



Ministry of
Fisheries
Te Tautiaki i nga tini a Tangaroa

**Request for Proposal (RFP): Independent Review of Aquaculture and Spatial
Allocations Functions**

5 March 2010

Reference: PRM2010-01



TABLE OF CONTENTS

1. INTRODUCTION AND BACKGROUND	3
2. SERVICES REQUIRED	4
2.1 Objective and scope of the Request for Proposal (RFP)	4
2.2 Skills and capability required.....	4
3. TIMEFRAMES AND RFP PROCESS	5
3.1 Timeframes	5
3.2 Format of responses	5
3.3 Enquiries	5
3.4 Evaluation.....	6
3.4.1 Evaluation process	6
3.4.2 Evaluation Criteria	6
4. CONTENT OF PROPOSAL	7
4.1 Organisation details	7
4.2 Proposal details.....	7
4.3 Price of services.....	7
4.4 General requirements for proposers	8
4.4.1 Professional expertise	8
4.4.2 Quality	8
4.4.3 Service priorities	8
4.4.4 Conflicts of interest	8
4.4.5 Sub-contracting	8
5. TERMS AND CONDITIONS OF THIS RFP	9
5.1 Relations between the Ministry and Proposers.....	9
5.2 The Ministry's further rights	9
5.3 Govt ³	9
5.4 Other points for proposers to note	10
5.5 Confidentiality	10
5.6 Intellectual property	10
5.7 Standard contract.....	10
6. Attachments	11
6.1 Appendix A – Organisation Charts.....	11
6.2 Appendix B – Fisheries 2030 Plan	11
6.3 Re-starting Aquaculture – Report of the Aquaculture Technical Advisory Group..	11

1. INTRODUCTION AND BACKGROUND

The Ministry of Fisheries (the Ministry) has recently completed a review of its overall organisational design; decisions relating to staff in the aquaculture and spatial allocation teams, a total of 12 FTEs, were not specifically part of this review.

The Ministry now wishes to consider service delivery design options for the current aquaculture and spatial allocation functions. The purpose of this review is to ensure the work undertaken by the aquaculture and spatial allocation teams is done as effectively and efficiently as possible, and in a way that contributes to Fisheries 2030 goals. It will test the proposal that there are sufficient similarities between the work carried out by the aquaculture and spatial allocation teams to integrate them in a single group. It will also consider other functions currently sitting within the aquaculture team – in particular, special permits and freshwater permits – and where in the Ministry those functions should be carried out.

The Ministry wishes to obtain professional services to provide an independent perspective as part of this process, and to assist with the delivery of recommendations to the CE. The selected consultant is expected to provide input into the detailed approach and method. This review should take into consideration best practice, efficiency and effectiveness.

The review's scope includes definition of the services each team provides and will provide, an assessment of the teams' current and future demands, evaluation of potential benefits in integrating the teams, and recommendations for design options and implementation.

The Ministry currently employs around 450 FTE staff, with a national office in Wellington and 18 regional, district and local offices around New Zealand. The organisation structure consists of several business groups of varying sizes. General organisational background, including the 2009 Annual Report, can be found on the Ministry website (www.fish.govt.nz). More specific details of the current state and specific points that this part of the organisation design needs to address will be discussed and agreed with the selected consultant when the project commences.

The outcome of this review is not predetermined. While some changes are expected, it is also expected that aspects of the way the Ministry does things now will remain the same.

It is expected that the proposed design will be consulted with staff and unions in May 2010. The implementation of any changes will depend on the nature of the proposed design and the feedback from this consultation.

The project will be led by the Manager, Office of the Chief Executive, reporting to the Chief Executive. The final decision is the responsibility of the CE.

2. SERVICES REQUIRED

2.1 Objective and scope of the Request for Proposal (RFP)

The objective of the RFP is to obtain a proposal to supply services to:

- § provide an independent perspective to this design review, and to assist with the delivery of recommendations to the CE and the SLT
- § the review should
 - o define the services each team provides and the resources used for service delivery
 - o review the current and future demands on each team
 - o consider service delivery, processes, potential efficiencies, and whether integrating the teams would create benefits
 - o consider what level of resource is available and required to meet future demands
 - o recommend future designs, including roles, responsibilities, governance arrangements, delegation processes and reporting lines
 - o recommend an implementation pathway.

Proposals are expected to cover the complete scope of services required.

2.2 Skills and capability required

The selected consultant is to:

- § demonstrate their capability, credibility and experience to bring an independent and knowledgeable perspective to the process of effective services design
- § provide an independent perspective to the design review in a constructive manner, recognising the strategic direction of Fisheries 2030 (see attachments) and Government Priorities.
- § assist with the evaluation of feedback on the design proposal.

The consultant will report to the project sponsor, who is the Manager, Office of the Chief Executive.

