



TransGrid

Tender Evaluation Plan

Waratah Super Battery – Priority Infrastructure
Project – D&C

March 2023

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1. Overview and Objectives

1.1 General

This document describes in detail the methodology to be used by the Tender Evaluation Committee (TEC) for the evaluation of all tenders received in response to the Request for Tender (RFT) issued for the Waratah Super Battery – Priority Infrastructure Project, Network Augmentations. The Network Augmentations consist of the following two Design and Construction Packages, issued as two separate RFTs, and to be awarded as two separate Design and Construct Contracts:

1. Substations
2. Transmission Lines

The Tender Evaluation Plan (TEP) will be deemed to cover both Packages equally, unless specifically identified as pertaining to one Package or the other.

1.2 Definitions

The following defined terms apply this TEP.

Term and / or Abbreviation	Definition
D&C	Refers to Design and Construction Works to be undertaken if the Tender is accepted and a D&C Contract awarded to a Tenderer for a Package
D&C Contract	The final contract to be awarded to a Tenderer and executed between the parties if successful.
Evaluator	Is a member of the evaluation panel as described in clause 2 with responsibility for the review activities described further in this document.
Chair	Is the position described in clause 2
Package	Is used to refer to either the Works the subject of the RFT for the D&C Contract for the Substations or the Works the subject of the RFT for the D&C Contract for the Transmission Lines (collectively the Packages)
Probity Advisor	Has the meaning in clause 2
Procurement Representative	The procurement personnel allocated to the RFT, and responsible for the administration of the RFT in iBuy. The Procurement Representative may also undertake the role of Evaluator for commercial items if required.
Project	Means the Waratah Battery – Priority Transmission Infrastructure Project.
PTIP	Priority Transmission Infrastructure Project
RFT	Means Request for Tender (RFT), being the sourcing event for the Package described in the RFT documents.
Tender	The items that the Tenderer must submit in response to the RFT.
Tenderer	Means the contractor or supplier, invited to participate in an RFT and submit a Tender for the Project, as described in that RFT.
TEC	Is the Tender Evaluation Committee, collectively responsible for conducting the RFT evaluation and selecting the final Tenderer for award of a D&C Contract,
TEC Business Advisors	Has the meaning in clause 2
TEP	Tender TEP, meaning this document.
WSB	Waratah Super Battery

1.3 Objective

The aim of this TEP is to document a fair, impartial, rational and transparent process for the assessment of the Tenders received for the Project Network Augmentation D&C Request for Tender (RFT), in order to identify and recommend for approval the most technically suitable and best value for money offer, which meets the requirements of the RFTs issued to Tenderers on 16 February 2023.

1.4 Approvals

The TEP, including the evaluation matrix itself, have been reviewed by the TEC, and approval will be requested through ibuy. The ibuy approval will be appended to this document after approval occurs.

1.5 Tenderers

The RFT was issued to the following Tenderers:

Substations	[Redacted]	[Redacted]
Transmission Lines	[Redacted]	[Redacted]

- The process for dealing with tenderer withdrawal is accounted for in this document.

2. Governance

2.1 Tender Evaluation Committee

The RFT response evaluation will be completed by the Tender Evaluation Committee (TEC). The TEC members are provided in Table 2.1A for Substations and Table 2.1B For Transmission Lines.

Delegations of Evaluator functions must be done with the approval of the Chair and must be to someone with equal qualification or experience or above to the person initially nominated for the Evaluator role.

Delegations are permitted only for the following reasons:

- the delegation provides review of an item that requires specific expertise that the delegate does not believe can be adequately assessed by themselves.
- the person originally nominated is unable to perform the function for reasons beyond their control.
- the Evaluator declares a conflict of interest or that there may be a perceived conflict of interest that the Evaluator feels cannot be mitigated or overcome, and they believe it is best for project not to continue to evaluate (this must be approved by the Chair). For the avoidance of doubt, the removal from the Evaluator role for any reason under this clause 2.1(c) is not considered a statement of fact, but precautionary so that conflict or bias cannot be inferred by another party.

