

**SPECIFICATION FOR
APPLICATION
TO THE
APPROVED GEOPROFESSIONAL LIST
FOR THE
ISSUE OF
PRODUCER STATEMENTS
RELATING TO
ROCKFALL PROTECTION
STRUCTURES**

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Approved by: Assets Manager, Assets & Networks Unit

PART 1 - CONDITIONS OF APPLICATION

1. INTRODUCTION

- 1.1. Christchurch City Council (**Council**) is maintaining a list of **Approved Geoprofessionals** to be available to members of the public and other organisations including Council.
- 1.2. The list of Approved Geoprofessionals is required by Part 4 of Council's Infrastructure Design Standard (**IDS**). This part relates to the design of Rockfall Protection Structures (**RPS**) to mitigate geotechnical risks and includes a Technical Guideline (the **Guideline**) for the construction of RPS. The purpose of Part 4 of the IDS and the Guideline is to provide a set of design and construction standards that must be adhered to. A copy of Part 4 of the IDS and the Guideline can be found on the CCC website.
- 1.3. The purpose of accreditation as an Approved Geoprofessional is to:
 - 1.3.1. provide confidence to members of the public, Council and other organisations appointing someone from the Approved Geoprofessional list that those on the list have experience in, and are competent in the design of RPS; and
 - 1.3.2. enable RPS designed by an Approved Geoprofessional, and peer reviewed and approved by a second Approved Geoprofessional, to be granted consent by Council without requiring Council to undertake independent investigation into the appropriateness of the proposed RPS.
- 1.4. The IDS requires all proposed RPS designs and subsequent constructed RPS to be accompanied by design related certifications that can only be completed by Approved Geoprofessionals. These include the provision of a:

Design and Construction Producer Statements

 - 1.4.1. Producer Statement PS1 (in the form set out as Appendix V of Part 4 of the IDS and Appendix I of the Guideline) relating to the design of RPS.
 - 1.4.2. Producer Statement PS4 (in the form set out as Appendix VIII of Part 4 of the IDS and Appendix IV of the Guideline) confirming the Approved Geoprofessional has monitored the construction of the RPS.

Peer Review Producer Statements

 - 1.4.3. Producer Statement PS2a (in the form set out as Appendix VI of Part 4 of the IDS and Appendix II of the Guideline) confirming the proposed RPS design has been peer reviewed and approved; and
 - 1.4.4. Producer Statement PS2b (in the form set out as Appendix VII of Part 4 of the IDS and Appendix III of the Guideline) which is required where the original proposed RPS design has been amended and this Producer Statement confirms that the amended RPS design has been peer reviewed and approved.

- 1.5. Applications should clearly demonstrate the applicant's:
 - 1.5.1. skills, experience and demonstrated capability in providing specialist advice relating to RPS;
 - 1.5.2. local knowledge and experience in undertaking geotechnical advisory roles and projects in the Port Hills and Banks Peninsula; and
 - 1.5.3. experience in delivering quality geotechnical advice for local authorities, other organisations and the general public.

2. ACCREDITATION

2.1. Individual accreditation

Accreditation shall be awarded to individuals only and not to commercial entities. A commercial entity can apply for accreditation of its personnel but each individual must meet the required criteria and only Approved Geoprofessionals within that organisation will be included on the Approved Geoprofessional list. Accreditation is not transferable and can be withdrawn by the Council as detailed in clause 2.4.

2.2. Duration of Accreditation

Accreditation must be renewed annually, with all applications for re-accreditation to be submitted at least three months before the expiry date of the Approved Geoprofessional accreditation. Renewal will require at a minimum:

- 2.2.1. Proof of a current relevant professional membership and qualification;
- 2.2.2. evidence of recent and relevant professional development;
- 2.2.3. Evidence of insurance certification and confirmation of how many (if any) claims have been made under the Approved Geoprofessional's insurance policy during the previous year (Part 3 – Insurance Confirmation form); and
- 2.2.4. A declaration that there are no material events that may affect the Council's decision to renew accreditation (Part 4 – Re-Accreditation form).

2.3. Duty to Notify

- 2.3.1. Approved Geoprofessionals must, during the period of certification, notify the Council of any material event which, in the Approved Geoprofessional's reasonable opinion, may affect their approval status. The Council will hold this information in confidence and will only use it for the purpose of evaluation of the accreditation status of any Approved Geoprofessional; and
- 2.3.2. Approved Geoprofessionals must, during the period of certification, notify the Council if they change employers, retire or resign.

