

Tender - Reject and Negotiate - Cutler Footway Renewal and Burton Street Viaduct Rehabilitation

File No: X009009

Tender No: 1827

Summary

This report provides details of the tenders received for Cutler Footway Renewal and Burton Street Viaduct Rehabilitation.

The project objective is to restore the Cutler Footway allowing pedestrian access between Woollahra Municipal Council and the City's Local Government Area. The project also involves upgrading the existing road pavement, installing safety barriers and remediating the viaduct structure to comply with current relevant standards, where practicable.

This report recommends that Council reject and negotiate the tender offer of suitably qualified tenderers for Cutler Footway Renewal and Burton Street Viaduct Rehabilitation.

Recommendation

It is resolved that:

- (A) Council reject the tender offers from all tenderers for Cutler Footway Renewal and Burton Street Viaduct Rehabilitation for the reasons set out in the confidential Tender Evaluation Summary Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender;
- (D) Council not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above that have responded to this tender; and
- (E) Council be informed of the successful company by CEO Update prior to executing and administering the contracts relating to the tender.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. The Burton Street Viaduct is a 150 metre long vehicle bridge located on the boundary between the City of Sydney and Woollahra Municipal Council and is part owned by both councils. The structure was constructed in 1907 as a tram bridge and was converted to a road bridge in the late 1950's.
2. The viaduct connects West Street, Darlinghurst, with Liverpool Street, Paddington. It crosses over Barcom Avenue and Boundary Street.
3. The Cutler Footway was constructed along the south side of the viaduct in the late 1930's and fixed to provide pedestrian access.
4. On the northern side of the viaduct, stairs at either end of the viaduct provide access to Barcom Avenue and Boundary Street road level. In April 2016, the Cutler Footway was closed due to concerns over the footway's structural integrity and long-term serviceability.
5. An Early Works Package was completed in July 2018 that included remediation to the road pavement and stormwater drainage works.
6. The project, with agreement from Woollahra Municipal Council, is to replace the existing deteriorated footway structure and undertake associated works to road pavement and viaduct structure to enhance the structural integrity, serviceability and lifespan of the viaduct and footway.

Invitation to Tender

7. The Design and Construction tender was advertised in The Daily Telegraph and The Sydney Morning Herald on 14 August 2018 and closed on 25 September 2018.

Tender Submissions

8. Seven submissions were received from the following organisations:
 - Bridge and Civil Pty Ltd;
 - Christie Civil;
 - Ford Civil Contracting Pty Ltd;
 - Haslin Construction Pty Ltd;
 - Quality Management Constructions Pty Ltd;
 - SD Civil Engineering Pty Ltd; and
 - Ward Civil Engineering Pty Ltd.
9. No late submissions were received.

Tender Evaluation

10. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
11. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.
12. All submissions were assessed in accordance with the approved evaluation criteria being:
 - (a) demonstrated previous experience in the provision of design and construction of bridge and road works;
 - (b) capacity, technical ability, qualifications and level of expertise of key personnel including construction management, and designers and sub-contractors;
 - (c) proposed program;
 - (d) proposed methodology, including all the following components:
 - (i) design;
 - (ii) construction;
 - (iii) Site Management Plan;
 - (iv) Pedestrian and Traffic Management Plan;
 - (v) community management; and
 - (vi) environmental management;
 - (e) Work Health and Safety Program; and
 - (f) financial and commercial trading integrity, including insurances.

Performance Measurement

13. Key Performance Indicators were identified in the Request for Tender document. Performance will be assessed at each project stage and at the completion of the contract, with each assessment forming the basis of the Performance Review Result.

Financial Implications

14. Based on current estimates, there are sufficient funds allocated for this project within the current year's capital works budget and future years' forward estimates.

Relevant Legislation

15. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and the City's Contracts Policy.
16. Attachment A contains confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies which, if disclosed, would:
 - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
17. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

Critical Dates / Time Frames

18. Project time frames are:

| | |
|--------------------------------------|-----------------|
| (a) Construction Contract Awarded | Late Dec 2018 |
| (b) Commence Design and Construction | Mid Feb 2019 |
| (c) Practical Completion | Late Nov 2019 |
| (d) Cutler Footway Open | End of Nov 2019 |

Options

19. The Cutler Footway is a significant pedestrian link and has been closed since April 2016. The continued closure of the footway will cause continued disruption to pedestrians and hence reputational damage to the City and Woollahra Councils.
20. It is recommended the City reject and negotiate with suitably qualified contractors with the capacity to carry out the works.

Public Consultation

21. The latest project update was issued in September 2018 to Woollahra Municipal Council and City of Sydney local residents. A further update is planned in December 2018.

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