

ITEM NO: 14

SUBJECT: TENDER FOR REPLACEMENT OF THE DRAINAGE CULVERT AT BATHS ROAD, LAWSON

FILE NO: 09/112218

Management Plan Link

Principal Activity: Moving Around

Service: Transport and Public Access (including Roads)

Project: Capital Works Project

Recommendations:

- 1. That the Council accept the tender submitted by JK Williams Contracting Pty Ltd, Penrith for the replacement of a drainage culvert at Baths Road, Lawson. The tender offer is for the lump sum price of \$208,875.15 (represented by \$189,886.50 + \$18,988.65 GST).*
 - 2. That the Council approve and authorise staff to expend a contingency sum of an additional 10% of the contract sum for supplementary works, if necessitated.*
-

Report by Group Manager, Community and Corporate**Reason for report**

This report provides information and recommendations on tenders received for the replacement of a drainage culvert at Baths Road, Lawson.

Background

An existing road culvert in Baths Road, Lawson forms the road crossing of a creek, which is failing under normal traffic loadings. The creek has gross pollutants in stormwater flows, which originate in the upstream catchment. Currently, there is no adequate Gross Pollutant Trap (GPT) in this creek, allowing contaminants to adversely impinge on the native environment downstream of the culvert.

The work involves the replacement of the culvert incorporating the foundations for a GPT. The GPT will be installed at a later date. The project will result in reduced maintenance costs for the culvert over time, as well as improvements to the water quality of downstream catchments resulting from installation of the GPT.

The project is part of the Federal Government's Community Infrastructure Program (FGCIP), which provided a \$1.313M grant to the Council. This program of work must be completed by September 2009.

The Tender

Selective Tenders were called in accordance with Council's Tendering Guidelines. The Request for Tender (RFT) was provided to the Council's four (4) Pre-Qualified Civil Works Contractors on 28 April 2009.

Tenders closed at 2.00pm, Wednesday 20 May 2009.

One submission was received from JK Williams. Complete tender submission documents are available on file for reference by the Councillors.

Tender evaluation

The role of the Tender Evaluation Panel (TEP) is to evaluate submissions in accordance with the assessment criteria specified in the tender document, and to recommend a preferred tenderer based on evaluation of submissions.

Because only one tender was received, an extensive evaluation of tenderers for ranking and selection purposes was not required. JK Williams is well known to the Council as a quality contractor, having recently completed the Lawson Town Centre redevelopment. However, the tender evaluation panel closely reviewed the submission and is satisfied that the tender price is fair and reasonable, being within expectations.

The Tendered price is \$201,490.50 + GST, including an amount of \$11,604 + GST for resurfacing of damaged asphalt adjacent to the culvert structure. This work is not required to be done as part of this contract, and is already included as part of the Councils road reseal program. Consequently, the effective contract sum of works to be undertaken is \$189,886.50 + GST.

Discussion

Estimated budgets are typically prepared for civil projects based on preliminary designs. This project had two (2) estimates prepared, based on the preliminary design; one estimate was \$150,000 with a more conservative one being \$209,000. It was thought the current competitive market would drive the price down to within the available budget.

Unfortunately, the tender submitted exceeds the \$150,000 FGCIP funding for this project, and FGCIP have confirmed additional funding for this project is not available.

An additional \$50,000 is available in the Council's Environmental Levy funds (2008-2009) allowing the project to be completed by the September deadline. The inclusion of works to allow a Gross Pollutant Trap and accordingly improve environmental outcomes downstream means that use of Environmental Levy Funds is appropriate.

This total budget of \$200,000 allows a contingency sum of \$10,113.50 for additional work that may be necessary as a result of latent site conditions.

Sustainability Assessment (Triple Bottom Line Reporting):

Effects	Positive	Negative
Environmental	The improvement of downstream water quality.	Nil
Social	Maintaining an operable interconnecting road between the townships of Lawson and Hazelbrook.	Nil
Economic	Nil	Nil

Funding

Funding of \$150,000 (excludes GST) is provided in the FGCIP grant, with \$50,000 (excludes GST) being provided from the Environmental Levy budget. The Federal Grant money was awarded to Council under the Environmental Initiatives category.