2.4. Removal of a Geoprofessional from the Approved Geoprofessional List

Council reserves the right, at any time and at its sole discretion, to give warning, suspend or remove an Approved Geoprofessional from its approved list, for a reason such as:

- 2.4.1. suspension of charter registration (if a chartered engineer);
- 2.4.2. lapsing of membership of relevant professional bodies; or

- 2.4.3. lapsing of Professional Indemnity insurance; or
- 2.4.4. the issuing of a Professional Indemnity Claim against the Approved Geoprofessional and/or the company by which they are employed.

3. INSURANCE

- 3.1. All Approved Geoprofessional's (or the company they are employed by where applicable) shall maintain Professional Indemnity Insurance for an amount not less than \$5,000,000 per project.
- 3.2. Such insurance must be maintained, at the cost of the Approved Geoprofessional (or the company they are employed by where applicable), at all times while a member of the Approved Geoprofessional list.
- 3.3. Approved Geoprofessionals shall prior to the policy's expiry and whenever requested by Council, provide a copy of the renewal of the Certificate of Currency for the policy (a broker's certificate is not acceptable for this purpose).
- 3.4. Approved Geoprofessional's must immediately notify Council if:
 - 3.4.1. the insurance policy is cancelled;
 - 3.4.2. a claim notification is rejected; or
 - 3.4.3. a claim notification is accepted but then rejected.

4. EVALUATION

4.1. Evaluation of Application

- 4.1.1. The evaluation team shall consist of at least two Council staff members and two independent panellists. The independent panellists shall both have geotechnical experience and one shall also be a Chartered Professional Engineer (**Evaluation Team**).
- 4.1.2. The evaluation may include an in-person interview with the Evaluation Team.
- 4.1.3. The decision of the Evaluation Team will be final and there is no obligation on the Evaluation Team to provide any reasons for its decision.
- 4.1.4. Council reserves the right to reduce or expand the list of Approved Geoprofessionals at its discretion.
- 4.1.5. Council reserves the right, at its sole discretion, to either accept or decline any application.

4.2. Evaluation Criteria

Applications will be evaluated using the following attributes:

Non-Price

4.2.1. Relevant Experience/Track Record

Include details of at least two design projects that include RPS which have been completed in the last 10 years. This information should be provided in the form of curriculum vitae including details of relevant geotechnical projects, related responsibilities, references and referees.

4.2.2. **Formal Qualifications**

Include details of all formal qualifications that are relevant to the accreditation as an Approved Geoprofessional and:

- Proof of Registration as a Chartered Engineer under the Chartered Engineers Act of New Zealand 2002, working in the practice area of Geotechnical Engineering; and
- Proof of membership of the relevant professional organisations

4.2.3. **Technical Skills**

Include details of technical skills and experience to illustrate the applicant's experience and ability to provide the expertise required to design RPS to mitigate geotechnical risks.

4.2.4. **Insurances**

Provide evidence of ability to obtain Professional Indemnity Insurance of not less than \$5,000,000.

Price

- 4.2.5. Applicants must provide details of the proposed hourly rates to be charged. These should include details of any disbursements including but not limited to travel and administration time if these are not included in the proposed hourly rate.

Other

- 4.2.6. Council reserves the right to consider other relevant attributes at its sole discretion.
- 4.2.7. The weighting of criteria and the conduct of the evaluation for qualification will be at the Council's sole discretion.
- 4.2.8. Council reserves the right, to make enquiries regarding the applicant and to consider relevant information obtained from any source in the evaluation of the application. The applicant will cooperate with any evaluation and will arrange access to any third party information relied upon by the applicant.

4.3. **Evaluation Dates**

- 4.3.1. Applications received by the last day of the month preceding will be evaluated on 1 July of each year.

4.4. **Canvassing**

- 4.4.1. Any attempt made by an applicant to influence the outcome of the process by canvassing, lobbying or otherwise seeking support of any Council officers, elected representatives, Council employees, contractors, consultants or anyone who has a direct working relationship with Council shall be deemed valid grounds for exclusion from this process.