3. TIMEFRAMES AND RFP PROCESS

3.1 Timeframes

The Ministry's timeframes for the RFP process are set out in the table below. If these timeframes create difficulty for you, please inform the Ministry representative named below.

Event	Date
RFP issued	5 March 2010
RFP response due	22 March 10
Agreement with preferred proposer completed	29 March 10
Ministry evaluation complete and non-shortlisted proposers notified	29 March 10
Selected consultant starts work on this project	31 March 10
Initial service design work completed	26 April 10

Note: These dates may be changed at the Ministry's discretion.

A brief email before 22 March 2010 to contracts@fish.govt.nz confirming your intention to respond to this RFP would be appreciated.

3.2 Format of responses

Responses to this RFP should be delivered to the address below by 5pm, Monday 22 March, 2010. Please provide:

- § three bound copies and one unbound copy, and
- § one electronic copy (Microsoft Word 2003) to the email address, or alternatively
- § CD-ROM (to the postal address).

Email address	Postal address
contracts@fish.govt.nz	Joanne Charles Corporate Monitoring Unit Ministry of Fisheries 101-103 The Terrace PO Box 1020, Wellington 6011

3.3 Enquiries

The Ministry will be happy to arrange a meeting at its offices in Wellington, or via videoconference from one of its regional offices, for up to one hour, to clarify the nature of the requirement prior to 5pm, Monday 15 March, 2010. If you would like to take up this opportunity, please contact Joanne Charles (joanne.charles@fish.govt.nz) to arrange a suitable day and time.

All other queries regarding this RFP are to be provided via email contracts@fish.govt.nz.)Please include:

- § Subject: starting with “RFP – Independent Review of Aquaculture and Spatial Allocations Functions” and
- § “reference number”: PRM2010-01.

No contact should be made with other Ministry employees or contractors in relation to this RFP by any other means or through any person other than Joanne Charles. If you directly or indirectly canvass any officer, employee or advisor concerning any aspect of this RFP process, you may at the Ministry’s discretion be disqualified from this process. Queries must be received before 5pm, Tuesday 16 March, 2010.

Copies of questions received and the answers provided will be provided to all potential consultants by email. The same process will be used to notify proposers of any errors or omissions in the RFP document, or to notify proposers of any additional information provided.

3.4 Evaluation

3.4.1 Evaluation process

The Ministry will establish an evaluation panel to assess each proposal on how well it meets the Ministry’s requirements as described in this RFP and otherwise communicated to proposers. As part of the evaluation process, proposers may be requested to provide clarification of parts of their response, or to provide supplementary information. Requests for further information from proposers will be conducted via email. Such requests will contain an indication of the time allowed for response, and the required method of response.

3.4.2 Evaluation Criteria

Evaluation criteria and appropriate weightings have been established by the evaluation panel prior to the distribution of the RFP. The weightings and scores will not be made known to proposers or any third party.

The Ministry will be looking for evidence in each proposal, and as part of any proposers’ presentations, that:

- The specific people proposed for the work have appropriate skills and experience
- The organisation has appropriate experience and track record
- The organisation has the capacity to deliver and to meet the Ministry’s timetable
- The proposers’ time requirements and costs are well understood, and that any variability over total fees payable is clearly set out

4. CONTENT OF PROPOSAL

4.1 Organisation details

The following details regarding your organisation should be supplied:

- a. Name of contact details for your organisation.
- b. Name and details of your contact person regarding your proposal.
- c. Your organisation's activities / experience.
- d. Names and credentials of the people you propose to provide the services required by the Ministry.
- e. Names and contact details for two or more referees for similar work performed by the people that you are proposing. Please confirm that these referees will be contactable by the Ministry during the period 13 to 18 August 2009.
- f. Information regarding the nature and type of insurance arrangements your organisation holds.

4.2 Proposal details

Your proposal must include the following:

- a. A description of specific skills and experiences that qualify the people proposed for this specific assignment.
- b. A description of your organisation's experience and reputation for this type of work, and how this will be applied to the Ministry's benefit on this assignment.
- c. A description of your organisation's capacity for this type of work, and how you can ensure that the Ministry's timetable can be met.
- d. Your fees and any other expenses that you propose to charge to the Ministry, and expected payment terms.
- e. The extent of Ministry input and participation required.
- f. Your quality assurance processes that you will apply to this assignment.

Your proposal should be no longer than 8-10 pages. The proposal should be complete within these 8-10 pages – reference to any supporting material should not be required in order to understand and shortlist the proposal. Additional technical and descriptive information may be included where you wish to do so (eg detailed profiles of people proposed and other supporting documentation).

4.3 Price of services

Specify your price in New Zealand dollars, supported by a breakdown of the main components. All prices must be in New Zealand dollars, exclusive of GST, and must remain valid for 90 days from the submission deadline.

The Ministry has a general preference for a fixed price contract, with expenses (including fees for any sub-contractors) included in the fixed price. If this is not possible, proposals are expected to be subject to a fixed cap and prior approval will be required before any payment will be made in excess of this amount.