Legal and risk management issues for the Council

A catastrophic failure of existing drainage infrastructure at this location could present a serious risk to the safety of road users. If this was to occur it would expose the Council to the possibility of litigation.

Comment from the Tender Review Committee

The Tender Review Committee has reviewed the first stage of the tender procedures and is satisfied as to the fairness of the process.

Conclusion

The Federal Government funding is project and time specific, and it is therefore important to deliver this project expediently with the benefit of \$150,000 Federal Government funding.

The proposed contractor, JK Williams of Penrith is a local contractor with a good record for delivering projects to the Council on time and budget.

Based on the evaluation of the submission received, it is recommended that the Council accept the tender submitted by JK Williams Contracting Pty Ltd, Penrith for the replacement of a drainage culvert at Baths Road, Lawson for the lump sum price, \$208,875.15 (represented by \$189,886.50 + \$18,988.65+GST).

* * * * *

ITEM NO: 15

SUBJECT: TENDER FOR THE SUPPLY OF ROAD PATCHING UNIT (CONTRACT NUMBER FS14-08)

FILE NO: 09/112333

Management Plan Link

Principal Activity: Moving Around

Service: Transport and Public Access (including Roads)

Project: This report does not relate to a Management Plan project

Recommendations:

1. That the Council accepts the tender submitted by Suttons Arncliffe for the road patching unit at a unit cost of \$315,644 (GST exclusive); and
2. That the replaced Road Patching Unit is disposed of through Public Auction.

Report by the Group Manager, BM City Services

Introduction

Tender number FS14-08 was issued for the supply of one item of Road Patcher plant machinery for the programmed replacement of an existing Road Patcher, plant number 6056. This item is scheduled for replacement based on our operational assessment of the optimum changeover point taking into account the following criteria:

- Optimum resale value;
- Maintenance costs;
- Reliability of the equipment; and
- Operational requirements which includes environmental impacts.

The predominant operational usage of the Road Patching unit is for the repair of council road ways.

Tender Submission Review

The Tender Assessment Panel comprised the Fleet Supply Officer, Recycling and Transport Coordinator, Plant Operators, Mechanical Services Section Leader, with input from the Occupational Health & Safety Officer. All Panel members declared no pecuniary or non-pecuniary interest and a commitment to maintain confidentiality of all information reviewed, discussions held and decisions made by them.

The tender document included the following selection criteria which formed the basis for tender assessment:

Selection Criteria	Weighting (%)
(i) Satisfaction of Occupational Health & Safety Act Principles Including Cab Chassis and body	15
(ii) Conformity to Spec, including Cab Chassis and body	10
(iii) Reliability of Cab Chassis and body	25

Selection Criteria	Weighting (%)
(iv) Supplier rating, (Delivery of completed unit)	10
(v) Net Tender Price	40

The evaluation process included seeking clarification of equipment specifications from the firms, the Panel undertaking site inspections to view tendered plant items and undertaking other supplier research. Key areas of investigation and consideration included:

- complete physical inspections of the equipment;
- assessment of operational issues affecting drivers such as cabin access, equipment, brakes, stability;
- assessment of the performance of the tendered equipment items, and
- environmental impacts including emissions, operational noise and safe working systems.

In the case of each of the suppliers, there is a variance between the prices used in their evaluation to that submitted in the original tender documents. This is as a result of the original submissions not including the on road costs and/or equivalent optional extras.

The Panel short-listed the tenders based on the weighted assessment of the published selection criteria. The selected suppliers were requested to supply their tendered plant items for on-site demonstration at the Council's Works Depots and adjoining Council premises.

The overall evaluation results against weighted criteria are summarised in the table below:

Company	Location	Model(s)	Unit Price ex GST	Weighted Score
1. Sutton Arncliffe	Arncliffe NSW	Isuzu FVY 1400 Paveline Body	\$315,644	82.15
2. Tracserv	Orange NSW	Isuzu FVY 1400 Paveline Body	\$312,142	77.65
3. City Hino	Guildford NSW	Hino FM2630 Cab Chassis Only	\$132,999	Excluded
4. Paveline International	Caringbah NSW	Paveline Body Only	\$177,800	Excluded

Excluded Tenders

The tender submitted by City Hino was excluded as it did not include the body and that the Hino cab chassis was not suited to the Paveline machine.

