

**ITEM 12. TENDER - CIVIL AND INFRASTRUCTURE WORKS**

**FILE NO: S066544**

**TENDER NO: 0848**

**SUMMARY**

The City engages contractors, as required, to perform civil infrastructure works, including the following activities:

- paving;
- footpath construction, restoration and maintenance;
- road construction, restoration and maintenance;
- joint sealing;
- paver sealing;
- driveway construction;
- kerb & gutter construction and maintenance;
- drainage works; and
- restoration of heritage fencing and associated assets.

A Request for Tender was issued in November 2008, inviting submissions for appointment to a contractors' panel in one or more of the above areas.

Twenty-eight (28) submissions were received and evaluated in accordance with the approved Tender Evaluation Plan, with ten (10) tenders recommended for approval.

**RECOMMENDATION**

It is resolved that:

- (A) Council accept the tender offers of Tenderers 'C, F, G, K, N, R, U, X, Y' and 'AA' for the provision of City infrastructure works for a period of two (2) years with an option to extend annually for a further two years, subject to satisfactory performance; and
- (B) Tender Evaluation Summary, Attachment A to the subject report, remain confidential in accordance with Section 10A (2) (d) of the Local Government Act 1993.

**ATTACHMENTS**

**Attachment A:** Tender Evaluation Summary (Confidential)

**BACKGROUND**

1. The City utilises both internal and contract resources to construct and maintain its infrastructure assets. This tender is to appoint suitable contractors to one or more of nine panels which will be utilised to undertake appropriate infrastructure works.
2. Approved contractors are required to have relevant experience, and be capable of delivering a high standard of work to set time constraints, often outside normal working hours. Selection is based on a schedule of rates and other weighted assessment criteria defined within the Tender Evaluation Plan. Tenderers were invited to submit prices for one or more of the nominated Principal Activities.
3. The Principal Activities are:
  - (a) paving;
  - (b) joint sealing;
  - (c) paver sealing;
  - (d) footpath construction, restoration and maintenance;
  - (e) road construction, restoration and maintenance;
  - (f) driveway construction;
  - (g) kerb & gutter construction and maintenance;
  - (h) drainage works; and
  - (i) restoration of heritage fencing and associated assets.
4. Allocation of work under the contract will be in accordance with the City's Contract Management Guidelines and subject to the availability of the successful Tenderers.
5. The City does not guarantee any minimum quantity of work to a particular Service Provider.
6. The contract for the current Service Providers expired at the end of the August 2008, after a three year period, and has been extended on a month to month basis, pending the awarding of the new contract.

**INVITATION TO TENDER**

7. Tenders were called in accordance with the Local Government Act and Tendering Regulations.
8. The tender was advertised in The Sydney Morning Herald and The Daily Telegraph on Tuesday 18 November 2008.
9. Tenderers were requested to submit a number of forms, organisational information and schedules, including a comprehensive schedule of rates that reflected the tasks required to deliver projects within each Principal Activity for the City.

**TENDER SUBMISSIONS**

10. Twenty Eight (28) submissions were received from the following organisations:

- Ally Property Services Pty Ltd
- Anzellotti Constructions Pty Ltd
- Asphalt Laying Services Pty Ltd
- Bernipave Pty Ltd
- Bilfinger Berger Services (Australia) Pty Ltd
- Boss Civil Pty Ltd
- Byrne Civil Engineering Constructions Pty Ltd
- C W Concrete Pty Ltd
- Citywide Service Solutions Pty Ltd
- Civil Constructions Pty Ltd
- Ford Civil Contracting Pty Ltd
- Kelbon Project Services Pty Ltd
- Kingston Civil Constructions
- Mayale N.S.W Pty Ltd
- Metropolitan Restorations Pty Ltd
- Northern Group Pty Ltd
- Ozpave (Australia) Pty Ltd
- Platinum Civil Pty Ltd
- Roadworx Civil Pty Ltd
- Sam the Paving Man Pty Ltd
- Stone Mason and Artist Pty Ltd
- Streetscapes Projects (Australia ) Pty Ltd
- The Sydney Brick Paving Company Pty Ltd
- Sydney Civil Pty Ltd
- Sydney Harbour Paving
- T & S Roadworks Pty Ltd
- Techni-Clean Australia Pty Ltd
- Tropic Asphalt Pty Ltd

