

Mayor: Cr K Milne

Councillors: P Allsop
R Byrnes
C Cherry (Deputy Mayor)
R Cooper
J Owen
W Polglase

Addendum Agenda

**Ordinary Council Meeting
Thursday 20 June 2019**

held at
**Harvard Room, Tweed Heads Administration Building,
Brett Street, Tweed Heads**
commencing at 5.30pm

Principles for Local Government

The object of the principles for Tweed Shire Council, as set out in Section 8 of the Local Government Amendment (Governance and Planning) Bill 2016, is to provide guidance to enable council to carry out its functions in a way that facilitates a local community that is strong, healthy and prosperous.

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by Tweed Shire Council:

- (a) Provide strong and effective representation, leadership, planning and decision-making.
- (b) Carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Work with others to secure appropriate services for local community needs.
- (h) Act fairly, ethically and without bias in the interests of the local community.
- (i) Be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by Tweed Shire Council (subject to any other applicable law):

- (a) Recognise diverse local community needs and interests.
- (b) Consider social justice principles.
- (c) Consider the long term and cumulative effects of actions on future generations.
- (d) Consider the principles of ecologically sustainable development.
- (e) Decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Council should actively engage with the local community, through the use of the integrated planning and reporting framework and other measures.

Items for Consideration of Council:

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ADDENDUM ITEMS

ADDENDUM REPORTS FROM THE DIRECTOR ENGINEERING

46. ADDENDUM [E-CM] RFO2019045 Plant & Equipment Hire and Plant Haulage

SUBMITTED BY: Infrastructure Delivery

Valid



Behind the scenes
Providing support to make it happen

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Behind the scenes
4.2	Support Services
4.2.4	Procurement Services - To support Council to purchase goods, services and assets that are fit for purpose, sustainable and provide best value.

ROLE: **Provider**

SUMMARY OF REPORT:

Request for Offer RFO2019045 Plant & Equipment Hire and Truck Haulage was called to establish a Register of Pre-Qualified Contractors for the hire of five (5) categories of constructional plant and equipment from suitably qualified contractors, in order to perform planned maintenance services, responsive maintenance services and minor capital works.

This offer has been run as a joint venture between Byron Shire Council and Tweed Shire Council to establish two panel contracts, each to be managed by the respective Councils.

At the time of closing 132 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 RFO2019045 Plant & Equipment Hire and Truck Haulage:

1. Council appoints the recommended Bidders described in the evaluation report and listed following, to a panel to supply five (5) categories of constructional plant over the next two years, for the Schedules of rates submitted.

2. **The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.**

3. **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.**

REPORT:**Offer Background**

Tweed Shire Council has sought suitably qualified and experienced providers to establish a Register of Pre-Qualified Contractors for the hire of constructional plant and equipment.

This tender has been run as a joint venture between Byron Shire Council and Tweed Shire Council to establish two panel contracts, each to be managed by the respective Councils.

Request for Offer Advertising

The Offer was invited in accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2001325 and the Tendering Guidelines for NSW Local Government. The Offer was officially advertised in The Sydney Morning Herald on Tuesday 7 May 2019 and also in the TweedLink on Monday 6 May 2019.

Offer submissions closed at 4:00pm (local time) on Wednesday 29 May 2019 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Offer Addendums

There were three (3) Offer Addendums (Notice to Bidders) issued before close of Offer.

Notice to Bidders No.01 was issued to clarify which documents would be required to be submitted in order to make a conforming bid and to correct an incorrect clause reference.

Notice to Bidders No.02 was issued to confirm with Bidders what the minimum hire duration period would be under the contract.

Notice to Bidders No.03 was issued to provide further instructions for Bidders on completing the Schedule pricing 5.5 for items including delivery and float.