While the Paveline body unit is the preferred model, Paveline International was excluded as the primary supplier due to other tenders submitted having included the Paveline body as part of their tender proposals and pricing.

Tender Evaluation

The preferred method of supply is for the body to be supplied through the cab/chassis supplier as this ensures compatibility between the operational body and cab chassis to meet RTA and warranty conditions.

Therefore, after evaluating the tender submissions it is recommended that Suttons Arncliffe be contracted for the supply of one Road patching unit which includes the Paveline body for the tendered unit price of \$315,644 (GST exclusive). This machine is chosen as it provided the best overall performance against the selection criteria while meeting all of the required tender specifications.

Tender Process Review

The Tender Review Committee has reviewed the Tender procedures and is satisfied as to the fairness of the process. Minutes of all meetings held by the Tender Evaluation Panel, together with relevant assessment summary spreadsheets and inspection reports are retained on file.

Sustainability Assessment (Triple Bottom Line Reporting):

Effects	Positive	Negative
Environmental	Vehicles chosen meet the latest Euro 4 emissions standards	Use of limited natural fuel resources.
Social	Improved reliability for the repair and maintenance of council's road assets	Nil
Economic	Improved productivity	Nil

Financial implications for the Council

Funding is provided from the restricted reserves held for fleet replacement and provision for the purchase has been included in the 2009-2010 financial year budget. The disposal of the replaced plant item is to be via public auction as it is deemed to provide the best results for residual sale return on such equipment.

Legal and risk management issues for the Council

The tender process has been conducted in accordance with Council procurement policies. The Tender Review Committee has reviewed the tender procedures and is satisfied as to the fairness of the process and that the process has complied with policies. There are no identified legal or risk management issues related to this matter.

External consultation

No external stakeholder consultation was undertaken.

Comment by Tender review Committee

The Tender Review Committee has reviewed the Tender procedures and is satisfied as to the fairness of the process.

Conclusion

The tender submitted by Suttons Arncliffe with the Paveline Body for \$315,644 (GST exclusive) is deemed to be the preferred item for purchase based on the overall performance of the submitted tender against evaluation criteria.

* * * * *

ITEM NO: 16

SUBJECT: GREAT WESTERN HIGHWAY, MOUNT VICTORIA – TRUCK PARKING
OPPOSITE CALTEX SERVICE STATION

FILE NO: 09/112513

Management Plan Link

Principal Activity: Moving Around

Service: Transport and Public Access (including Roads)

Project: This report does not relate to a Management Plan project

Recommendations:

- 1. That the Council notes and receives this report;*
 - 2. That the Council write to the RTA seeking their immediate response to the issues raised in this report; and*
 - 3. That the Council writes to the Minister for Roads, The Hon Michael Daley, MP; The Member for Macquarie, The Hon. Bob Debus, MP; and the Member for Blue Mountains Mr Phil Koperberg, MP requesting their assistance in this matter.*
-

Report by Group Manager, Community Corporate**Reason for report**

This report responds to a resolution of the Council, as follows:

'1. The Council note this report and the Local Traffic Committee's considerations.

2. That Council continue to pursue the establishment and adoption of a strategic plan with the RTA for heavy vehicle rest areas across the Blue Mountains.

3. Given that the RTA considers it is reasonable that heavy vehicle drivers would continue to park along the Great Western Highway opposite the Caltex Service Station, Council initiates discussions with the RTA regarding the option of the RTA purchasing the homes of those residents who have been adversely effected by 24/7 truck noise and anti social behaviour resulting from the truck parking and reports that information back to Council as soon as possible.'

(Minute No. 78, 03/03/09)

Background

In October 2002 the Council granted consent (DA X/854/2002) for alterations and additions to an existing service station on the corner of Mount York Road and the Great Western Highway at Mt Victoria to establish an integrated service station, convenience store and restaurant with on site car parking. This business is now the Caltex Service Station, which operates 24 hours a day on this site.

A key issue of concern that has emerged at this location is the parking of heavy vehicles on the southern side of the Highway. The parking occurs when drivers use the facilities offered at the service station which include toilets, showers, food and rest.

