

Addendum Report

REPORTS FROM THE DIRECTOR ENGINEERING

a28 [E-CM] RFO2016075 Cudgen Creek Traffic Bridge Piling Works

SUBMITTED BY: Infrastructure Delivery

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

| | |
|-------|---|
| 2 | Supporting Community Life |
| 2.4 | An integrated transport system that services local and regional needs |
| 2.4.3 | Ensure local streets, footpaths and cycleways are provided, interconnected and maintained |

SUMMARY OF REPORT:

Request for Offer RF02016075 Design and Construct Contract for Piling Works Cudgen Creek Bridge Kingscliff was called to engage a suitably qualified and experienced organisation to provide a design and construct option for a temporary working platform utilising the existing bridge structure and the construction of bored piles for the permanent bridge.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 1 June 2016 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Recommendations have been formulated based on the Selection Criteria and post Offer negotiations with the sole conforming Bidder, details of which are contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENT 1**.

RECOMMENDATION:

That in respect to Contract RFO2016075 Design and Construct Contract for Piling Works Cudgen Creek Bridge Kingscliff:

- 1. Council awards the contract to Davbridge Properties Pty Ltd T/A Davbridge Constructions (ABN- 23 065 240 002; ACN 065 204 002) for the amount of \$1,024,034.20 (exclusive of GST).**
 - 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.**
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3. **ATTACHMENT 1 is 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.**

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REPORT:

Offer Background

Request for Offer RF02016075 Design and Construct Contract for Piling Works Cudgen Creek Bridge Kingscliff was called to engage a suitably qualified and experienced organisation to provide a design and construct option for a temporary working platform utilising the existing bridge structure and the construction of bored piles for the permanent bridge.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 1 June 2016 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Offer Advertising

As per the requirements of the Local Government Regulation 2005, Offers were officially advertised for RFO2016075 Design and Construct Contract for Piling Works Cudgen Creek Bridge Kingscliff on Tuesday 10 May 2016 in the Sydney Morning Herald. The Offer was also advertised in the Gold Coast Bulletin, Brisbane Courier Mail and Tweed Link.

Offer Submissions

As per the requirements of the Local Government Regulation 2005, Offer submissions closed at 4.00pm (local time) on 1 June 2016 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Two (2) were recorded at the Tender Box opening and their details are as follows:

| Bidder | ABN |
|--|----------------|
| Davbridge Properties Pty Ltd T/A Davbridge Constructions | 23 065 240 002 |
| The Australian Steel Company (Operations) Pty Ltd * | 89 069 426 955 |

*Deemed as a non-conforming submission that did not comply with the specification as it only included part of the scope.

As there was only one (1) conforming and acceptable submission, being from Davbridge Constructions, evaluation scoring was not required in accordance with the approved Offer Evaluation Plan Dated 1 June 2016. Negotiations were held between Davbridge Constructions and Council's Evaluation Panel on 2 June 2016 to confirm that the full Scope of Works was included in the offer and the actual Contract Sum amount as various options were provided, the details of which are included in Confidential Attachment 1 RFO2016075 Offer Evaluation Report.

The Offer Evaluation Panel consisting of Senior Engineer - Construction, Graduate Engineer and a Contracts Engineer conducted the Offer evaluation and post Offer negotiations with Davbridge Constructions.

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A copy of the Offer Evaluation Report is included in CONFIDENTIAL ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

- (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.

OPTIONS:

That Council:

1. Accepts the Offer for RFO2016075 from Davbridge Properties Pty Ltd T/A Davbridge Constructions (ABN- 23 065 240 002; ACN 065 204 002) for \$1,024,034.20 (Exclusive of GST).
2. Goes back to the open market and readvertises the Offer.

CONCLUSION:

Council awards the Contract RFO2016075 to Davbridge Properties Pty Ltd T/A Davbridge Constructions (ABN- 23 065 240 002; ACN 065 204 002) for \$1,024,034.20 (Exclusive of GST) as detailed in the offer evaluation report confidential **Attachment 1** for the Design and Construct Contract for Piling Works Cudgen Creek Bridge Kingscliff.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6.

In accordance with Local Government (General) Regulation 2005.

b. Budget/Long Term Financial Plan:

Funded from 2015/2016 and 2016/2017 roads budget 2.4.3.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

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UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2016075 Offer Evaluation Report (ECM 4092685).

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