Offer Submissions

At the closing time for Offer Submissions, the Tender Box was opened and one hundred and thirty two (132) Offers were received. Offers were recorded as below:

Bidder	ABN
Kenreach & Murwillumbah Hire	70 823 426 764
A & N EARTHWORX	49 774 194492
A1 Concrete Cutting	96 002 802 979
AA Bobcats Australia	41 976 312 185
Ace rental	87 104 968 925
Advanced Environmental Services Pty Ltd	92 112 105 307
AE Group Civil & Mining	98 100 496 937
AJ Bulk Haulage Pty Ltd	93 128 534 207
Alfasi Hire	79 091 606 692
All Access Hire	51 604 978 556
All Action Earthmoving	62 979 086 254
All Pumped Up Pty Ltd	40 626 422 302
Altro Holdings Pty Ltd T/a Orange Hire	97 133 373 154
Andrew Johnston Haulage Pty Ltd	79 119 332 544
R&J Opal Mines Pty Ltd t/a Aquatic Weed Harvester Australia	78 065 683 016
Australian Waterway Management Solutions Pty Ltd t/as Aquatic Weed Harvester Australia	63 618 634 389
Baden Civil Contracting Pty Ltd	34 126 619 118

Bidder	ABN
Ballina Concrete Pumping Pty Ltd	76 785 120 013
Banora excavations	92 100 347 390
Bianchetti and Sons Pty Ltd	31 082 543 333
BJT Equip	68 602 110 298
Border Rockwalls & Excavation	52 442 276 118
Brian Booth Nina Bathie	60 485 604 615
Byrnesy's A-1 Excavations P/L	62 071 321 705
C & J RYAN BOBCAT & TIPPER WORX	96 972 178 208
C & L Reeve	66 092 434 832
Cac-a-Doos Tipper PTY LTD	96 600 723 715
CD Excavations	25 308 895 106
CivilTrak PTY LTD	13 149 464 291
Classic Concrete Pumping	37 099 567 227
Cleanaway	57 099 813 546
Coast 2 Coast Earthmoving	86 083 824 686
Coastal Concrete Cutting	63 079 418 572
Coates Hire Operations Pty Limited	99 074 126 971
Col Moore & Sons Pty Ltd	60 092 002 616
COMPASS EQUIPMENT HIRE PTY LTD	83 111 967 232
Conplant Pty Ltd	15 000 373 151
Construct Traffic	30 615 353 234
CTM Earthworx	44 720 938 735
D and K L Colleton	65 391 779 103
David Clothier Fencing & 4WD Slashing Contractor	24 585 188 062
Digwright Pty Ltd	79 900 151 565
DJ & JA Brooker Pty Ltd	33 003 821 029
DOWNUNDER LOCATIONS	70 613 016 158
Dynamic Hydro Excavations Pty Ltd	55 131 100 840
Eagles Earthworks	49 310 817 025
East Coast Asphalt and Concrete Edging	51 755 877 285
East Coast Slope Mowers	29 296 036 941
Ellis Profiling	52 090 899 095
Envirostruct Services Pty Ltd	98 093 452 325
Ezi-Light Hire	34 125 191 077
Ezyquip Hire	39 129 600 308
FLEXIHIRE PTY. LTD	95 010 108 561
Floating Excavators	27 885 235 814
G and D Strong	34 712 657 461
Gallard Management Pty Ltd	94 129 933 535
Garbett's Excavations	54 715 174 340
Gary Marshall	53 393 730 085
GC & SE King	83 927 704 009
Gold Coast Cranes P/L	58 088 163 240
GR & A Arnold	81 351 978 582
GROUND SUPPORT SYSTEMS	96 126 176 094
GV & GL Farrell	11 505 698 793
H R & M E Wilson	39 832 477 289
Hakka Hire	45 308 138 088
Hamers Hoe Hire	20 542 951 058
Hardings Earthmoving	69 045 752 191
Hazell Bros Plant Hire	22 148 075 101
J&L Wise Water Supplies	64 110 166 775
J&M Bashforth & Sons Pty Ltd	39 061 365 341
Jake Stanborough	40 922 480 342
J and S Water Deliveries	12 834 485 498
JD & LF REEVE	84 141 043 018
JTS Water and Truck Hire	73 456 329 987
Keegan Civil Pty Ltd	13 931 316 921

