



NEW ECB PREMISES PROJECT OFFICE

CONFIDENTIAL

To: NEP-PRC members, [REDACTED]
From: NEP Project Office: [REDACTED]
Cc: [REDACTED]
Date: 04 August 2009 – FINAL
Subject: NEW ECB PREMISES: T109 CONSTRUCTION MANAGER – RECOMMENDATION FOR CONTRACT AWARD

This cover memo provides verification of the Evaluation Report - Proposal for Award of Contract dated 31 July 2009, summarises the evaluation results following the second negotiation with the Bidder [REDACTED] (Henceforth referred to as [REDACTED] and makes a proposal for contract award.

Introduction

When drawing up the original scope of works for the Construction Manager, Drees and Sommer advised that they held a financial interest in one potential bidder, namely the company [REDACTED]

The issue of potential conflict of interest was discussed in PRC 113 and decided that, although a conflict of interest does not exist, that the evaluation of the application and offer should be carried out by the NEP-PO /CPO. This memo therefore supplements the Proposal for Award report prepared by the evaluation team including Drees & Sommer which only considers the other 7 bidders up to the stage of the 1st negotiations with the 3 best ranked bidders.

Results Evaluation of G2 offer¹

The results of the various stages of the evaluation are summarised in the table below. An explanation follows the table.

PRC	Date	Status	Commercial Offer 60%	Technical Offer 35%	Contractual Terms 5%	Overall	Rank	Comments
129a	29/06/09	Following First Negotiation	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	2	Price reduced, Contract accepted without restrictions
133a	24/07/09	Following Second Negotiation	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	1	Recalculated without JSK.

¹ The history of the Evaluation for [REDACTED] included in Memo PRC/2009/254

2nd Negotiation

Following the 2nd Negotiation on 21 July 2009, a further revised offer dated 21 July 2009 was submitted on 22 July 2009. The evaluation remains unchanged, but the following points have been clarified:

Commercial offer – the lump sum price offered has been broken down as per the price matrix to serve as the basis for a payment schedule. The hourly rates to be used in the case of unforeseen duties have been further reduced and are now comparable with the remaining bidders¹. – Evaluation remains unchanged.

Technical Offer – [REDACTED] who was not present at the 1st negotiation could demonstrate her competence in the fields of Drawing Management and Checking of Drawings. The availability of the proposed team was confirmed and further details of the team for the set-up phase provided – unchanged.

Contract Terms – in addition to the acceptance of all contract terms, the issues regarding the provision of a warranty and that the fee includes for a 10% time overrun have now been specifically confirmed – evaluation remains unchanged.

In the offer dated 21 July 2009, [REDACTED] confirmed the shareholder structure with regard to Drees and Sommer and that Drees and Sommer have a purely financial shareholding without management influence regarding operational issues. [REDACTED]

Contract Preparation

In the 134 PRC the recommendation to hold further negotiations with [REDACTED] only was accepted and it was decided to proceed with the contract preparation with [REDACTED]. In the Contract Preparation Meeting held on 30.07.2009, [REDACTED] provided all the required information and confirmed again complete agreement to both the contract terms and all annexes. The scoring therefore remains unchanged.

Re-evaluation 31 July 2009

In view of the probable exclusion of the Bidder JSK, the evaluation has been recalculated [REDACTED] having the lowest remaining commercial offer, are now awarded [REDACTED] and the other offers recalculated based on this as a benchmark². The evaluation is illustrated in the graphs included in the document NEP-PRC/2009/277.

The evaluation of the technical offer regarding the project leader and deputy was confirmed by means of telephone conversations to persons involved in the reference projects. The detailed evaluation results are included in the Metric Table³.

¹ The comparison of the hourly rates is illustrated in the document NEP-PRC/2009/255.

² The evaluation is illustrated in the graphs included in the document NEP-PRC/2009/277.

³ Metric table, Status 31 July 2009.

█ are now first ranked with a score of █ out of a possible 10000 points.

Otherwise, the evaluation results remain unchanged. The evaluation of the remaining 7 offers, as reflected in the Proposal for Award and supporting documents, is confirmed.

Recommendation for Contract Award

As stated on the Evaluation Report - Proposal for Award of Contract dated 31 July 2009 the evaluation team recommends the exclusion of JSK – see also the report “Entscheidungsvorlage – Angebot JSK”.