Table 2.1A – Substations

SUBSTATIONS			
Name	Position	Role	Item of Assessment
[REDACTED]	Project Director	Chair	Oversight and final review and approval
[REDACTED]	Project Engineer	Evaluator	Technical
[REDACTED]	Construction Manager	Evaluator	Technical
[REDACTED]	Senior Project Manager	Evaluator	Commercial
[REDACTED]	Senior Contract Manager	Evaluator	Commercial
[REDACTED]	Commercial Manager	TEC Business Advisor	Commercial
[REDACTED]	Nominated independent party from procurement	Probity Advisor	Oversight

Table 2.1B – Transmission Lines

TRANSMISSION LINES			
Name	Position	Role	Item of Assessment
[REDACTED]	Project Director	Chair	Oversight and final review and approval
[REDACTED]	Project Manager	Evaluator	Technical
[REDACTED]	Construction Manager	Evaluator	Technical
[REDACTED]	Senior Project Manager	Evaluator	Commercial
[REDACTED]	Senior Contract Manager	Evaluator	Commercial
[REDACTED]	Commercial Manager	TEC Business Advisor	Commercial
[REDACTED]	Nominated independent party from procurement	Probity Advisor	Oversight

2.2 TEC Chair

The Chair will be responsible for overseeing the evaluation including approving delegations, requesting reviews from outside parties, chairing evaluation meetings, determining if further clarifications and a second round of reviews are required and approving the final evaluation proposal to award to be put forward for approval with the business. The Chair will not participate in evaluations but may question reviews or ask questions regarding the content and to confirm why a particular finding or score was made. The Chair will be responsible for approving or arbitrating whether clarifications can be issued and whether additional rounds of clarifications may be made. The Chair is responsible for escalating any issues up to the business.

2.3 Probity Advisor

Transgrid have elected to utilise an internal procurement resource, who has not previously been a party to the Packages to assist, guide and advise the TEC on the evaluation process and to provide oversight where required. The responsibility of the person with the Probity Advisor role is to oversee the processes used in terms of checking in with the parties and reviewing evidence of process compliance where required. The Chair may request the Probity Advisor to check items of potential conflict or process with the relevant parties to the Technical Evaluation or Commercial Evaluation, whilst always remaining impartial and objective. The Probity Advisor will offer advice to Evaluators, as an objective and independent party operating at an arm's length of the evaluation process, The Probity Advisor may have a large role or a small role within the process, depending on the needs of the Evaluators which cannot be completely known until after Tender submission.

2.4 Evaluators

Evaluators must review the submissions based on the documents provided and ensure that the basis of evaluation is concentrated on the submissions by the Tenderer, objectively supporting positions with reference to the submitted Tenders. Evaluators must not discuss the evaluation unless permitted by this TEP and must seek guidance about probity and permitted actions where the Evaluator is unsure of correct procedure or permissible actions. Evaluators must understand and be open to substantiating the evaluation to a third party or provide any evidence required to support the process and due diligence followed during the process of the evaluation.

2.5 TEC Business Advisors

TEC may consult other business stakeholders for advice regarding the evaluation of Tenders for business compliance, as subject matter experts, or to provide nomination of personnel to undertake a review of the evaluation process undertaken and the outcome of that evaluation. The purpose of the review would be to ensure the process is aligned to the TEP, that the evaluation reflects the criteria set, and the Tender documents submitted, and that the outcome is reasonable and accurate based on the documents evaluated. Those nominated to perform any of the duties above will be deemed a TEC Business Advisor. General Members may be approached to nominate a TEC Business Advisor based on the area of expertise required. The TEC Business Advisors must be separate to the Project, with no affiliation or history of involvement in the Project, unless named by exception in this document.

2.6 Risk Monitoring

A member of the project team that is not part of the evaluation but is required to actively record and monitor any risks highlighted during the evaluation process in order for Transgrid to perform any risk workshops or assessments during the evaluation process. The risk workshops are an integral part of ensuring that the

selected Tender is suitable and fit for purpose, and all risks are considered and mitigated or highlighted to be closed out during the Design phase of the D&C Contract, prior to any Work commencing.

2.7 Conflict of Interest and Confidentiality

Prior to the commencement of the Tender evaluation process, Procurement will obtain a written Confidentiality and Conflict of Interest Declaration from each member of the TEC, any approved delegates, and all TEC Business Advisors (before appointment) to ensure conflict of interest and confidentiality is managed within Transgrid's governance framework.