Bidder	ABN
Keith Dunn Excavations	47 136 773 984
Kennards Hire Pty Limited	69 001 740 727
Ken's Crane Hire	31 102 385 508
Kevin J and Karen J Porter	26 820 245 696
Koker civil	19 368 597 204
L P PIPE & CIVIL	49 697 357 304
Leader Earthworks Pty Ltd	96 910 906 546
macas crane & borer hire	14 078 518 831
Mcnamara and Tierney Pty Ltd	37 082 625 170
Micheal Jenal	59 186 911 467
Minprovis	65 167 931 768
MJ Smith Ground Preparation Pty Ltd	67 135 493 248
National Pump & Energy	82 098 812 492
Network Protection Specialists	13 120 012 188
NORTH EAST CRANES PTY LTD	40 101 789 842
O'Keefe Earthmoving & Transport Pty Ltd	38 265 725 917
O'Keefe Quarries Pty Ltd	59 134 174 020
Pacific Coast Earthworks Pty Ltd	80 588 275 326
Pink Fence Pty Ltd	59 520 067 124
Pipe Management Australia	14 145 894 695
Pipe Vision Australia Pty Ltd	99 109 937 082
Precision Vegetation Management	82 084 096 828
PremiAir Hire	19 745 930 428
Pro-Bore Australia Pty Ltd	46 071 539 609
Provac Australia Pty Ltd	24 130 227 164
R L Brims	11 931 048 834
Randa Slashing Pty LTd	66 604 842 015
RB & LJ Turner	64 169 034 142
Remoplains Pty Ltd	55 010 753 545
Rent A Fence Pty Ltd	18 396 900 781
Rentquip Byron Bay trading as Roadhire	62 603 952 773
repmont	75 006 551 355
Rollers Australia Pty Ltd	50 087 309 091
Rugendyke & Bashforth Contracting Pty Ltd	87 166 323 995
S & L Sand and Gravel Pty Ltd	42 107 817 498
Safety Fence Australia	12 970 567 583
SEE Civil Pty Ltd	52 624 530 249
SELK Industries Pty Ltd	48 485 072 909
Sharp Mini Excavator Hire	66 376 976 843
Sherrin Rentals	52 074 173 756
Shorehire Pty Ltd	54 129 593 102
Skeen Constructions	42 122 970 978
Smith Plant	64 001 668 695
Solo Resource Recovery	62 398 515 816
Stabilcorp	25 162 342 001
Summerland Environmental	83 493 775 096
Surf City Cranes	50 118 714 837
Sykes Haulage	11 961 735 512
Tagget Earthmoving Pty Ltd	93 133 137 863
TFH Hire Services Pty Ltd	30 063 810 679
Tutt Bryant Hire	59 087 847 489
Tweed Coast Sand & Gravel	25 091 220 889
Tweed Valley Water Supplies	56 338 646 653
VAC Group Operations Pty Ltd	33 130 054 296
Versatile Earthworks	13 419 084 007
W D Surface Milling Pty Ltd	59 625 855 905
W.J. Hames Pty. Ltd	84 936 647 498

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 best value Offer.

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

Position
Coordinator - Contracts - Infrastructure Delivery
Acting Operations Coordinator - Infrastructure Delivery
Senior Administrative Officer - Infrastructure Delivery

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offering.

Evaluation Criteria	Document Reference	Weighting (%)
Assessed Offer Price (as adjusted)	Schedule 5.5	60
Relevant Experience and Capability	Schedule 5.4	20
Insurance, Sustainability, Business practices	Schedule 5.3, 5.8, 5.9, 5.10	10
Local Content	Schedule 5.6 & 5.7	10
	Total	100

The details of the price and 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 price and the 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.

