

## **TENDER RECOMMENDATION REPORT**

**TO: CHIEF EXECUTIVE OFFICER**

**CC: MANAGER, INFRASTRUCTURE CAPITAL WORKS  
PRINCIPAL SPECIALIST, TRAFFIC SERVICES  
PROJECT MANAGER, INFRASTRUCTURE CAPITAL WORKS**

**FROM: DIRECTOR ASSETS**

**FILE REF: 22/362101 (39964)**

**DATE: 06 OCTOBER 2022**

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**TENDER 22045: MARMION AVENUE SANTA BARBARA PDE INTERSECTION  
IMPROVEMENTS (PR-4259, PMO20026)**

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### **Issue**

To consider Tender No: 22045 for the Construction of Marmion Avenue Santa Barbara Parade Intersection Improvements.

### **Background**

The City has the two following projects in place to upgrade the intersection of Marmion Avenue and Santa Barbara Parade:

- 1) PMO20026 PR-4259 – Addition of an “Acceleration Lane” on Marmion Avenue  
This project will install a new acceleration lane to aid traffic moments turning right from Santa Barbara Parade onto Marmion Avenue.  
The project is 2/3 MRRG funded, 1/3 Municipal Funded
- 2) PMO20055 PR-4273, – Addition of “Left Slip Lane” on Santa Barbara Parade  
This project will install a new slip lane to aid traffic turning Left from Santa Barbara Parade onto Marmion Avenue.  
The project is funded by the Federal Government as an Election Promise.

Marmion Avenue is defined as a ‘District Distributor A’ Road in the City’s Functional Road Hierarchy and is constructed as a median separated four lane dual carriageway. Santa Barbara Parade is a ‘Local Distributor’ Road and is constructed as a two-lane median separated road. The site is located at the intersection of Marmion Avenue and Santa Barbara Paraded and is a ‘T-junction’ configuration with a central seagull island.

The five year crash data indicates a total of 34 crashes occurring at this intersection, 9 of which have resulted in casualties. The data also indicates a high number of crashes associated with right turn movements through the central seagull island storage area which could result in high speed conflict with through traffic on Marmion Avenue travelling at 80km/h.

In addition to the works to install the acceleration lane, a Road Safety Audit recommended to modify the intersection to provide a left turning pocket from Santa Barbara Parade onto Marmion Avenue, with staggered Give Way or Stop Line marking.

Both of the projects have been packaged as separate line items into Tender 22045 for a contractor to deliver in the 2022/23 financial year.

**Detail**

Tender 22045 for the Construction of Marmion Avenue Santa Barbara Parade Intersection Improvements was advertised on 30 July 2022 and closed on 23 August 2022.

Two addenda were issued to provide for an extension of time and to respond to bidder queries.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Major Works (Amended AS4000-1997)
Contract Type	Lump Sum
Contract Duration	20 Weeks + 12 months DLP
Commencement Date	Target Date 01 November 2022 (14 Days From Tender Award)
Expiry Date	20 May 2023
Extension Permitted	NO

Tender submissions were received from the following companies:

Legal Name	Trading Name	Abbreviation
Delta Pty Ltd	Delta Group	Delta
Estimating and Civils Australia Pty Ltd	Luxworks	Luxworks
WCP Civil Pty Ltd	WCP Civil	WCP

**Probity Oversight**

Oversight to the tender assessment process was undertaken by the City's Contracts Officer.

Tender submissions were evaluated in accordance with the Procurement and Evaluation Plan (PEP) which included the following selection criteria:

Item No	Description	Weighting
1	Sustainable (Corporate Social Responsibility) Procurement a. Environmental Considerations 5% b. Buy Local 10% c. Reconciliation Action Plan 2.5% Disability Access and Inclusion 2.5%	20%
2	*Work Health & Safety (WHS)	20%
3	*Experience	30%
4	*Methodology, Resources & Capacity	30%

All tenderers must achieve a minimum acceptable score (as determined by the City) for each of the qualitative criteria detailed above (\*) in order to be considered for further evaluation.

Pricing is not included in the qualitative criteria and is considered as part of the overall value for money assessment.

All three submissions were deemed compliant and progressed for further evaluation.

**Evaluation Criteria 1 – Sustainable Procurement (20%)**

Evidence of Sustainable (Corporate Social Responsibility) Procurement was assessed based on the Tenderer’s responses provided to the Questionnaires within Schedules 3A, 3B, 3C and 3D which formed part of the tender documentation.