4.4 General requirements for proposers

The Ministry wishes to be satisfied about the following matters:

4.4.1 Professional expertise

You must have, and set out, your appropriate credibility, skills, and expertise in the provision of the services outlined in this RFP.

4.4.2 Quality

You should demonstrate how you will ensure the services required will be of excellent quality and are value for money.

4.4.3 Service priorities

You must show that you are able to put aside adequate time for the services to be provided under the contract in order to ensure that the provision of the services is not compromised by your other commitments.

4.4.4 Conflicts of interest

Identify any actual, likely or perceived conflicts of interest and how you would resolve them.

4.4.5 Sub-contracting

If you intend to employ sub-contractors in order to provide the services, those sub-contractors must meet the requirements set out in the RFP. You should specify how you would ensure that they would meet these requirements, and each party should be clearly identified in your proposal.

5. TERMS AND CONDITIONS OF THIS RFP

5.1 Relations between the Ministry and Proposers

- a. There is no intention that the RFP process creates legal relations between the Ministry and proposers.
- b. This RFP may result in negotiations with a view to entering a contract for services, but is not an offer from the Ministry that proposers accept by submitting proposals.
- c. This RFP is only an invitation to treat. Each proposal submitted is an offer upon which the Ministry may negotiate with a view to acceptance once a written contract is executed.
- d. Negotiations to the point of execution of a written contract are negotiations only, and are not binding until execution of the written contract.
- e. It is only once a competitive proposer has executed the final contract that the Ministry commits itself to legal acceptance of a proposal.
- f. This RFP does not create a process contract between the Ministry and proposers.

5.2 The Ministry's further rights

The Ministry reserves the right to:

- a. Reject or not consider any responses that do not comply with the requirements set out in this RFP.
- b. Accept or decline late responses, or responses that do not conform to the requirements set out in the RFP, at its discretion.
- c. Not accept any of the proposals submitted.
- d. Seek additional proposals.
- e. Not shortlist any proposer, accept the lowest price or any of the proposals received.
- f. Not proceed with any or all components of the services as set out in this RFP.
- g. Amend any evaluation criteria or the weighting of any criteria used to evaluate proposals.
- h. Conduct the evaluation process at the sole discretion of the Ministry.
- i. Liaise and negotiate with any proposer or any other persons at any time before, during or after the RFP process.
- j. Change any date in the RFP process.
- k. Suspend or cancel by notice the RFP process or any part of it.
- l. Reopen the RFP.

The Ministry will not be liable (in contract or tort, including negligence, or otherwise) for any direct or indirect damage, loss (including loss of profits or business or other economic loss) or cost (including legal costs) to any proposer or other person in relation to this RFP process or outcome.

5.3 Govt³

The Govt³ programme was initiated by the Government to encourage Crown agencies to implement socially, environmentally and economically sustainable work practices, including procurement. The Ministry has committed to this programme.

The Ministry will give appropriate weighting to sustainable products, works and services in the purchasing process.

The selected consultant is expected to perform the services in a manner that gives appropriate regard to the protection of the natural environment. The selected consultant will comply with all

environmentally related legislation and codes of practices relating to the products and/or services being offered.

5.4 Other points for proposers to note

The Ministry has used all reasonable efforts to ensure the accuracy of the information in the RFP; however, the Ministry will not be liable for any inaccuracy or omission.

No advertising, press release, public statement or other information relating to this RFP, and proposal or agreement, shall be published in any newspaper, journal, magazine, or any other medium without the prior written consent of the Ministry.

Proposers (and all third parties used in preparing responses) must keep confidential all information, whether written or oral, concerning the business and operations of the Ministry they may obtain as a result of this RFP, where that information is not available in the public domain.

Costs of preparing proposals will be borne by proposers.

5.5 Confidentiality

The Ministry will not, except as required by law, disclose any of the information in your proposal to any third party.

The Ministry may need to disclose all or part of a proposal (including prices) and any subsequent contract, or parts of it, in response to requests under the Official Information Act 1982 or by Court order.

The Ministry would consult with a proposer on release or withholding of significant details under the Official Information Act.

5.6 Intellectual property

All software, information, working papers, reports, or other papers produced by the proposer during the performance of the services outlined in this RFP, and the intellectual property (including copyright) therein, shall be the property of the Ministry.

5.7 Standard contract

The Ministry has a standard contract that it uses for engaging professional services. A copy of this will be provided to shortlisted proposers.

6. ATTACHMENTS

6.1 **Appendix A – Organisation Charts**

6.2 **Appendix B – Fisheries 2030 Plan**

6.3 **Re-starting Aquaculture – Report of the Aquaculture Technical Advisory Group**

<http://www.fish.govt.nz/en-nz/Consultations/Restarting+Aquaculture/default.htm>