Any person with a declared evaluation role must detail any circumstances that may give rise to an actual or potential conflict of interest by using the declaration contained in the TEP, Attachment 4.

The establishment of security procedures for handling tender-related documents are as follows:

- requiring all TEC Members (including advisors) with access to tender information to sign an appropriate confidentiality undertaking
- storing documents which contain tender-related, commercially sensitive information in appropriately secure conditions
- allowing only authorised officials with a direct 'need-to-know' access to tender-related sensitive information

Any person with a declared evaluation role must be instructed by the Chair of the TEC that each tender response contains confidential information and as such should be treated in the appropriate manner and not left highly visible or easily accessible outside of the nominated secure location. Confidential information includes but is not limited by the content of bids, any supporting information provided by Transgrid, the Tenderers or third parties and the outcomes of the assessment. All evaluation material must be treated in the same manner. Technical and Commercial shall remain apart and the technical Evaluators will not have any access to Commercial Evaluation information until the time permitted in this document. Commercial Evaluators with access to technical information that supports the Commercial Evaluation must not discuss any commercial matters with the technical Evaluators under any circumstance, until the time permitted by this document. The Chair will be provided a copy of the Technical Evaluation information only until the first round of Technical Evaluations are complete.

2.8 Regulatory Approvals Team

Due to the tight time frame afforded for the Regulatory Approvals Team to prepare and issue the application for a regulator determination, nothing in this TEP prevents any required Tender information submitted from being issued to the Regulatory Approvals Team, as long as the following is applied:

- Only the personnel directly associated or connected with the submission, that require access to the Tender Information have access to those documents;
- They comply with any confidentiality requirements;
- Personnel are aware of the security requirements for the Tender documents
- That personnel are aware of the Evaluators and their role in the Tender Evaluation process and confirm with the Procurement Representative and/or the Probity Advisor, what information from the Tender may be discussed during the different periods in the Evaluation.

3. Evaluation Method and Process

The following steps will apply to the evaluation methodology and process to be applied to the RFT evaluations required under this document.

3.1 RFT Responses – Initial Evaluation

3.1.1 Initial Actions and Compliance

Once the Tender close date has occurred and access to the Tender responses is provided in ibuy, the Procurement Representative will download the Tender responses.

Tender responses will be examined to:

- (a) Confirm the Tender contains all mandatory submissions as provided in the RFT.
- (b) Identify any omitted or incomplete information/questions.
- (c) Identify errors or discrepancies in the Tenders, which may need to be rectified; and
- (d) Identify qualifications, which vary with the specified technical or commercial requirements of the RFT.

The Procurement Representative will save the documents to the correct secure file locations. Any meetings required or organised in connection with this TEP, will require either recording via Teams or to be minuted for record. Minutes should be uploaded into ibuy, or a record of the date of the recording stored, and attendance records attached.

As the evaluations are planned to now occur in two stages for Transmission Lines, the Transmission Lines approach will slightly alter where indicated.

3.1.2 Disqualification/Non-compliance of Tenderers – Mandatory Requirements

If the Tenderer has conformed and submitted all information required for the Mandatory Requirements, as outlined in the RFT Part 1.1. the Tenderer will automatically be selected for evaluation. If the Tenderer has provided insufficient information comparable to the mandatory criteria, then the review and acceptance of the Tender for evaluation will be subject to the requirements in clause 3.3, however, the Tenderer could potentially be disqualified for non-compliance with the mandatory requirements. Once a Tenderers submission is approved for the evaluation, the next step is the Tender Evaluation Opening Meeting.

3.1.3 Tender Evaluation Opening Meeting

At this meeting the contents of the evaluation will not be specifically discussed, bar any allocation of the Tender to specific members of the evaluation team. This may be by a specific question or entire subsection of the Technical Evaluation and may be allocated based on the Evaluators experience or expertise.

The meeting is primarily to reconfirm the roles and responsibilities of each member, the obligations for confidentiality and conflict of interest, storage of documents and security of information, timing for the Evaluator to complete the review and the Evaluators tasks associated with the evaluation to be undertaken.