The service station has a 24 hour operating permit and is used throughout the day and night as a stop for truck drivers heading east and west to refuel and rest. The restaurant section of the service station does not open between midnight and 5:00 am, however food and beverages remain available for purchase during this time.

Trucks park in front of residential properties along the highway (near the Caltex Service Station) and many drivers leave their engines idling whilst they are parked. It has been claimed that idling trucks remain parked in front of resident's homes for periods ranging from 15 minutes to several hours. Many drivers also take the opportunity to sleep at this unofficial truck stop and have advised residents that they need the "hum" of the engine in order to sleep.

Residents affected by the constant noise of idling engines, refrigeration units, anti social behaviour and the consequent garbage left behind on their verges by the truck drivers have campaigned for over five years to have this unofficial truck stop closed. Some residents also state that they have sought to sell their homes and move from the area, but have been advised by local real estate agents that their properties cannot be valued because of the well known truck noise problem. Residents recognise the need for trucks to stop and for drivers to rest, however the location of the stopping is the problem.

Current Position

Following the resolution of the Council, the issues identified were raised directly with officers of the RTA through both meetings and email contact with the most recent being on the 10 June 2009. To date, the Council has received the following advice:

- Resolution Part 2 - Discussion have been initiated within the RTA in regard to establishing a heavy vehicle rest area strategic plan, particularly with the Heavy Vehicle Management Section. No further advice had been received at the time of writing this report; and
- Resolution Part 3 - An indication was given at Council's quarterly meeting with the RTA (26th March) that the RTA is unlikely to be able to acquire any property in the area. This position has not yet been formalised by the RTA in writing.

Sustainability Assessment (Triple Bottom Line Reporting):

The impacts of the heavy vehicles parking adjacent to residential properties at the subject location are:

Effects	Positive	Negative
Environmental	Nil	<ul style="list-style-type: none"> • Air pollution from idling trucks; • Noise pollution from running trucks and refrigeration units; and • Rubbish dumped by drivers on footpath and verge areas.
Social	<ul style="list-style-type: none"> • Rest area remains for heavy and light 	<ul style="list-style-type: none"> • Impact on local residents from

Effects	Positive	Negative
	vehicles drivers which results in reduction of fatigue related crashes.	noise and air pollution.
Economic	<ul style="list-style-type: none"> Continued viability of the service station and the services and employment it provides. 	<ul style="list-style-type: none"> Impact on house values.

Financial implications for the Council

There is no direct financial cost to the Council.

Legal and risk management issues for the Council

There are no legal and risk management issues to note.

External consultation

This issue has been the subject of extensive consultation. Previous correspondence and discussions with residents and the RTA were reviewed in the preparation this report.

Conclusion

The Council communicated the Council’s resolution of 3 March 2009 both in email and face to face at our quarterly meeting with the RTA. The RTA has also been requested to give immediate further consideration to the issues raised. To date no further response has been received.

ATTACHMENTS/ENCLOSURES

1	Letter from RTA	Attachment
---	-----------------	------------

* * * * *

Attachment

Hi Glenn,

Thanks for meeting with Geoff Cahill, Ken Lysaught and myself last week, and for sending through Council's resolution.

Item 2: I have initiated discussion regarding this with our centre for road safety, so I will remain the contact.

Item 3: As discussed last Thursday, the RTA is unlikely to be able to acquire this property. Geoff Cahill will send you correspondence to confirm.

If you have any questions, please do not hesitate to phone as per below.

Regards

Diana
Diana Loges
Senior Project Development Manager
Development Program
Major Infrastructure
Roads and Traffic Authority

Level 8, 27-31 Argyle St
Parramatta NSW 2150
P O Box 973 Parramatta CBD NSW 2124
T 02 8849 2986 | F 02 8849 2817 | M 0428 667 070
www.rta.nsw.gov.au diana_loges@rta.nsw.gov.au

From: Glenn Sherlock [mailto:GSherlock@bmcc.nsw.gov.au]
Sent: Monday, 30 March 2009 2:19 PM
To: LOGES Diana
Subject: Mt Victoria - Caltex Service Station.

