

## Addendum Report

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### REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE DIRECTOR ENGINEERING

a29 [E-CM] EOI-RFO2017082 Expressions of Interest (EOI) For Road Flood Damage Restoration Contractors

SUBMITTED BY: Infrastructure Delivery

Valid

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People, places and moving around  
*Who we are and how we live*

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 People, places and moving around
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

ROLE: **Provider**

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### SUMMARY OF REPORT:

Request for Offer EOI-RFO2017082 Expressions of Interest (EOI) for Road Flood Damage Restoration Contractors was called to seek interest of suitably qualified and experienced contractors to form a Panel of Providers that can undertake road, bridge and culvert repairs of assets damaged during the March 2017 flood event on the Tweed River following Tropical Cyclone Debbie.

At the time of closing 16 Offers were received.

The evaluation of the offers against the Selection Criteria is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENTS 1 and 2**. The recommendations are based on the evaluation.

### RECOMMENDATION:

**That, in respect to Contract EOI-RFO2017082 Expressions of Interest (EOI) for Road Flood Damage Restoration Contractors:**

1. Council awards the contract as a Panel of Providers arrangement to the following companies:

## Addendum Report

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<b>Bidder</b>	<b>ABN</b>	<b>Offered Amount</b>
<b>Civil Mining &amp; Construction Pty Ltd</b>	<b>18 102 557 175</b>	<b>Not Applicable</b>
<b>Coastal Works</b>	<b>79 126 214 487</b>	<b>Not Applicable</b>
<b>G &amp; R Brown &amp; Sons Pty Ltd</b>	<b>33 154 911 609</b>	<b>Not Applicable</b>
<b>Hazell Bros Group Pty Ltd</b>	<b>46 145 228 986</b>	<b>Not Applicable</b>
<b>SEE Civil Pty Ltd</b>	<b>88 115 963 427</b>	<b>Not Applicable</b>
<b>Skeen Constructions</b>	<b>42 122 970 978</b>	<b>Not Applicable</b>

2. Council gives no Guarantee to any amount of works under this Panel of Providers contract agreement.
3. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.
4. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret.

## Addendum Report

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### REPORT:

#### Offer Background

Offer EOI-RFO2017082 Expressions of Interest (EOI) for Road Flood Damage Restoration Contractors was called to seek interest of suitably qualified and experienced contractors to form a panel of providers that will undertake road, bridge and culvert repairs of assets damaged during the March 2017 flood event on the Tweed River following Cyclone Debbie.

In the weeks following Cyclone Debbie and the March 2017 flood of the Tweed River, 1514 damage items were identified that require repairs to return Council's road and bridge network to its pre-flood condition. Preliminary estimates predict the repair bill for these assets to be \$23.5M, to be completed on top of the usual program of works. Additional external resourcing is therefore required for Council to achieve the additional flood restoration works, and for Council to be able to maximise the available NDRRA funding for those works.

Works to be performed by this panel of providers includes:

- Abutment damage of bridge including scoured rock armouring, loss of timber sheeting, scouring around piles
  - Causeway buried under soil or debris
  - Causeway support scoured or undermined
  - Causeway surface damage including concrete surface cracked / broken sections
  - Culvert blocked by silts, vegetation or other washed debris
  - Culvert pipe or headwall damaged
  - Culvert washout or displacement within road
  - Debris washed against bridge in watercourse or on deck/barriers/kerbs
  - Embankment or formation damage including bottom side slips
  - Bridge embankment damage including scoured wingwall batters
  - Traffic guardrail damaged requiring replacement or repairs
  - Guide posts or delineator markers damaged or lost
  - Kerb and gutter damaged including washed away, displaced, or broken
  - Scour damage to infill area between K&G and road cutting or verge
  - Land slip / rock fall in roadside corridor (but not onto road or drainage - refer Land Slip on Roadway for this)
  - Land slip / rock fall onto road or in table drain area, including top side slips & fallen rocks
  - Pavement failure of sealed road as a result of saturation by inundation
  - Damage to formation & pavement of sealed road including scouring & washouts of sections (excludes slips or surface damages or pavement failures)
  - Silt, shingle and other deposits on roadway (excludes top side slip removals)
  - Damage to wearing surface seal including delaminations, cracking, erosion
  - Shoulder failures including scouring, washouts, subsidence outside travel lanes

## Addendum Report

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- Table drain scour or other damage requiring restoration
- Table drain silted up or blocked by debris
- Trees on roadway
- Damage to formation of unsealed road including washouts of sections (excludes slips or surface damages)

These works are typically minor to medium in nature and exclude major works, works of a complex technical nature, works of a specialised nature or works already completed.

It is expected that between 800 and 1000 individual damage items will be bundled into various works packages and completed by this panel of providers during a 6 to 9 month period. The panel of providers will remain available for a period of 18 months. The damage items have been identified and categorised into various damage types, and recorded on a database.

The restoration of this damage exceeds the capacity of Council's staff and consequently Council is seeking to engage suitable contractors to carry out these works.

### Request for Offer Advertising

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Request for Offers was advertised from Tuesday 13 June 2017 in The Sydney Morning Herald. The Offer was also advertised in the Gold Coast Bulletin, the Tweed Link and on Council's website.