The recommendation made in the above report under point 6 to enter into further negotiations with the █ was made without knowledge of the evaluation results for █

Following the second round of negotiations and the meeting on contract preparation, █ have been evaluated with a score of █ points. As this is █ points above the score achieved by █ (ranked 2nd), also with a commercial offer well within the budget, the NEP PO experts within the Evaluation Team recommend awarding the contract to █ All relevant contractual items and annexes have been clarified and no further negotiations with █ are considered necessary. Further negotiations with █ and █ are unlikely to substantially affect the evaluation result. While █ price is almost equivalent to the one offered by █ its quality is substantially lower and it is unlikely that █ can exchange its project leader and deputy on short notice in order to increase its pertinent score. █ has offered a rather high price and only reduced it very slightly. The price is a result of █ service concept, relying on a high number of staff working on site. It is unlikely that █ will change its service concept fundamentally.

Annexes:

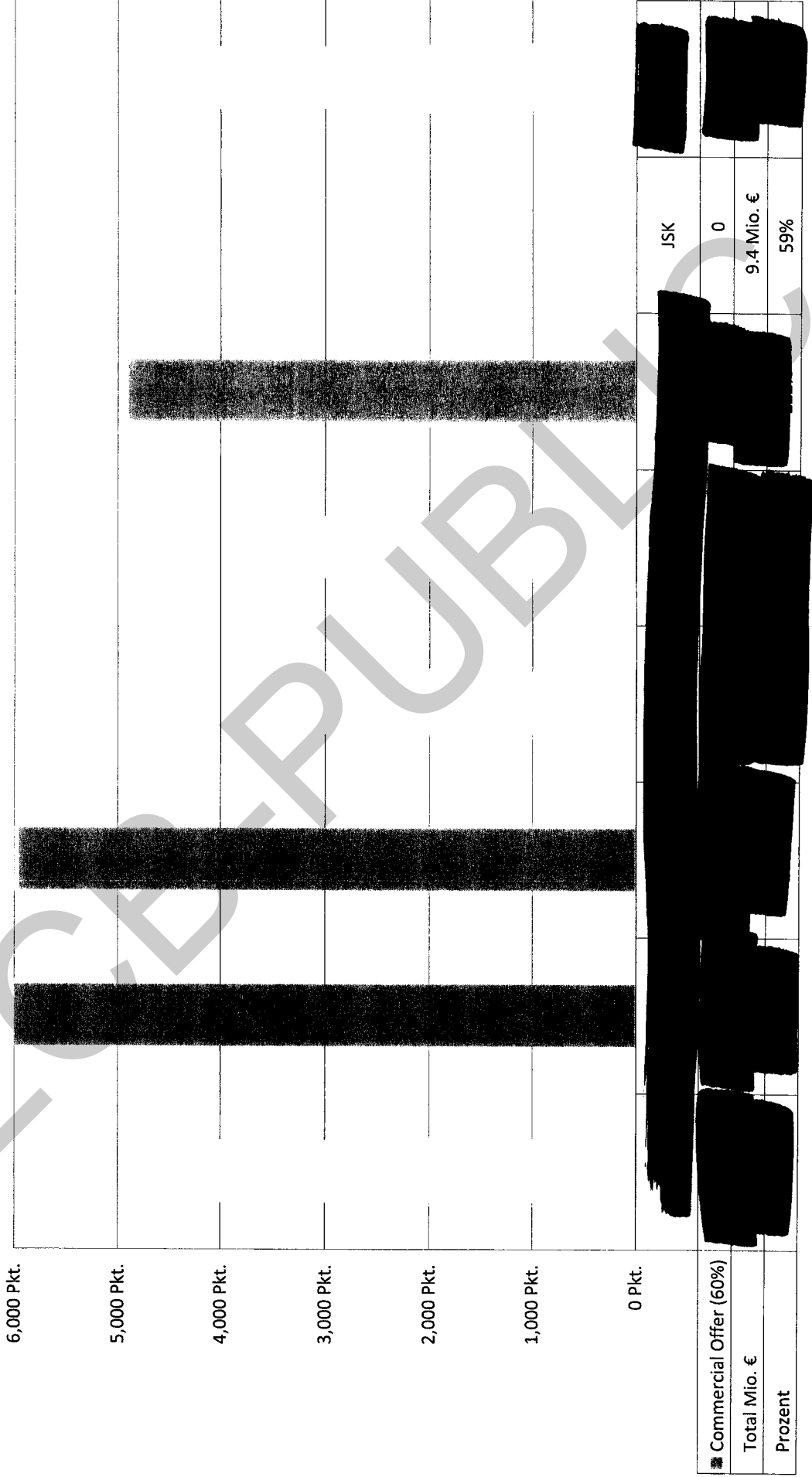
1. Chart Evaluation status Final 31 July 2009 (NEP-PRC/2009/277)
2. Metric Table status Final 31 July 2009 (NEP-PRC/2009/278)