4.5. Communication of Outcome

4.5.1. All applicants who submit an Application will be notified in writing of the outcome of this Evaluation.

4.6. Confidentiality

4.6.1. Council will endeavour to treat information as confidential except to the extent where disclosure might be required by law (e.g., Official Information Act 1982). Should an Applicant not want specific information disclosed, they must request this treatment in their application and give their reasons. However non-disclosure by Council cannot always be assured.

4.6.2. These obligations of confidentiality are ongoing and will continue indefinitely.

4.7. Further Terms and Conditions

4.7.1. No legal or other obligations shall arise between the applicant and Council in relation to the conduct or outcome of this Evaluation unless and until that applicant has received written notification of the acceptance of its application.

4.7.2. Application does not confer on the applicant any rights or expectations that a contract or contracts will be awarded.

4.7.3. Council reserves the right to accept none or any of the Applicants at Council's sole discretion. Applicants will be advised in writing whether or not their submission has been accepted.

4.7.4. This Application specification is not intended as a technical specification. Council reserves the right to request additional information from applicants, and to enter into any other discussions or negotiations with any of the applicants.

4.7.5. Council reserves the right to omit work or to include other work not described.

4.7.6. No applicant shall at any time make any public statements in relation to this Application document, the evaluation process, or the project without the prior written consent of the Council.

4.7.7. Applicants should include in their application all relevant information that will assist Council to evaluate the application. Council will rely on information provided by, or on behalf of, an applicant at all stages of the project. Information should therefore be complete and accurate.

4.7.8. Failure to provide comprehensive and accurate information that is essential for the evaluation of the applicant's qualifications, or to provide timely clarification or substantiation of the information supplied, may result in disqualification of the applicant at Council's discretion.

4.7.9. Applicants shall be deemed to have:

- Carefully examined this Application, all associated documents and any other material made available in writing by Council to applicants for the purpose of applying, and

- Made their own interpretation deductions and conclusions as to the difficulties and costs of complying with all of the obligations of this Application.

4.7.10. Council shall not be obliged to accept any Application, nor to acquire any of the services included in any Application, nor to discuss the reasons why any Application was accepted or rejected.

5. APPLICATION DOCUMENTATION

5.1. Submission

5.1.1. Applications shall include the following information:

- A completed and signed Application Form (Part 2)
- Any supporting information
- A Completed Insurance Confirmation Form (Part 3)
- A \$1000.00 non-refundable application fee.

5.1.2. The Application shall be enclosed in a single envelope clearly identified as an “Application for Inclusion on the Approved Geoprofessional List - *Individual Engineers Name*” and posted to:

Infrastructure Standards Manager
Capital Programme Group
Christchurch City Council
PO Box 73-011
Christchurch

5.1.3. The cost of preparing and submitting an Application shall be borne by the applicant.

5.1.4. The applicant warrants:

- All information provided by the applicant is complete and accurate in all material respects; and
- The provision of information to the Council, and use of it by the Council, will not breach any third party intellectual property rights.

5.2. Application Questions

5.2.1. All questions shall be submitted by email to The Council’s Infrastructure Standards Manager.

5.2.2. The Council’s Infrastructure Standards Manager is the only person authorised to make representations or provide explanations regarding this Application document. Council will not be bound by any statement, written or verbal made by any person.

6. LIABILITY AND RIGHTS RESERVED

- 6.1. Council will not be liable in contract or tort or any other way for any direct or indirect damage, loss or cost (including legal costs and application preparation costs) to any applicant or other person in relation to this Application process.
- 6.2. The Council reserves the right to, at any time:
 - 6.2.1. Change any date, time, timeframe in, or any other aspect of, this Application process;
 - 6.2.2. Apply, or change, and give whatever weight it wishes to any policy or criteria relating to participation in this Application process;
 - 6.2.3. Exclude any person from this Application process;
 - 6.2.4. Delete or change its requirements for any goods or service covered by this Application process;
 - 6.2.5. Negotiate with any party;
 - 6.2.6. Suspend or cancel this Application by notice;
 - 6.2.7. Not give any reason for any rejection of any applicant or, for any suspension or cancellation of this Application;
 - 6.2.8. Restrict the supply of, or access to, any of Council's personnel, information or property; and
 - 6.2.9. Consider any alternative Application.

PART 2 - APPLICATION FORM

APPLICATION FOR: CCC Accreditation as an Approved Geoprofessional

Council invites suitably qualified and experienced Geoprofessionals to respond to this Application for accreditation as an Approved Geoprofessional. This Application is part of a process for the selection and appointment of Approved Geoprofessionals to provide geotechnical engineering services associated with Rockfall Protection Structures to the Council and / or the general public.