The Chair may review the Technical Evaluation information, after the Evaluators have commenced the review, but must not discuss the evaluation until the First Review Meeting. The purpose of the Chair evaluating the technical information is to ensure that the Chair is fully briefed prior to any review meetings occurring to enable the Chair to be able to provide feedback and record any items normalised during the first briefing and to allow a balanced decision regarding clarifications requested, rather than solely rely on an Evaluators opinion alone (which should not unreasonably be ignored).

3.1.4 Evaluation Review Meetings

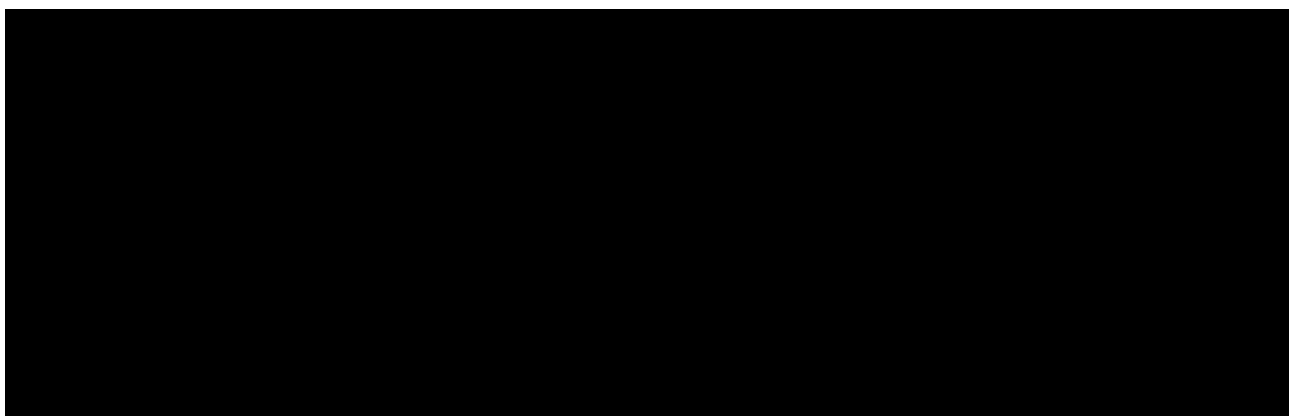
Evaluation Review Meetings will be conducted in the following sequence:

Evaluators will submit reviews (Commercial Evaluation and Technical Evaluation) to the Procurement Representative, fully scored. This scoring will be uploaded into ibuy, and the Procurement Representative will confirm that the Evaluation Meeting can commence. The purpose of the Evaluation Meeting is to review scoring and reasons provided for that scoring, review potential clarifications to be sent to the Tenderers and confirm if any additional reviews are required, or advice is to be sought from the TEC Business Partner. If clarifications are required, the Procurement Representative will submit these through ibuy and provide timing for a response. Once the responses are received these will be saved to the secure folders and the Evaluators will be notified and provided timing to complete the evaluation of the clarifications. If scoring is to be updated, then the updated scores must be recorded with the original scoring with reasons for the change in the scoring provided. Once all scoring is completed the Procurement Representative will upload a record to ibuy and the Chair will be notified to organise another Evaluation Review Meeting. This will continue until the evaluation exercise is complete.

Commercial evaluations will not be made available until after the first Technical Evaluation is recorded in ibuy, however this shall not prevent the Technical and Commercial Evaluators from evaluating their sections concurrently. This is to ensure that the price does not unconsciously become a driver for the decision and scoring in the Technical Evaluation. Once a base score is recorded on which the Technical Evaluation can be tracked for changes and evidenced against, the commercial scoring can become part of the evaluation discussion.