Company 1:	[Redacted]
Company 2:	[Redacted]
Company 3:	[Redacted]
Company 4:	[Redacted]
Company 5:	[Redacted]
Company 6:	[Redacted]
Company 7:	[Redacted]
Company 8:	[Redacted]

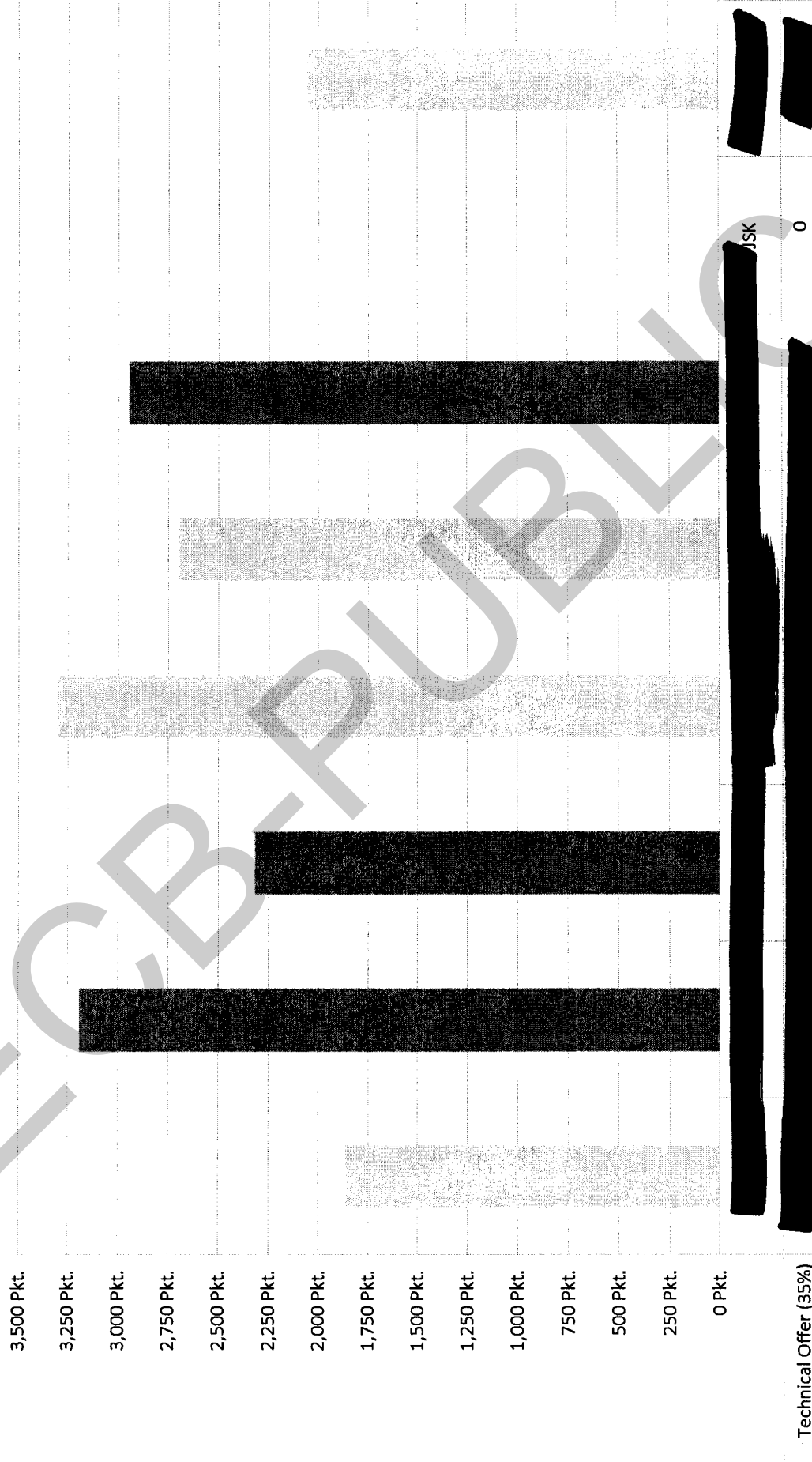
[Redacted] invited to 1st negotiation meeting
 [Redacted] invited to 2nd clarification meeting

- 0 points - "no response"
- 1 point - "poor"
- 2 points - "sufficient"
- 3 points - "good"
- 4 points - "very good"