**Sub Criteria a) Environmental Considerations (5%)**

The City is committed to procuring goods and services that provide positive environmental, social and economic impacts over the entire life cycle of a product or service. Respondents are encouraged to provide credentials of any environmental claims of the goods and/or services submitted in this tender.

Tenderers provided details of their environmental considerations within Schedule 3A, with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Delta Group	1
WCP Civil	2
Luxworks	3

**Sub Criteria b) Buy Local (10%)**

An assessment was made based on the response provided, detailing the following information:

- Location of tenderer’s offices and workshops;
- Residential addresses of staff and company addresses of subcontractors;
- Purchasing arrangements through local businesses;
- Requirement for new employees arising from award of the contract.

Tenderers provided details of their “Buy Local” considerations within Schedule 3B, with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Luxworks	1
WCP Civil	2
Delta Group	3

**Sub Criteria c) Reconciliation Action Plan (RAP) (2.5%)**

An assessment was made to determine the ranking based on the responses provided that relate to:

- RELATIONSHIPS - building positive relationships between indigenous and non-indigenous people;
- RESPECT – recognising the contribution of Indigenous people to Australia and learning more about the history, culture and diversity in a two-way communication process;

- OPPORTUNITIES – attracting, developing and retaining organisational talent to build opportunities for aboriginal employment, training, and development and mentoring.

Tenderers provided information specifying differing levels of actions in relation to indigenous reconciliation action with assessment resulting in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Delta Group	1
WCP Civil	2
Luxworks	2

**Sub Criteria d) Access & Inclusion Plan (AIP) (2.5%)**

An assessment was made to determine the ranking based on the responses provided that relate to:

- People with disabilities having the same buildings and facilities access opportunities as other people;
- People with disabilities receiving information in a format that will enable them to access information as readily as other people are able to access it;
- People with disabilities receiving the same level and quality of service from staff as other people receive;
- People with disabilities having the same opportunities as other people to make complaints;
- People with disabilities having the same opportunities as other people to participate in any employment opportunities.

Tenderers provided information specifying considerations for access and inclusion provisions with assessment resulting in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Delta Group	1
WCP Civil	1
Luxworks	2

**Overall Sustainable Procurement Ranking Summary (20%)**

The overall assessment of the Sustainable Procurement criterion has resulted in the following overall ranking:

<b>Tenderer</b>	<b>Ranking</b>
Luxworks	1
WCP Civil	2
Delta Group	3

**Evaluation Criteria 2 - Tenderer’s Safety Management Systems (20%)**

Evidence of WHS management policies and practices was assessed from the tender submissions. The assessment for safety management was based on the tenderer’s responses to a specific Questionnaire included within the tender documentation.

Tenderers provided details of their safety management systems with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Delta Group	1
WCP Civil	2
Luxworks	3

### **Evaluation Criteria 3 - Tenderer's relevant experience (30%)**

The tenderer's relevant experience in demonstrating the achievement of meeting client expectations as presented in their tender submission were assessed in order to evaluate their capability to meet the requirements of the contract. Assessment of this criterion considered the tendering entity's credentials to fulfil the requirements of the contract.

The assessment of this criterion has resulted in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
WCP Civil	1
Delta Group	2
Luxworks*	3

\*Luxwork did not achieve the minimum requirement for this criterion.

### **Evaluation Criteria 4 - Tenderer's methodology, resources and capacity to meet the requirements of the Contract (30%)**

The tenderer's proposed methodology and resources as presented in their tender submission were assessed in order to evaluate their capacity to meet the requirements of the contract. Assessment of this criterion considered the tenderer's staff resources, vehicles, plant/equipment and workshop support to manage the contract. This

The assessment of this criterion has resulted in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Delta Group	1
WCP Civil	1
Luxworks	2

### **Overall Qualitative Weighted Assessment and Ranking**

Tenderer's submissions were reviewed in accordance with the Procurement and Evaluation Plan. The overall assessment of qualitative weighted criteria resulted in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
WCP Civil	1
Delta Group	2
Luxworks*	3

\*Noting that Luxworks did not meet the minimum requirement for one of the mandatory assessment criteria.

**Pricing for the Goods/Services/Works Offered**

An assessment was made to determine the ranking based on the lump sum pricing provided with the tender documentation.