Offer submissions closed at 4.00pm (local time) on 5 July 2017 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### Offer Addendums

There were no Notice to Bidders issued before close of Offer.

### Offer Submissions

At the closing time for Offer Submissions, the Tender Box was opened and 16 Offers were recorded as below:

<b>Bidder</b>	<b>ABN</b>
A & N EARTHWORX	49 774 194 492
Civil Mining & Construction Pty Ltd	18 102 557 175
CivilTeam Engineering Group	18 169 503 708
Coastal Works	79 126 214 487
Concrib	40 010 401 484
East Coast Asphalt & Concrete Edging Pty Ltd	51 755 877 285
G & R Brown & Sons Pty Ltd	33 154 911 609
Hardings Earthmoving	69 045 752 491
Hazell Bros Group Pty Ltd	46 145 228 986
JD & LF REEVE	84 141 043 018
Keegan Civil Pty Ltd	13 931 316 921
Mcnamara and Tierney Pty Ltd	37 082 625 170

## Addendum Report

<b>Bidder</b>	<b>ABN</b>
Rugendyke & Bashforth Contracting Pty Ltd	87 166 323 995
SEE Civil Pty Ltd	88 115 963 427
Skeen Constructions	42 122 970 978
Stabilised Pavements of Australia Pty Ltd	90 002 900 736

### Offer Evaluation

An Offer Evaluation Plan was developed based on the premise that competitive Offers were to be received and scored against specific evaluation criteria in order to select the most appropriate companies to request pricing offers for various works packages.

Council's Offer Evaluation Panel was made up as follows:

<b>Position</b>
Nigel Dobson – Senior Engineer Construction
Tim Mackney – Manager Infrastructure Delivery
Steve Paff – Senior Engineer Assets and Maintenance

Being an offer to form a panel of providers, the standard evaluation criteria were not used. Instead, Offers were evaluated based on the criteria noted in the table below.

<b>Criterion</b>	<b>Document Reference</b>	<b>Weighting (%)</b>
Assessed Offer Price schedules	Assess at pricing of Work Packages	0 %
Relevant Experience and Capability	Schedules C & D(part)	35 %
Management Systems (WH&S, Quality and Environmental)	Schedule B	30 %
Availability	Schedule D(part)	35 %
Local Content	Assess at pricing of Work Packages	0 %
	Total	100 %

The details of the non-price evaluation are shown on the Offer Evaluation Report and Offer Evaluation Scoring Sheet. A copy of the Offer Evaluation Report and Offer Evaluation Scoring Sheet are included as ATTACHMENTS 1 and 2 which are CONFIDENTIAL in accordance with Section 10A(2):

- (d) commercial information of a confidential nature that would, if disclosed:
- (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret

The information identifies the Bidder in relation to the Offer evaluation of the products offered by the Bidder. If disclosed, the information would be likely to prejudice the commercial position of the Bidder in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Offer.

## Addendum Report

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**Council gives no Guarantee to any amount of works under this Contract** so panel members may not get any work at all if their pricing is not competitive.

Once the panel has been approved, Council staff will develop packages of works and approach panel members to submit pricing to carry out the works. The non-price evaluation scores used in this assessment will be carried forward into the price evaluation (and local content if applicable). All work packages will be reported to Council before contracts are entered into with any of the panel members.

### OPTIONS:

That Council:

1. Awards the contract as a Panel of Providers arrangement to the following companies:

<b>Bidder</b>	<b>ABN</b>	<b>Offered Amount</b>
Civil Mining & Construction Pty Ltd	18 102 557 175	Not Applicable
Coastal Works	79 126 214 487	Not Applicable
G & R Brown & Sons Pty Ltd	33 154 911 609	Not Applicable
Hazell Bros Group Pty Ltd	46 145 228 986	Not Applicable
SEE Civil Pty Ltd	88 115 963 427	Not Applicable
Skeen Constructions	42 122 970 978	Not Applicable

2. Awards the Contract to a different Bidder(s), including reasons for this course of action.
3. Declines to accept any of the Offers, including reasons for this course of action.

### CONCLUSION:

It is recommended that 6 bidders for EOI-RFO2017082 are accepted as a Panel of Providers arrangement for a 18 month period (commencing on the date of the Letter of Acceptance issued by Council).

### COUNCIL IMPLICATIONS:

#### a. Policy:

The Offer invitation and evaluation have been conducted in accordance with the provisions of:

- The Local Government Act 1993 and the NSW Local Government (General) Regulation 2005.
- Council's Procurement Policy.

#### b. Budget/Long Term Financial Plan:

The estimated damage to Council infrastructure and the level of funding to be received through NDRRA will not be known or finalised in the immediate term. As a result the impact on Councils budget is also not clear. Detailed amendments to the Operational Plan and budget will hopefully be reported to Council and the community within the first quarter of the 2017/18 financial year.

## Addendum Report

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Despite the lack of financial clarity, recovery works need to continue and using contractors procured through this EOI process will maximise the available NDRRA funding opportunity and minimise the impact on the financial position of Council.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Inform – We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. EOI-RFO2017082 - Offer Evaluation Report  
(ECM4640308).

*(Confidential)* Attachment 2. EOI-RFO2017082 - Offer Evaluation Scoring Sheet  
(ECM4640432).

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**Addendum Report**

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