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Selecting a contractor

Getting the right contractor to construct the design is a critical step in the process. A skilled contractor will be required for any project that involves moving earth, constructing walls, paving or operating heavy machinery. Expertise is required for good planting. Sub-contractors may also be needed to install specialist items such as play equipment or surfaces.

The council's procurement team will assist with the process of selecting a contractor, or the design team can suggest an appropriate method and evaluate contractors to develop a shortlist. Always consider the contractor's attributes, including their track record, relevant experience, method of construction and resources. Then look at the price they have submitted and any conditions attached. The project sponsor will need to be assured that the preferred contractor possesses the right attributes to deliver the project on time, to budget and quality requirements.

Once a preferred contractor is selected, an Engineer to the Contract (project manager) will negotiate the terms of the contract with the Contractor. Once the conditions are agreed and a Contractor is appointed, the Principal (project sponsor) will agree a start and end date and sign the contract with the Contractor. The contractual agreement will be between the Principal and the Contractor. Please refer to NZ Standard 3910:2003 which sets out best practice for construction contracts.

The project manager or Engineer to the Contract should deliver the following:

- advise on suitable contractors and draw up a tender list
- publicly tender the works or invite contractors from a shortlist of preferred suppliers
- analyse and evaluate tenders, and advise on selection based on all the criteria
- prepare the contract and arrange for it to be signed by the Principal and the Contractor
- ensure all information is in place for works to start on time

The project sponsor should be aware of their obligations under the Health and Safety Act. These cover the on-site health and safety responsibilities of the Principal and Contractor. The Engineer to the Contract can advise if these apply and a risk assessment should be completed during construction.