Recommended Bidders

The Evaluation process has identified the most advantageous Bidders to provide the required Plant and Equipment to Council for five separate categories. These recommended Bidders are listed below in the tables below:

1. Earthmoving Plant & Equipment

Bidder	ABN
J&L Wise Water Supplies	64 110 166 775
RB & LJ Turner	64 169 034 142
Gary Marshall	53 393 730 085

Bidder	ABN
Brian Booth Nina Bathie	60 485 604 615
Pacific Coast Earthworks Pty Ltd	80 588 275 326
Hardings Earthmoving	69 045 752 191
Kennards Hire Pty Limited	69 001 740 727
Tweed Valley Water Supplies	56 338 646 653
Kevin J and Karen J Porter	26 820 245 696
Sharp Mini Excavator Hire	66 376 976 843
JTS Water and Truck Hire	73 456 329 987
jands Water Deliveries	12 834 485 498
C & J RYAN BOBCAT & TIPPER WORX	96 972 178 208
East Coast Asphalt and Concrete Edging	51 755 877 285
Conplant Pty Ltd	15 000 373 151
C & L Reeve	66 092 434 832
Kenreach and Murwillumbah Hire	70 823 426 764
Hammers Hoe Hire	20 542 951 058
GR & A Arnold	81 351 978 582
Banora excavations	92 100 347 390
macas crane & borer hire	14 078 518 831
Micheal Jenal	59 186 911 467
Sherrin Rentals	52 074 173 756
W D Surface Milling Pty Ltd	52 074 173 756
O'Keeffe Quarries Pty Ltd	59 134 174 020
AA Bobcats Australia	41 976 312 185
All Action Earthmoving	62 979 086 254
Leader Earthworks Pty Ltd	96 910 906 546
Garbett's Excavations	54 715 174 340
Tagget Earthmoving Pty Ltd	93 133 137 863
Pro-Bore Australia Pty Ltd	46 071 539 609
A & N EARTHWORX	49 774 194492
Hazell Bros Plant Hire	22 148 075 101
David Clothier Fencing & 4WD Slashing Contractor38	24 585 188 062
Andrew Johnston Haulage Pty Ltd	79 119 332 544
Remoplains Pty Ltd	55 010 753 545
Floating Excavators	27 885 235 814
Minprovis	65 167 931 768
Ellis Profiling	52 090 899 095

2. Miscellaneous Plant & Equipment

Bidder	ABN
Kennards Hire	69 001 740 727
Hardings	69 045 752 191
GV and GL Farrell	11 505 698 793
A1 Concrete Cutting	96 002 802 979
D and K L Colleton	65 391 779 103
Kenreach and Murwillumbah Hire	70 823 426 764
Surf City Cranes	50 118 714 837
East Coast Slope Mowers	29 296 036 941
GC and SE King	83 927 704 009
Gold Coast Cranes PL	58 088 163 240
Macas crane and borer hire	14 078 518 831
Versatile Earthworks	13 419 084 007
Ken's Crane Hire	31 102 385 508
Skeen Constructions	42 122 970 978
Sherrin Rentals	52 074 173 756
GROUND SUPPORT SYSTEMS	96 126 176 094
Hakka Hire	45 308 138 088

Bidder	ABN
Pro-Bore Australia	46 071 539 609
Coastal Concrete Cutting	63 079 418 572
Bianchetti and Sons Pty Ltd	31 082 543 333
Dynamic Hydro Excavations	55 131 100 840
Hazell Bros Plant Hire	22 148 075 101
Mcnamara and Tierney	37 082 625 170
Precision Vegetation Management	82 084 096 828
Remoplains	55 010 753 545
Australian Waterway Management Solutions Pty Ltd t/as Aquatic Weed Harvester Australia	63 618 634 389
Pipe Management Australia	14 145 894 695
R&J Opal Mines Pty Ltd t/a Aquatic Weed Harvester Australia	78 065 683 016
Randa Slashing Pty Ltd	66 604 842 015
Solo Resource Recovery	62 398 515 816

3. On Site plant & Equipment

Bidder	ABN
Kennards Hire	69 001 740 727
National Pump and Energy	82 098 812 492
GROUND SUPPORT SYSTEMS	96 126 176 094
CD Excavations	25 308 895 106
Altro Holdings Pty Ltd	97 133 373 154