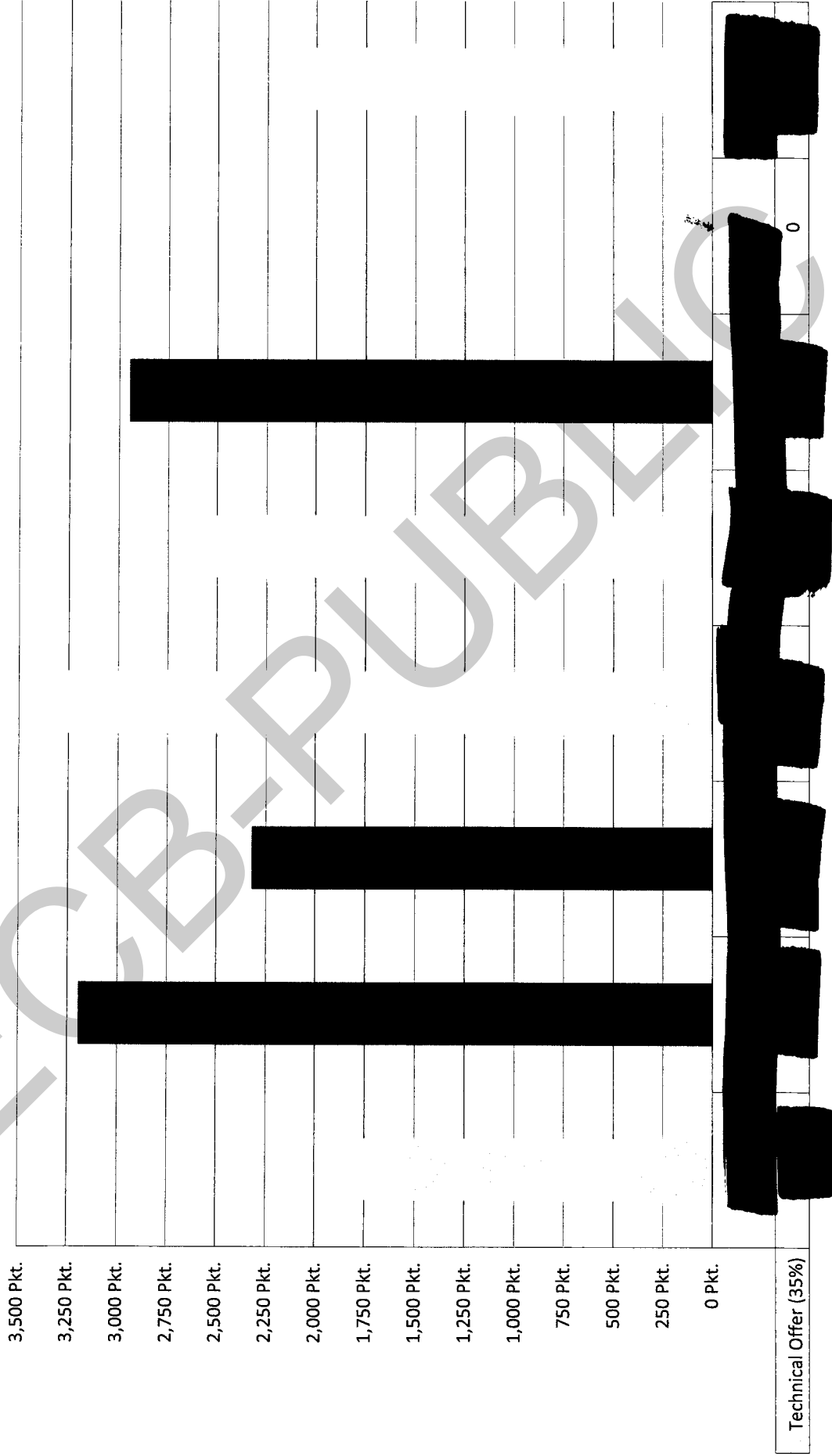
Compilation Chart - Commercial Offer (60%)



Compilation Chart - Technical Offer (35%)



Compilation Chart - Technical Offer (35%)