3.1.5 Evaluation Review Meetings for Transmission Lines

Due to Transmission Lines requiring two separate pricing schedules to be submitted and reviewed, the initial process will follow clause 3.1.4 above, however, once the second closing date for the submission of the Part 4.1b Pricing Schedule and associated documents are submitted the TEC will perform the same separate process of evaluating Technical and Commercial separately as far as new submissions are made. Where previous Evaluation Information contributes to scoring that will be held. For clarity the following may be the only items required for the second stage of evaluation, however at the time of writing this is not confirmed. Any updated information submitted must be reviewed against the evaluation criteria already specified:



3.2 Risk Workshops

During the evaluation period Transgrid will need to actively monitor and assess the risks and contingencies associated with each submitted Tender and track these risks in preparation for any required risk workshops. Risks will evolve and drop off through the responses to departures and clarifications and risk workshops may be undertaken at any stage of the evaluations. Risks may be identified using qualitative or quantitative assessment depending on the type of risk to be assessed. Risks will be required for inclusion in the Project Risk Register and to inform or update project costs (including estimates, contingencies), and schedule. Safety

in Design and HSE related risks that are to be considered for this stage of the project, will need to also be captured, and Safety in Design and design reviews will continue at allocated times through the D&C Contract design development, from Concept to Detailed Design, before IFC. It is proposed that the Project Scheduler will be utilised for risk monitoring. This strategy also provides an opportunity to further develop any WBS so that CBS can be further developed in parallel and the two can be aligned.

3.3 Evaluation Criteria

The full weighted scoring criteria for the tables provided in this clause 3.3 are provided in Attachment 2 and Attachment 3. Criteria for the WSB Project is provided fully in Attachment 2 – Transmission Lines Evaluation Matrix and Attachment 3 – Substations Evaluation Matrix, including evaluation questions, criteria and scoring guidelines.

3.3.1 Pass/Fail Criteria for Mandatory Items

Pass or fail criteria may be used for some items within the evaluation matrix that are a mandatory requirement. Where pass/fail criteria is used, it must be clearly provided whether the Tenderer will be given the opportunity to rectify any items, or whether a fail mark removes the Tenderer from participating.

For the WSB Project, should the item not impact on the Tenderers submission, and the omission is accidental rather than incomplete, the Tenderer will be permitted to submit. For e.g. where the Tenderer does not disagree the price is firm, but has omitted to sign and return the form with the firm price, but part 4.1 Pricing Schedule has been submitted and confirms the offer price, this would not impact the Tenderers response, bar the confirmation of a firm price in accordance with the signed Form of Tender.

The Procurement Representative and the Chair will decide whether to allow a clarification and receipt of the omitted item, and the reasons must be recorded in ibuy.

[Redacted text block]

The following mandatory questions (if applicable) will be required to be satisfied for the submission of the RFT.

Table 3.2A – Mandatory Evaluation Criteria – Transmission Lines and Substations

Criteria	Relevant Docs	Confirmed by:
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]

Criteria	Relevant Docs	Confirmed by:
Note, return of Part 1.1 Introduction to RFX, Section 10, and signature in Part 11 are initial checks for all items, to confirm mandatory requirements. This item should be checked first.		

3.3.2 Weighted Criteria

If more than one Evaluator is scoring against an item, then the scores will be averaged between the Evaluators. Clear criteria for evaluating Tender responses must be provided at the outset, and Evaluators should include evidence to support statements against the criteria set, so that any reviewer can follow the logic behind the scoring, including any updates to scoring after the first evaluation exercise.

[Redacted content]

[Redacted content]

Refer to Appendix 2 and Appendix 3 for the weightings to be applied to the evaluation of the Packages.

3.3.3 Technical Evaluation

3.3.3.1 Allocation of Item / Sub Item category

The technical responses will be evaluated in accordance with the allocation provided at the Tender Evaluation Opening Meeting, and the relevant RFT documents submitted for Part 3 and Part 5, using the detailed evaluation matrix, attached at Appendix 2 and Appendix 3, including the evaluation criteria provided in that document. After upload of the first Technical Evaluation scores into ibuy, joint review of Technical Evaluation and Commercial Evaluation can commence. The Chair may review the Technical Evaluations to ensure sufficient commentary or basis of scoring has been provided before calling the first joint review meeting.

[Redacted content]

3.3.4 Commercial Evaluation

[Redacted content]

[Redacted text block]

3.4 Evaluation of Departures, Comments and Post Tender Clarifications

The review and response to the departures / comments to tender requirements will be done using the specific templates provided in the RFT at Part 4.3 and Part 5.2.

