

Item 6.**Tender - T-2021-511 - Green Square to Ashmore Connector Road****File No: X010053.012****Tender No: T-2021-511****Summary**

This report provides details of the tenders received for construction of the Green Square to Ashmore Connector Road and Associated Works.

The Green Square to Ashmore Connector will comprise a new 380-metre street running from Botany Road to Bowden Street. The new street includes two new signalised intersections at O'Riordan Street and Bourke Road and upgrade works to the existing Botany Road/Geddes Avenue signalised intersection.

The eastern section of the road between Botany Road and O'Riordan Street is required to be completed by September 2022. The renewal of adjoining lands for affordable housing and employment-based land use is forecast to commence in late 2022.

This report recommends that Council accept the tender offer of Tenderer E for construction of the Green Square to Ashmore Connector Road and Associated Works, and approve additional funding required.

Recommendation

It is resolved that:

- (A) Council accept the tender offer of Tenderer E for the construction of Green Square to Ashmore Connector Road and Associated Works for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) Council approve the additional funds as detailed in Confidential Attachment A to the subject report.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. The Green Square to Ashmore Connector is a transport initiative to improve the east-west connection between the Ashmore Precinct and Green Square Town Centre for pedestrians, cyclists, buses and local vehicles.
2. The Green Square to Ashmore Connector Road project is located within the Green Square Urban Renewal Area and connects Geddes Avenue to Bowden Street. The Green Square to Ashmore Connector will comprise a new 380-metre street running from Botany Road to Bowden Street, intersecting O'Riordan Street and Bourke Road with two signalised intersections and upgrade works to the existing Botany Road/Geddes Avenue signalised intersection.
3. In 2017, the City prepared a Review of Environmental Factors for the then concept design of the proposed road: Green Square to Ashmore Connector Road between Botany Road and Bowden Street, Alexandria. Following exhibition and consideration of issues raised in submissions, the 2017 Review of Environmental Factors (REF) was determined by the City under the Environmental Planning and Assessment Act 1979 in December 2018.
4. In October 2018, AECOM were awarded the design consultancy tender for detailed design of the Green Square to Ashmore Connector endorsed through the Tender Review Group and approved by the Chief Executive Officer.
5. Based on the 2017 Review of Environmental Factors concept design, AECOM completed the design of an early works package including building demolition and remediation works and bulk earthworks to subgrade level. A construction contract for the early works package was subsequently awarded to Delta Pty Ltd in April 2019.
6. Remediation works and bulk earthworks between Botany Road and O'Riordan Street and all building demolition works, were completed by Delta in December 2019. Delta will be commencing remediation works and bulk earthworks between O'Riordan Street and Bourke Road in October 2021, now that a construction access licence has been agreed with Ausgrid, landowner of 15 O'Riordan Street.
7. The concept design developed by AECOM was presented to the City's Design Advisory Panel in April 2019. The panel made several design recommendations requiring amendments to the concept design. These changes to the concept design were made and issued to Transport for NSW who had previously agreed 'in principle' to the original design. Further changes were subsequently made to address Transport for NSW concerns.
8. The amended concept design approved in principle by Transport for NSW, provides for the road to operate primarily as an active and public transport corridor (bus route with pedestrian and cycle access), actively limiting private vehicle access. As a result, a new Review of Environmental Factors (REF) for the amended road scheme was prepared and placed on public exhibition from 19 April to 17 May 2021. The Review of Environmental Factors Determination Report has been finalised for determination by the City.

Invitation to Tender

9. In early 2021, the City advertised an expression of interest for companies to provide a written submission against a brief for the opportunity to progress on to Tender for the construction of the Green Square to Ashmore Connector Road and Associated Works. From this expression of interest process a shortlist of five companies were selected to proceed to a Request for Tender stage.
10. The Tender was issued to the shortlisted companies on 17 August 2021. The Tender closed online on 15 September 2021 after a period of four weeks.
11. The tender includes two separable portions - the eastern section of the road between Botany Road and O’Riordan Street and western section of the road between O’Riordan Street and Bourke Road. The eastern section is required to be completed by September 2022. The renewal of adjoining lands for affordable housing and employment-based land uses is expected to be commenced within or near this time, including:
 - (a) St George Community Housing development at 338 Botany Road;
 - (b) City West Housing development at 330-338 Botany Road / 20 O’Riordan Street; and
 - (c) Markham commercial development at 22 O’Riordan Street.

Tender Submissions

12. Five submissions were received from the following organisations:
 - Ford Civil Contracting Pty Ltd;
 - Haslin Construction Pty Ltd;
 - Quickway Constructions Pty Ltd;
 - Robson Civil Projects Pty Ltd; and
 - Ward Civil Engineering Pty Ltd.
13. No late submissions were received.

Tender Evaluation

14. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
15. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.

16. All submissions were assessed in accordance with the approved evaluation criteria being:
- (a) current company commitments and specified personnel and sub-contractors including key project team members demonstrated managerial capability, qualifications, percentage of time on the project and experience;
 - (b) proposed program for the two Separable Portions and capacity to achieve the program/deliverables;
 - (c) proposed methodology for the two Separable Portions, including pedestrian and traffic management, site management, construction environmental management, fleet management and plant, equipment and materials;
 - (d) Work, Health and Safety;
 - (e) financial and commercial trading integrity, including insurances; and
 - (f) lump sum price.

Performance Measurement

17. The City will ensure that performance standards are met during the contract by:
- (a) holding weekly site meetings with the contractor's project team to discuss WHS, environment, progress of work against contract program, sub-contractor items, requests for information, hold and witness points, quality non-conformances, public enquires and planned liaison activities, extensions of time claims and variations;
 - (b) holding monthly project control group meetings with the contractor's senior management team to discuss the monthly report and critical issues; and
 - (c) monitoring and assessing the contractor's performance in accordance with the Principal's Key Performance Indicators including WHS compliance, quality of work, time, reporting and communication.

Financial Implications

18. Additional funds are required for this project, as detailed in Confidential Attachment A.

Relevant Legislation

19. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021 and the City's Procurement and Contract Management Policy.
20. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
21. 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.
22. 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

23. Contract Award November 2021.
24. Commence construction December 2021.
25. Separable Portion 1 (eastern section between Botany Rd and O'Riordan St) - forecast Date of Practical Completion September 2022.
26. Separable Portion 2 (western section between O'Riordan St and Bourke Rd) - forecast Date of Practical Completion late 2023.

Public Consultation

27. The Review of Environmental Factors (REF) was placed on public display from 19 April to 17 May 2021. The public display strategy for the Review of Environmental Factors used a range of consultation methods, in line with the City and the NSW Health mandated Covid-19 safe practices which were in effect for all or part of the public display period.
28. The construction liaison group for the City's Green Square town centre projects meets quarterly. The group gives residents and businesses a chance to voice concerns and ask questions about City projects.
29. Notification letters will be sent to property owners and businesses prior to construction.
30. During construction, there will be close liaison between property owners, businesses, City staff and the contractors to minimise disruption to properties in the area. The contractor will also have a Community Liaison Officer for the project.

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