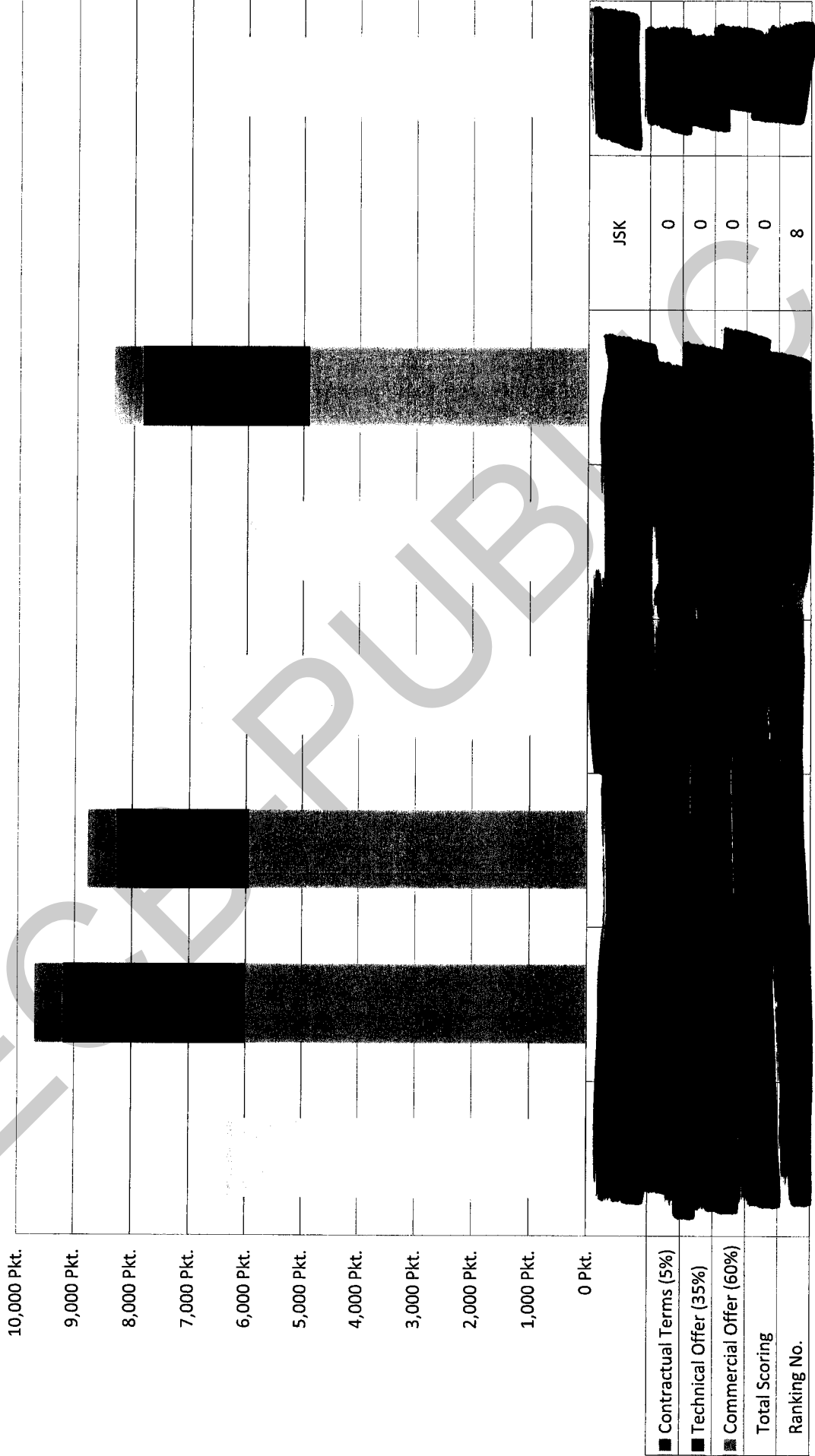


Compilation Chart - Contractual Terms (5%)



New ECB Premises
 T109 Construction Manager - Evaluation Offers
 Status: 31 July 2009 FINAL

Compilation Chart - Total



Ranking (0-5)	Company	Contract Value (M\$)	Contract Duration (Mths)	Availability (Points)	Cost (M\$)
6	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
				0	0
5	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED] invited to 1st negotiation meeting
 [REDACTED] invited to 2nd clarification meeting

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	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting
1. Financial Terms	6000											
2.1.1.a) Professional experience in executed reference projects		980	245									
		1225	245	61.25								
2.1.1.b) Allocation of tasks in NEP project/ responsibilities and competences		2450										
2.1.2.a) Professional experience in executed reference projects		980	245									
		1225	245	61.25								
2.1.2.b) Allocation of tasks in NEP project/ responsibilities and competences	3500											
2.2.a) Adequate man power		700	70									
2.2.b) Effective team structure		420	105									
2.3.a) Detailed service concept		350	87.5									
3. Contractual Terms	500											

	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting	Weighting	Sub-Weighting
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higher score
lower score