Good afternoon Diana, at the meeting last Thursday we raised with you the issue of noise at this location and the Council resolution from the report which are:

MINUTE NO. 78

Great Western Highway, Mount Victoria – truck parking opposite Caltex Service Station

RESOLVED UNANIMOUSLY on the MOTION of Councillors Mays and Gibbs:

1. The Council note this report and the Local Traffic Committee's considerations.
2. That Council continue to pursue the establishment and adoption of a strategic plan with the RTA for heavy vehicle rest areas across the Blue Mountains.
3. Given that the RTA considers it is reasonable that heavy vehicle drivers would continue to park along the Great Western Highway opposite the Caltex Service Station, Council initiates discussions with the RTA regarding the option of the RTA purchasing the homes of those residents who have been adversely effected by 24/7 truck noise and anti social behaviour resulting from the truck parking and reports that information back to Council as soon as possible.

Could you please advise the most appropriate person to contact for items 2 and 3?

Many thanks.

Glenn Sherlock
Strategic Planning Specialist - Transport
Blue Mountains City Council
Locked Bag 1005
2 Civic Place
Katoomba 2780 NSW
(02 4780 5692
Mob: 0414195692
Fx: 02 4780 5555
*: gsherlock@bmcc.nsw.gov.au
": www.bmcc.nsw.gov.au

CONFIDENTIALITY NOTICE

The information contained in this email is strictly confidential and prepared solely for the use of the intended recipient(s).

The copyright of this communication belongs to the Blue Mountains City Council.

If you are not the intended recipient, please do not read, use, disseminate, distribute or copy this message or attachments.

If you have received this message in error, please notify the sender immediately and delete this message.

Views expressed in this message are those of the individual sender, and are not necessarily the views of the Blue Mountains City Council.

DISCLAIMER

Before opening any attachments, please check them for viruses and defects. The sender does not accept liability for any viruses, errors or omissions in the contents of this message or attachment, which arise as a result of email transmission.

Before printing, please consider the environment. **IMPORTANT NOTICE:** This e-mail and any attachment to it are intended only to be read or used by the named addressee. It is confidential and may contain legally privileged information. No confidentiality or privilege is waived or lost by any mistaken transmission to you. The RTA is not responsible for any unauthorised alterations to this e-mail or attachment to it. Views expressed in this message are those of the individual sender, and are not necessarily the views of the RTA. If you receive this e-mail in error, please immediately delete it from your system and notify the sender. You must not disclose, copy or use any part of this e-mail if you are not the intended recipient.

ITEM NO: 17

SUBJECT: TENDER FOR RECONSTRUCTION OF PIPELINE AT OAKLANDS ROAD,
HAZELBROOK

FILE NO: 09/112771

Management Plan Link

Principal Activity: Moving Around

Service: Transport and Public Access (including Roads)

Project: Capital Works Project

Recommendations:

- 1. That the Council accept the tender submitted by JK Williams Contracting Pty Ltd, Penrith for the reconstruction of a pipeline at Oaklands Road, Hazelbrook for the lump sum price, \$311,167.68 (represented by \$282,879.71 + \$28,287.97 GST) which is inclusive of a provisional sum of \$3,300 (\$3,000 + \$300 GST) for a geotechnical report.*
 - 2. That the Council approve the carry forward of \$100,000 from the current 2008/09 Capital Works Program to be added to the 2009/10 funding allocation to allow the project to be constructed in 2009/10.*
 - 3. That the Council approve and authorise staff to expend a contingency sum of an additional 10% for supplementary works, if necessitated.*
-

Report by Group Manager, Community and Corporate**Reason for report**

This report provides information and recommendations on tenders received for the reconstruction of a pipeline at Oaklands Road, Hazelbrook in the 2008/09 Capital Works Program.

Background

An existing stormwater culvert underneath the roadway in Oaklands Road, Hazelbrook is failing, with diverted water flows undermining the pipeline. The settlement of the pipe is evidence of the current extent of deterioration of the system. Increases to stormwater run off in the developed area of the catchment upstream have augmented the stress on the drainage infrastructure at this location.

If the pipeline was to suffer a catastrophic failure, access to the Great Western Highway for residents in the Golden Horizons Estate would be denied until emergency remedial work was undertaken.

The Tender

Selective Tenders were called in accordance with the Council's Tendering Guidelines. The Request for Tender (RFT) was provided to the Council's four (4) Pre-Qualified Civil Works Contractors, plus BMCS, on 18 December 2008. Because the release date of the RFT aligned with the Christmas/New Year period when the construction industry historically has a

close-down period an extension of tender period was applied, with the tender period extended to 44 days.

