

ORD05**ORD05**

SUBJECT: TENDER T003/2023 - PRINCIPAL CONTRACTOR FOR CONSTRUCTION OF BYRON ROAD (SOUTH)

FROM: Director Community Assets

EDMS #: 23/336903

PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T003/2023 – Principal Contractor for Construction of Byron Road (South) and recommend that Council accept the tender submitted by Menai Civil Contractors Pty Ltd.

BACKGROUND

The scope of the works will include:

1. Upgrade of Byron Road between Ingleburn Road and Heath Road from a rural standard to an urban standard two-lane road;
2. On-road parking lane on both sides;
3. Upgrade of the existing Heath Road and Byron Road T-intersection to a three-leg roundabout;
4. Pedestrian and cycle path network;
5. Streetscaping;
6. Stormwater drainage upgrade;
7. Utilities relocation and adjustment; and
8. Review of Environmental Factors.

This project will also deliver works associated with the upgrade of Heath Road and Scalabrini Creek East (Drainage and Open Space) project, funded from the Accelerated Infrastructure Fund (AIF Round 2), and Leppington Oval, funded from the WestInvest Program. These works include:

1. Upgrade of 200 metres of Heath Road pavement, kerb and gutter and drainage line;
2. Installation of box culverts associated with the Scalabrini East project; and
3. Installation of an electrical substation and electrical works for Leppington Oval.

Due to the size and complexity of this project, an Expression of Interest (EOI) was completed and six companies were selected to tender for the works. The selected contractors demonstrated that they have the proven capability, capacity and experience in delivering projects of similar size and complexity. Council completed the EOI for the Principal Contractor of Byron Road (South) in April 2023.

MAIN REPORT

Legislation

This tender process was conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and Council's Procurement Policy and Guidelines.

Contract Term

The term of this contract will be for a period of 48 weeks. The project is expected to commence in July 2023.

FINANCIAL IMPLICATIONS

Council has sufficient budget allocation from existing capital works budgets to proceed with the proposed works in accordance with the terms and conditions of this tender.

Council has received funding from Round 2 of the Accelerated Infrastructure Fund (AIF)

Program to supplement Section 7.11 Developer Contributions for the design and upgrade of Byron Road between Ingleburn Road and Heath Road.

Some adjustments to the project budget will be required to draw additional funds from Heath Road Upgrade, Scalabrini East and Leppington Oval projects to allow for the cost of the works associated with those projects and to allow for additional service relocation and a contingency.

Tenderers were required to provide alternative lump sum pricing with the provision for a full road closure for works between Messenger Road and Heath Road as a cost and time savings option. A financial review of the information available demonstrates the company's ability to service the requirements of the tender.

Work, Health & Safety Requirements

The selected tender meets all WHS requirements as required for this contract.

Certificates of Currency

The selected tender provides all current insurances as required for this contract.

Advertising of Tenders

A selective tender for Principal Contractor for Construction of Byron Road (South) was issued to six preferred contractors. The tender was open for a period of 36 days until the closing date of 31 May 2023 and was available to these companies through the e-tendering website: www.tenders.nsw.gov.au.

Tenders Received

Council received five *on time* tender responses from the following organisations.

Tender	Suburb
Ferrycarrig Construction Pty Ltd	Chullora, NSW
Fulton Hogan Industries Pty Ltd	Kembla Grange, NSW
Mack Civil Pty Ltd	Peakhurst, NSW
Menai Civil Contractors Pty Ltd	Smeaton Grange, NSW
Vaughan Civil Pty Ltd	Bondi Junction, NSW

Tender Evaluation Process

Tenders were assessed by the Tender Evaluation Panel, in accordance with Council's Procurement Procedures and Guidelines. The evaluation criteria were prepared and weighted on 29 May 2023. Following the close of the tender period, each tender was evaluated by the members of the Tender Evaluation Panel using a Tender Evaluation and Pricing Matrix on the following criteria:

- Price;
- Project Team Experience and Commitments;
- Project Approach / Methodology;
- Project Schedule;
- Local Supplier within LGA;
- Work Health and Safety; and
- Conformance to the conditions.

A summary of the tender assessment is provided as a **supporting document**. Please note this information is commercial-in-confidence.

Tender Compliance Panel

Tender submissions and evaluations were reviewed by the Tender Compliance Panel and all recommendations have been addressed.

CONCLUSION

It is recommended that Council accept the tender from Menai Civil Contractors Pty Ltd in the sum of \$9,890,871.29 (excl. GST). This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in similar sized complex road and intersection upgrade projects, and demonstrated value for money.

RECOMMENDED

That Council accept the tender provided by Menai Civil Contractors Pty Ltd as per the terms and conditions of T003/2023 Principal Contractor for Construction of Byron Road (South) for the lump sum of \$9,890,871.29 (excl. GST) in accordance with Council's adopted budget.

ATTACHMENTS

1. T003/2023 - Principal Contractor for Construction of Byron Road (South) - *Supporting Document*