11. No late tenders were received.

**TENDER EVALUATION**

12. The aim of the Tender Evaluation Process is to assess the capability of each tenderer to deliver the best value and quality service for a particular Principal Activity, and to establish a Civil Infrastructure Works Panel of preferred contractors for each of the nine (9) Principal Activities.

13. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

14. All submissions were assessed in accordance with the approved evaluation criteria, being:
- (a) tendered price;
  - (b) key personnel;
  - (c) plant and equipment;
  - (d) subcontractors and suppliers;
  - (e) demonstrated experience in works of a similar nature;
  - (f) quality assurance and environment management systems;
  - (g) pedestrian and traffic management plan;
  - (h) references;
  - (i) environmental management and quality assurance systems;
  - (j) Occupational Health and Safety system; and
  - (k) financial and commercial trading Integrity/Insurances.
15. To enable comparison between submissions, an analysis of all tendered schedule of rates was undertaken for each Principal Activity.
16. The principle requirements of the Civil and Infrastructure Works Contract are:
- (a) provision of works to the City's infrastructure in accordance with the Protection of the Environment Operations Act 1997;
  - (b) provision of works for the City in accordance with the Occupational Health and Safety Act 2000;
  - (c) provision of works and services in accordance with all relevant City standards and requirements; and
  - (d) provision of professional construction and maintenance services with consideration of all stakeholder requirements.
17. The relative ranking of tenders was determined from the total weighted score. Tenderers 'C, F, G, K, N, R, U, X, Y and AA' demonstrated the clearest appreciation for various Principal Activities with experience on similar works and commitment in proving sufficient resources to meet the required outcomes (see Attachment A).

## **PERFORMANCE MEASUREMENT**

18. The City will ensure that all Service Providers meet the required performance standards by:

- (a) complying with the scope of work, which clearly states the level of service required by the City;
  - (b) monitoring the works undertaken by the Service Providers to ensure the technical standards specified in the Contract are met; and
  - (c) completing all work instructions within the allocated timeframe, in accordance with the General Conditions of Contract AS4000.
19. Service Providers on the Civil Infrastructure Works Panel will have their performance assessed against the following key performance indicators (KPIs).
- (a) community engagement;
  - (b) compliance with specifications and standard of work;
  - (c) contract administration;
  - (d) OH&S performance;
  - (e) environmental performance; and
  - (f) traffic management.
20. Unsatisfactory performance may result in exclusion of an individual Service Provider from the panel.

#### **FINANCIAL IMPLICATIONS**

21. The civil and infrastructure works under the contract will be funded by capital and operational budgets. The quantity of work awarded each year is subject to approved work programs and the maintenance activities required to achieve desired service levels for the City's infrastructure.
22. While panels will be managed by the City Infrastructure and Traffic Operations Unit, the contractors may also be utilised occasionally by other Divisions where the need arises.

#### **RELEVANT LEGISLATION**

23. The tendering and evaluation processes have been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and the City's Contracts Policy.
24. Information provided by Tenderers, which is commercial-in-confidence, has been protected and will not be disclosed in accordance with section 10A(2)(d) of the Local Government Act 1993. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

#### **PUBLIC CONSULTATION**

25. No public consultation is required; however, the civil and infrastructure works will include:

- (a) appropriate site management, site signage, preparation and implementation of traffic management plans, in accordance with the job specific specifications; and
- (b) residents' notification will be provided if properties are affected by the construction work.

**GARRY HARDING**

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