Based on the information provided, tenderers are ranked as follows:

<b>Tenderer</b>	<b>Ranking</b>
Delta Group	1
Luxworks	2
WCP Civil	3

**Relative Value for Money Assessment**

The relative value for money assessment of Price and Qualitative Scores resulted in the following tenderer ranking (highest to lowest):

<b>Tenderer</b>	<b>Ranking</b>
Delta Group	1
WCP Civil	2

\*Noting that Luxworks were not considered in the Value for Money Assessment as they did not meet the minimum requirement for one of the mandatory assessment criterion.

**Overall Assessment and Comment**

The tender submission from Delta Group satisfied the overall value for money assessment in accordance with the assessment criteria and weightings as detailed in the Procurement and Evaluation Plan and is therefore recommended as the successful tenderer.

**Statutory Compliance**

Tenders were invited in accordance with the requirements of Section 3.57 of the *Local Government Act 1995*. The tendering procedures and evaluation complied with the requirements of Part 4 of the *Local Government (Functions and General) Regulations 1996*.

**Strategic Implications**

The proposal aligns with the following objective with the Strategic Community Plan 2021-2031:

*Strategic Goal 5-*

*“A well-planned, safe and resilient City that is easy to travel around and provides a connection between people and places”*

*Priority 5.4-*

*“People can move around easily”*

**Enterprise Risk Management Considerations**

<b>Risk Title</b>	<b>Risk Rating</b>
ST-S04 Integrated Infrastructure & Utility Planning	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Assets	Manage

## Financial and Performance Risk

### Financial Risk

A financial risk assessment was undertaken as part of the tender evaluation process and the outcome of this independent assessment advised that Delta Pty Ltd has been assessed with a 'very strong' financial capacity to meet the requirements of the contract.

### Performance Risk

Independent reference checks have rated Delta highly and the referees would be please to recommend the contractor.

## Policy Implications

Tenders were invited in accordance with the requirements of the City's Purchasing Policy.

## Financial (Budget) Implications

The tenderer's lump sum for these works is accommodated in the existing 2022/23FY capital works budget.

The expenses have been split into the two individual projects in the tables below:

### PR-4259 PMO18063 Marmion Ave Santa & Barbara PDE Intersection- Acceleration Lane

Description	Expenditure	Budget
<b>Budget:</b>		
PR-4259 PMO18063 Marmion Ave Santa & Barbara PDE Intersection MRRG Funding		\$229,333.00
PR-4259 PMO18063 Marmion Ave Santa & Barbara PDE Intersection Municipal Funding		\$114,667.00
<b>Expenditure:</b>		
Expenditure incurred to date (Includes 21/22FY Expenditure)	\$8,023.00	
Commitment to date	\$7,512.72	
Project Management	\$15,000.00	
Tender Advertisements (Tender and Public Notices)	\$793.00	
Construction Activities under this Tender	\$244,382.39	
Contingency	\$50,000.00	
-		
<b>Total Expenditure</b>	<b>\$325,711.11</b>	
<b>Total Funding</b>	<b>\$344,000.00</b>	
<b>Remaining Available Funding 2022/2023</b>	<b>\$21,001.28</b>	

**PR-4273 PMO20055 Santa Barbara Parade & Marmion Avenue- LH Slip Lane**

Description	Expenditure	Budget
<b>Budget:</b>		
PR-4273 PMO20055 Santa Barbara Parade & Marmion Avenue- LH Slip Lane- Election Promise Grant		\$198,000.00
<b>Expenditure:</b>		
Expenditure incurred to date	\$15,858.00	
(Includes 21/22FY Expenditure)		
Project Management	\$10,000.00	
Construction Activities under this Tender	\$153,283.68	
Contingency	\$15,000.00	
-		
<b>Total Expenditure</b>	<b>\$194,141.68</b>	
<b>Total Funding</b>	<b>\$198,000.00</b>	
<b>Remaining Available Funding 2022/2023</b>	<b>\$3,858.32</b>	



**Recommendation:**

**That the Chief Executive Officer, in accordance with Delegation 1.1.14 - Choice of Most Advantageous Tender of the Delegated Authority Register for the awarding of tenders ACCEPTS the tender submitted by Delta Pty Ltd for Tender 22045, for the MARMION AVENUE SANTA BARABARA PDE INTERSECTION IMPROVEMENTS), as per \$397,666.07 ex GST Fixed Lump Sum.**