.

Sydney Water's position is that:

- ☐ The variation is endorsed
- ☐ The variation is rejected
- ☐ Response – refer to comments below

Case Manager: []

Date: []

Sydney Water review comments:	
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A5 – Variation claim – form 2

1. Variation claim

Case title

Case number

Variation claim no.

Variation name

Correspondence ref

Addendum to

Endorsed form 1 attached
(mandatory)

2. Financial details

Total original contract sum (\$)			Sydney Water share of original contract sum (\$) (per funding letter)			
WSC to complete				Sydney Water to complete		
Variation claim no.	Date form 2 submitted	Submitted variation price (\$)	Description	Date of Sydney Water approval	Sydney Water approved variation price (\$)	Sydney Water comments
Total project cost (\$)			Estimated Sydney Water total cost (\$)			

3. Supporting documents

Attach all supporting information that demonstrates completion of the work activity and costs incurred (eg photos, dockets, reports, invoices, etc).

Provide the itemised cost breakdown for each variation claim in the previous table.

Developer's representative

- ☐ I certify that I understand that any variation claim not agreed to be reimbursed by Sydney Water is the developer's responsibility.

Signature [] Date []
Print name [] Position []
Company []

To be filled out by the water servicing coordinator only.

- ☐ I certify that I am the WSC for this case.
- ☐ I certify that I have read and understood the requirements of the *Procurement guidelines for developer works*.
- ☐ I certify that I have read and understood this variation claim and that it represents a legitimate variation to the works nominated in the tender evaluation report submitted as part of the procurement approval, and under the developer works deed.
- ☐ I certify that no other cost-effective alternative is available, and I have made every reasonable attempt to reduce the cost of the variation claim.
- ☐ I certify that variation notification (form 1) for this claim has been submitted to Sydney Water within five business days of becoming aware of the variation by the developer or their constructor.

Signature [] Date []
Print name []
Company []

Sydney Water internal use only

Sydney Water confirms that the developer will be eligible for reimbursement of reasonable and efficient payments made under the variation claim no. _____ in the sum of \$_____.

Signature..... Date.....
Print name..... (relevant Sydney Water manager)

Addendum 1:

The circumstances in which we fund works are outlined in our *Funding infrastructure to service growth policy* which is available on our website. Look under 'About us', 'Policies' under 'Plumbing, building & developing'.

We have two separate pathways for developers to claim reimbursement

The pathways are:

Schedule of rates or Procurement process

If funding is applicable, we'll need to receive a design package from the WSC. We'll then issue the developer (via the WSC) a Schedule of rates letter of offer with a contribution amount. Note: This amount is unable to be negotiated. The developer will then need to choose if they accept or reject the offer. Once they accept or reject this offer the decision is unable to be altered in any way.

The funding pathways at a glance:

	Schedule of rates	Procurement process
Amount	\$5,000 - \$350,000	> \$5,000
Pipe size	Up to 300mm	All pipe sizes
Timeframe	Approximately 2 weeks	> 12 weeks

Note: As per Sydney Water's *Funding infrastructure to service growth policy*, an amount under \$5,000 is unable to be reimbursed. Also, if it's established that the amount to be funded is over \$350,000 then the full procurement process must be used. You'll be notified in writing either way.

Schedule of rates are based on an established methodology using our benchmarked rates, estimates are case and area based, using current market rates for pipes up to 300mm in diameter. It includes professional services, construction costs etc. It doesn't include our connection, shutdown or contract administration charges, which will be applied at the end of construction. When our reimbursement has been calculated, you'll be advised in writing.

Payment of our contribution will be made following satisfactory completion of works. This will be evidenced by our acceptance of the Project Completion Package, including all tax invoices and clear evidence to support the claims for goods and services.