



TWEED
SHIRE COUNCIL

Mayor: Cr B Longland

Councillors: P Youngblutt (Deputy Mayor)
D Holdom
K Milne
W Polglase
K Skinner
J van Lieshout

Agenda

Extraordinary Council Meeting Tuesday 1 May 2012

held at Murwillumbah Cultural and Civic Centre
commencing at 3.30pm

COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

Items for Consideration of Council:

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ORDINARY ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS

1 [EO-CM] EC2012-122 Kennedy Drive Asphalt Works

SUBMITTED BY: Contracts



Supporting Community Life

SUMMARY OF REPORT:

Tenders were officially invited for Kennedy Drive Asphalt Works in the Sydney Morning Herald on Tuesday 27 March 2012. Tender Submissions closed at 4:00pm (local time) on 18 April 2012 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Two (2) responses were recorded at the Tender Box opening being:

- Boral Asphalt
- Tropic Asphalt

This report recommends a preferred tenderer to undertake the works.

RECOMMENDATION:

That in relation to tender EC2012-122 Kennedy Drive Asphalt Works:

- 1. The tender from Boral Asphalt be accepted to the value of \$333,448.29 exclusive of GST.**
- 2. The General Manager be given delegated authority to approve variations up to \$150,000 above the initial tender price and those variations reported to Council following completion of works.**
- 3. ATTACHMENT A is CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-**

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

REPORT:**Tender Background**

The work to be performed under the subsequent Contract includes the provision of all labour, plant and materials and the performance of all operations of whatever kind necessary for the complete and proper Supply and Installation of Asphalt at Kennedy Drive as per tender EC2012-122.

Notice to Tenders (NTT)

A Notice to Tenders was issued on 11 April 2012. The notice provided additional Project Specifications and Project Plans for the work.

Tenders Received

Tenders were officially invited for EC2012-122 Kennedy Drive Asphalt Works on 27 March 2012 in The Sydney Morning Herald. The tender was also advertised in the Brisbane Courier Mail on 24 March 2012 and the Tweed Link on 26 March 2012. Tender Submissions closed at 4:00pm (local time) on 18 April 2012 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Two responses were recorded at the Tender Box opening.

| Tenderer | ABN | NTT |
|-----------------|----------------|------------|
| Boral Asphalt | 46 009 671 809 | Yes |
| Tropic Asphalt | 62 097 280 245 | Yes |

Evaluation Summary

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

| Item | Criterion | Weighting % |
|-------------|---------------------------------------|--------------------|
| | Tender Price (Total Normalised Score) | 50 |
| | Quality Management System/Plan | 10 |
| | Environmental Management System/Plan | 10 |
| | WHS Management System/Plan | 10 |
| | Previous Contract Experience | 10 |
| | Time Performance | 10 |
| | Total | 100 |

CONCLUSION:**Recommendations**

It is recommended that:

Following the review by the Tender Evaluation Panel the tender from Boral Asphalt be accepted to the value of \$366,793.12 including GST (\$333,448.29 excluding GST).

Boral Asphalt achieved the highest overall assessment score and is deemed as the most advantageous option for Council.

COUNCIL IMPLICATIONS:**a. Policy:**

Procurement Version 1.3.

b. Budget/Long Term Financial Plan:

Adequate funds are currently allocated within the Kennedy Drive project for these works.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
- 2.4 An integrated transport system that services local and regional needs
- 2.4.1 Provide a safe and efficient network of arterial roads connecting neighbourhoods to town centres, employment, shopping, health, commercial and education facilities
- 2.4.1.2 Provision of arterial roads as planned in Tweed Roads Contribution Plan
- 2.4.1.2.1 Completion of Kennedy Drive upgrade

UNDER SEPARATE COVER/FURTHER INFORMATION:

1. **Supplementary Confidential Attachment A** - EC2012-122 Kennedy Drive Asphalt Works (ECM 49460367).
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