Tenders closed at 2.00pm, Tuesday 3 February 2009.

Two (2) companies, BMCS and JK Williams, submitted tenders for this project. They are listed in alphabetical order. Complete tender submission documents are available on file for reference by the Councillors.

Receipt of Tenders

A preliminary review of tenders determined all tendered prices exceeded the available budget in the 2008/09 Capital Works Program (CWP), and adequate selection criterion responses were not provided by either tenderer to allow a fair evaluation.

Discussion

The completion of this project is considered to be high priority; however insufficient funds were available in the drainage program budget line of the 2008/09 CWP to achieve this.

Estimated budgets are typically prepared for civil projects based on preliminary designs. The issues identified during the detailed design process for the Oaklands Road project, such as an increased pipe diameter necessitating a greater depth of excavation through the roadway, additional costs associated with site establishment, more extensive road re-construction including kerb and gutter to make the water flows into the new pipeline effective and retaining walls to provide support for the road and footpaths, resulted in a increased scope of works and consequently, a project cost exceeding the estimate.

Therefore, to allow the project to be completed as soon as possible additional funds were provided in the 2009/10 CWP, with the balance of funds in the 2008/09 CWP drainage program carried forward. The total funds of \$337,000 for this project are now included in the 2009/10 CWP.

Based on the foregoing, both tenderers were approached to determine if their ninety (90) day tendered price validity period could be held until the end of July 2009; and if the tenderer was in a position to do this, they were requested to submit further information to assist assessment of tenders. Both tenderers advised they would be able to hold their tendered price until that time, and agreed to provide the additional information.

Tender Evaluation

The role of the Tender Evaluation Panel (TEP) is to evaluate submissions in accordance with the assessment criteria specified in the tender document, and to recommend a preferred tenderer based on evaluation of submissions.

All tenders were evaluated by the panel in accordance with the selection criteria provided in the RFT. The panel found the areas separating the tenderers was the price submitted by JK Williams which was slightly lower than BMCS and the project methodology. The JK Williams tender submission included a well thought out construction program and methodology that offered the maximum risk management in terms of delivering expediently and minimised the probability of cost over-runs. Other than that both proponents were found to be of equal standing.

The panel identified the submission by JK Williams, Penrith, appeared to offer the most cost effective solution to the Council for this project. Complete evaluation documents are available on file for reference by the Councillors.

The panel also noted that JK Williams had identified a potential additional \$3,000 cost for geotechnical testing, which for comparative purposes was not included in the assessment of

tenders. This cost is a provisional sum; i.e. payment will only be made if the Council's engineers instruct the work item be undertaken.

Sustainability Assessment (Triple Bottom Line Reporting):

Awarding a contract will allow the subject works to proceed expediently. The impacts of the work proceeding are assessed below.

Effects	Positive	Negative
Environmental	Nil	Nil
Social	Maintaining an operable road network at this location for residents.	Nil
Economic	Nil	Nil

Legal and risk management issues for the Council

A catastrophic failure of existing drainage infrastructure at this location could present a serious risk to the safety of road users. If this was to occur it would expose the Council to the possibility of litigation.

Funding

The funding of \$237,000 for this project is available in the 2009/10 CWP. It should be noted that \$100,000 is requested to be carried forward from the 2008/09 CWP for this project, providing a total budget of \$337,000.

Comment from the Tender Review Committee

The Tender Review Committee has reviewed the first stage of the tender procedures and is satisfied as to the fairness of the process.

Conclusion

Initially this project was viewed as a pipe replacement, like-for-like. However, detailed design and construction requirements raised concerns that the preliminary design solution and resultant budget estimate was not sufficient to alleviate the matter.

Based on the evaluation of submissions received, it is recommended that the Council accept the tender submitted by JK Williams Contracting Pty Ltd, Penrith for the reconstruction of a pipeline at Oaklands Road, Hazelbrook for the lump sum price, \$311,167.68 (represented by \$282,879.71 + \$28,287.97 GST) which is inclusive of a provisional sum of \$3,300 (\$3,000 + \$300 GST) for geotechnical testing.

* * * * *