3.4.1.1 Departures / Comments to Technical Requirement and Finalisation

The Evaluators for the Technical Evaluation will review the departures and comments to technical requirements submitted by the tenderers. They will respond to tenderers (through procurement) for finalisation of the departures / comments if any, and issue post tender clarifications where necessary and agreed in accordance with this TEP.

3.4.1.2 Acceptance of Terms and Conditions

The Tender for both Packages was issued with the General Conditions of Contract, which is the standard D&C Contract for Transgrid. However, Tenderer [Redacted] is currently tendering under the Construction Services Panel which allows little opportunity for Commercial Departures. The other Tenderers for the Packages are not part of the Construction Services Panel and are not limited to the number and type of Commercial Departures submitted. This is flagged as a risk to Commercial component of scoring. Reasons for the utilisation of the two separate contracts (although minimal differences exist within the versions of the GCOC), was due to the sequence of events during the initial ECI process, including no competitors or confirmation of any other

contractors being available to compete at the time the ECI commencing and the [redacted] ECI Agreement named to [redacted] to commence ECI services, being continually referenced as the Construction Services Panel. Although potentially possible to issue the same GCOC, the Project Team elected to continue with the contract that formed the basis of the ECI.

[redacted]

Although standard practice, the pricing will not be released to anyone conducting the Technical Evaluation and the Procurement Representative will not share the price (or any documents that reveal the price), or the Commercial Evaluation until after the first Technical Evaluation scoring is completed and uploaded in ibuy (to the satisfaction of the Chair, in regard to the level of content). If after careful review of the two submissions (including commercial risk provided in the Technical departures and any Commercial departures submitted), the Commercial Team feel there may be the presumption of unequal treatment and seeking the advice of the Probity Advisor or TEC Business Advisors on how to approach the risk, the following additional measures may be taken:

[redacted]

Table 3.3.1.2 – Criteria for Equalisation of Pricing

Criteria	Deduction per clarification
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]

[Redacted]	[Redacted]
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[Redacted]

[Redacted]

3.5 Negotiations / BAFO

Based on completion of the departures and clarifications and agreement that no further questions, clarifications or comments are required from the Tenderer, as determined by the Chair, with general or majority consensus from the TEC, both Tenderers will be requested to submit the Tenderers Best and Final Offer. This will be the Pricing that the Contractor is held to and is subject to Transgrid accepting or rejecting the BAFO. Once received a final Commercial Evaluation of the price will be concluded and the final evaluation scoring and discussion will take place, or if final evaluation occurs first, a review of the BAFO to confirm the BAFO does not impact any final decision to award indicated by the evaluation. [Redacted]

3.6 Key Dates

The target dates for the evaluation of RFT are provided at Appendix 1. These are the indicative key dates that will be met. Dates may be adjusted forward or backward dependent on the submission and the ability of the Evaluators to produce a robust evaluation, however, due to the time constraints of the submission to the Regulator Approvals Team, the completion date for evaluations must be the date specified in Appendix 1.

3.7 Exceptions and Changes

Any changes, additions, exceptions to this methodology can be requested by the TEC, acting with at least three members (which may include the Chair), and subject to approval by the Chair, as long as those changes are approved in ibuy as per the approvers to this document. Reasons for the change must be documented.

3.8 Award

Based on the evaluation and the BAFO, the Approval to Award paper will be prepared and/or finalised by the Procurement Representative and the Chair, with inputs from the TEC where required. The TEC will review the final draft for submission. The Approval to Award Document will be approved as per the Transgrid documented delegation authorities, and any other relevant stakeholders required. A DER will be required to be signed (authorisation for contract signing) before execution can occur.

4. Approvals

The following approvals for this TEP will be obtained in ibuy.

Role	Name	Position
Submitted by	██████████	Procurement Contractor
Endorsed by	██████████	Project Director
Reviewed by	██████████	Senior Manager Strategic Supply Chain Growth – Delivery
Approved by	██████████	GM of Delivery
Approved by	██████████	GM of Supply Chain

5. Attachments

The following attachments are provided for this document:

Attachment 1 – Tender Evaluation Indicative Timeframe

Attachment 2 – Transmission Line Evaluation Matrix

Attachment 3 – Substations Evaluation Matrix

Attachment 4 – Confidentiality Form and Conflict of Interest Form (Pro-Forma)