4. Truck Haulage

Bidder	ABN
R L Brims	11 931 048 834
Brian Booth Nina Bathie	60 485 604 615
Hardings	69 045 752 191
RB and LJ Turner	55 010 753 545
Tagget Earthmoving	93 133 137 863
Col Moore and Sons	60 092 002 616
cac-a-doos tipper	96 600 723 715
Randa Slashing	66 604 842 015
East Coast Asphalt and Concrete Edging	51 755 877 285
O'Keefe Quarries Pty Ltd	59 134 174 020
All Action Earthmoving	62 979 086 254
Keith Dunn Excavations	47 136 773 984
Garbett's Excavations	54 715 174 340
L P PIPE and CIVIL	49 697 357 304
Versatile Earthworks	13 419 084 007
Koker civil	19 368 597 204
Leader Earthworks	96 910 906 546
Tweed Valley Water Supplies	56 338 646 653
Coast 2 Coast Earthmoving	86 083 824 686
C and L Reeve	66 092 434 832
Border Rockwalls and Excavation	52 442 276 118
BJT Equip	68 602 110 298
Baden Civil Contracting	34 126 619 118
Precision Vegetation Management	82 084 096 828
Macas Crane and Borer Hire	82 084 096 828
Eagles Earthworks	49 310 817 025
CTM Earthworx	44 720 938 735
CivilTrak PTY LTD	13 149 464 291
Andrew Johnston Haulage	79 119 332 544
O'Keefe Earthmoving and Transport	38 265 725 917

Bidder	ABN
S and L Sand and Gravel	42 107 817 498
Bianchetti and Sons Pty Ltd	31 082 543 333
Tweed Coast Sand & Gravel	25 091 220 889
McNamara and Tierney	37 082 625 170
SELK Industries	48 485 072 909
SEE Civil Pty Ltd (Civil Rent)	52 624 530 249

5. Equipment Hire

Bidder	ABN
Kenreach & Murwillumbah Hire	70 823 426 764
Kennards Hire Pty Limited	69 001 740 727
Ezi-Light Hire	34 125 191 077
Hakka Hire	45 308 138 088
National Pump & Energy	82 098 812 492
Remoplains Pty Ltd	55 010 753 545
Construct Traffic	30 615 353 234

OPTIONS:

That Council:

1. In accordance with RFO2019045 Plant & Equipment Hire and Truck Haulage, appoints the recommended Bidders described in the evaluation report and listed above, to a panel to supply five (5) categories of constructional plant over the next two years, for the Schedules of rates submitted.
2. Declines to accept any of the Offers, including reasons for this course of action in accordance with Regulation 178 of the Local government (General) Regulation 2005).

CONCLUSION:

The Offers were split and evaluated across five categories of plant and equipment. Following the evaluation of price and non-price criteria, Bidders for each category were ranked from the most advantageous to the least. An assessment of the number of providers required per category was made, based on the projected operational need over the next two year period. These Bidders were collated into the lists provided above and it is recommended that these lists establish the Panel of Providers to service Tweed Shire Councils operational need for the hire of constructional plant and equipment

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.7.

In accordance with Local Government (General) Regulations 2005.

b. Budget/Long Term Financial Plan:

Provision for the RFO2019045 Plant and Equipment Hire and Truck Haulage is included in the 2019/2020FY Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2019045 - Offer Evaluation Report (ECM 5923461).

(Confidential) Attachment 2. RFO2019045 - Offer Evaluation Scoring Sheet (ECM 5923553).

ADDENDUM ITEMS IN COMMITTEE

ADDENDUM REPORTS FROM THE DIRECTOR ENGINEERING IN COMMITTEE

C4 ADDENDUM [E-CM] RFO2018141 Design and Construct Uki Water Treatment Plant

REASON FOR CONFIDENTIALITY:

The information, if disclosed, would provide a competitive advantage to Bidders and would not be in Council's commercial interest.

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (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.

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Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.3 Utility Services
- 1.3.4 Water Supply -- To provide secure, high quality and reliable drinking water which meets health and environmental requirements.

ROLE: **Provider**

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