Name of Geoprofessional applying for accreditation		
Contact Details		
Business Name (Full Legal Name):		
Trading Name:		
Physical/postal address		
Application Primary Contact (Name and Title):		
Email (Application Contact):		
Telephone Numbers:		
Mobile Phone Number:		
Fax Number:		
Company Information		
Please indicate ownership of your company:	New Zealand %	Foreign %
Name of Parent Company/Investors (if applicable):		
Location of Corporate Head Office:		
List of any subsidiaries/Joint Ventures:		
Any actual or proposed changes in the ownership or control of the Prospective Supplier that would have a material effect upon who the Council will be dealing with:		

Applicant Information (Individual not Company)	
Curriculum vitae including individuals experience in the industry, number of years in practice and a summary of the clients for whom they have provided services specific to RPS (please provide at least 2 references specific to RPS, and 2 Referees)	
Description of services provided	
The extent of the Geoprofessional's commercial activity	
Proposed hourly billing rate (NZD excluding GST) Details of any disbursements excluded from the hourly rate	
Proof of Registration as a Chartered Engineer under the Chartered Engineers Act of New Zealand 2002, working in the practice area of Geotechnical Engineering	
Proof of Membership of Professional Organisation	
Proof of current Professional Indemnity Insurance and completion of Insurance Confirmation Form (Part 4)	

I the undersigned confirm that the attached information is true and factual. I confirm that I am the authorised signatory for this matter.

I understand that no legal or other obligations shall arise between the applicant and Council in relation to the conduct or outcome of the Application process unless and until the applicant has received written notification to this effect from Council.

Authorised Signatory: _____

Name of Signatory: _____

Position: _____

Date: _____

PART 3 - INSURANCE CONFIRMATION FORM

APPLICATION FOR: CCC Accreditation as an Approved Geoprofessional

To be submitted with Application.

FROM: _____
(Name of Geoprofessional/company)

We confirm that at the time of application this Geoprofessional/company holds the following insurances:

- (a) Public Liability Insurance in an amount of not less than \$5,000,000 per project
- (b) Professional Indemnity Insurance in an amount of not less than \$5,000,000 per project and no claim has been made on the insurance which could limit the amount of cover available.

We attach an Insurance Certificate from our Insurer (or Insurance Broking Company) confirming cover in the amounts stated above.

I the undersigned confirm that the above information is true and factual. I confirm that I am the authorised signatory for this matter.

Authorised Signatory _____

Name and Company Position _____

Date _____

PART 4 – RE-ACCREDITATION FORM

APPLICATION FOR: CCC Approved Geoprofessional Re-Accreditation

Accreditation must be renewed annually. This Application is part of a process confirming on-going approval of appointment as Approved Geoprofessionals to provide geotechnical engineering services associated with Rockfall Protection Structures to the Council and / or the general public.

Name of Geoprofessional applying for re-accreditation	
Contact Details	
Business Name (Full Legal Name):	
Trading Name:	
Physical/postal address	
Application Primary Contact (Name and Title):	
Email (Application Contact):	
Telephone Numbers:	
Mobile Phone Number:	
Changes to Company Information	
Any actual or proposed changes in the ownership or control of the Prospective Supplier that would have a material effect upon who the Council will be dealing with:	

Applicant Information (Individual not Company)	
Changes to applicant information, from original application	
Proposed hourly billing rate (NZD excluding GST) Details of any disbursements excluded from the hourly rate	
Proof of Registration as a Chartered Engineer under the Chartered Engineers Act of New Zealand 2002, working in the practice area of Geotechnical Engineering	
Proof of Continuing Professional Development	
Proof of Membership of Professional Organisation	
Proof of current Professional Indemnity Insurance and completion of Insurance Confirmation Form (Part 4)	

I the undersigned confirm that the attached information is true and factual. I confirm that I am the authorised signatory for this matter.

I understand that no legal or other obligations shall arise between the applicant and Council in relation to the conduct or outcome of the Application process unless and until the applicant has received written notification to this effect from Council.

I confirm that there are no material events that may affect the Council's decision to renew accreditation.

Authorised Signatory: _____

Name of Signatory: _____

Position: _____

Date: _____