

10.12.Quotation assessment under Contract 1/2021 Willoughby Road (West side) Paving Upgrade

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ENDORSED BY	Therese Cole, Chief Executive Officer
ATTACHMENTS	1. CONFIDENTIAL - 1/2021 64 Willoughby Rd West Paving Upgrade [10.12.1 - 3 pages]
CSP LINK	2. Our Built Infrastructure 2.1 Infrastructure and assets meet diverse community needs

PURPOSE:

The purpose of this report is to provide Council with an analysis and recommendations of the tender process for Request for Quotation 1/2021(64).

EXECUTIVE SUMMARY:

- Quotations were called and received until 3pm 7 March 2024 for the submission of quotes to undertake Willoughby Road (west side), Crows Nest, Paving Upgrade. These services will be procured under the existing Contract 1/2021 - Schedule of Rates for Civil Works, adopted by Council on 22 June 2020.
- If Council wishes to discuss the report, the meeting should be closed to the public to do so, in accordance with:

S10A(2) (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.

S10A(2) (d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

RECOMMENDATION:

- 1. THAT** Council accept the quotation of the highest ranked tenderer for Contract 1/2021(64).
- 2. THAT** the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into associated contracts.
- 3. THAT** Council resolves that the identified attachment to this report is to be treated as confidential in accordance with section 11(3) of the Local Government Act for the following reason under section 10A(2) of the Local Government Act:

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

(d) commercial information of a confidential nature that would, if disclosed

(i) prejudice the commercial position of the person who supplied it

It is further noted that the release of this information would, on balance, be contrary to the public interest as publication of all tendered documents would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

Background

The upgrade of Willoughby Road was identified as a priority project in the Crows Nest Public Domain Masterplan that was reported to Council in 2017. The Masterplan identified a vision of encouraging the growth of village life in Crows Nest to consolidate its role as a hub for independent retail, restaurants, and entertainment on the lower North Shore.

Quotations were invited from suitably qualified Contractors for the paving upgrade on Willoughby Road Crows Nest. The works include the new footpath paving to restore the uneven surface which has been disturbed by service trenches for the streetscape upgrade.

Report

The methodology adopted to undertake the quotation evaluation of Contract 1/2021 was based on selection criteria outlined in the quotation documents and in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Quotations were called and closed at called and were received until 3pm 7 March 2024. Eight contractors under the categories of “Precast Concrete Paving” were invited to quote for these works under Contract 1/2021 – Schedule of Rates for Civil Works via Tenderlink.

At close of quotations, three submissions were received. Listed in **strict alphabetical order**, the tenderers were:

Tenderer
Ally Property Services
EzyPave
Sam the Paving Man

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the *Local Government Act 1993*.

A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

The following information is treated as confidential in the confidential attachment:

1. Quotation evaluation including selection criteria

The tender process has been reviewed and endorsed by Council’s Procurement Panel for adherence to the *Procurement Policy*.

2. Quotation evaluation panel results

The final ranking and point scores (out of a total 100) of the tenders are identified in the table in the confidential attachment. The assessment was based on Council’s standard quotation evaluation methodology, as outlined in the selection criteria.

3. Funding and costing details

Application for access to documentation should be through lodgement of a GIPA Public Information application form and payment of prescribed fees.

Consultation requirements

Community engagement is not required.

Financial/Resource Implications

Council has allocated sufficient funds in the Crows Nest Public Domain Masterplan Implementation cost centre for the delivery of the Contract 1/2021(64) Willoughby Road (west side) Paving Upgrade.

Risk

Willoughby Road connects to the new Crows Nest Metro Station which is anticipated to increase footfall and in turn increase the likelihood of a trip or fall on the current uneven surface should the paving upgrade be delayed. The work needs to commence in April 2024 so as to be ready for the metro opening in mid-2024.

The existing footpath is in poor condition and has been disturbed by electrical and drainage service trenches as part of the streetscape upgrade. The paving upgrade will reduce the risk of trips and falls by creating an even footpath surface and will return business trading conditions to normal.



Photo 1 Willoughby Road (West side) showing uneven footpath disturbed by service trenches

Opportunity

The scheduled completion is likely to support local businesses and assist revive Crows Nest as a leading destination for independent retail, dining, and entertainment on the Lower North Shore.

The preferred contractor, Ally Property Services, is available to start immediately and is considered to offer value for money. Ally Property Services is established on site, currently constructing stormwater drainage on Willoughby Road. The advantages of engaging Ally Property Services include a single point of responsibility for site work and public enquiries.

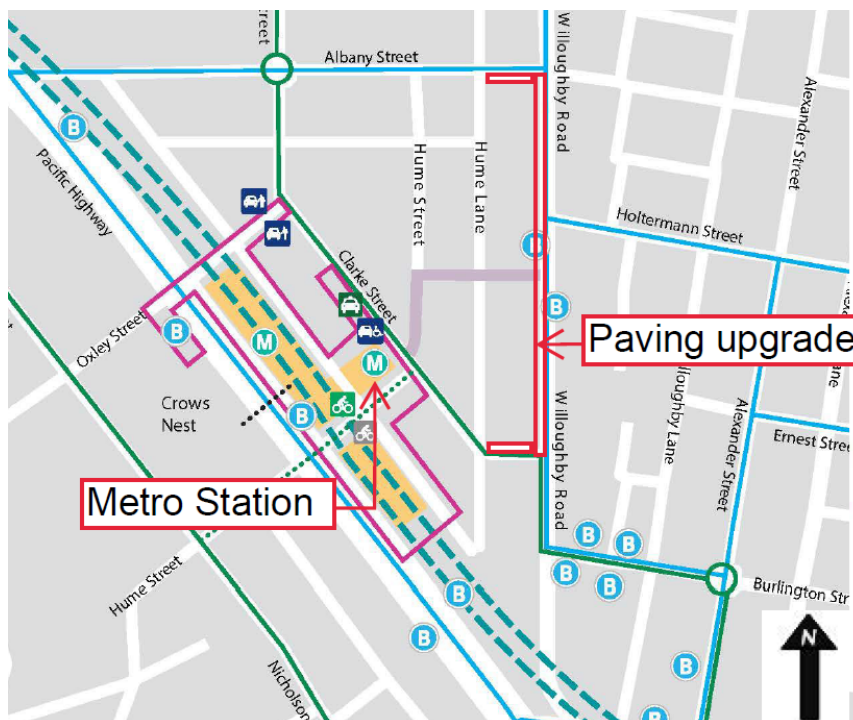


Figure 2 Location plan of paving on Willoughby Road (western side) and pedestrian connection to Crows Nest Metro Station

Legislation

Council acceptance of tenders must be undertaken in accordance with clause 178 of the *Regulation*. For transparency, minutes record the names of the councillors who supported the decision and any councillors who opposed the decision. Clause 178(3) of the *Regulation* gives council six options where it either accepts none of the submitted tenders or receives no tenders. The options are:

- postpone or cancel the proposal for the contract.
- invite fresh tenders, either open or selective, based on the same or different details.
- invite fresh applications by public advertisement (clause 168) from persons interested in tendering for the proposed contract.
- invite fresh applications from recognised contractors listed by council (clause 169) interested in tendering for contracts of the same kind as the proposed contract.

- enter into direct negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender.
- carry out the requirements of the proposed contract itself.

Project Program

Anticipated Start: April 2024

Anticipated Completion: June 2024

Responsible Officer: Paul Yang, Engineering Project Manager