

Item 14.

Tender - Reject and Negotiate - T-2021-565 - Waterloo Library Roof Remediation Works

File No: X011539.001

Tender No: T-2021-565

Summary

This report provides details of the tenders received for Waterloo Library Roof Remediation Works.

Due to its age, the existing roof of Waterloo Library is in poor condition leading to water leakage and damage to building fabric. The aim of the work is to undertake remedial works to stabilise the two chimneys and to prevent water penetration from both the slate and metal roofs into the building and to undertake repair works to elements which have been damaged by previous water penetration.

This report recommends that Council decline to accept the tender offer/s received for Waterloo Library Roof Remediation Works for the reasons set out in Confidential Attachment A to the subject report, and enter into negotiations with suitable contractors for the Roof Remediation Works.

Recommendation

It is resolved that:

- (A) Council decline to accept the tender offers for the Waterloo Library Roof Remediation Works for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the successful contractor via the CEO Update.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. Waterloo Library is located at 770 Elizabeth Street, Waterloo. It is a local landmark of over 135 years. The site is located on the south-eastern corner of Elizabeth and Kellick Streets. The main entrance is via Elizabeth Street.
2. During heavy rains there has been water ingress through the metal and slate roofs causing damage to the internal building fabric. Remediation works are required to the existing metal and slate tile roofs to prevent further water ingress and damage.
3. The scope of works approved for the project included addressing building fabric damage from water ingress, stabilisation of the two chimneys and to provide better access to roof for maintenance and service of existing PV panels. This will include replacement of approximately 80 per cent of the Welsh slate roof tiles. Repair works need to be undertaken to the internal walls for patching of damage caused by water ingress.
4. Northrop Consulting Engineers were engaged as the Structural Engineers to develop the scope and prepare tender documentation for the roof remediation works.

Invitation to Tender

5. The Request for Tender was advertised on the City's e-Tendering portal on 23 February 2022 and closed on 6 April 2022.

Tender Submissions

6. Six submissions were received from the following organisations:

- Elevate Builders Pty Ltd;
- HBS Group;
- Murphy's Remediation Builders Pty Ltd;
- Perfect Contracting Pty Ltd;
- Rapid Construction Pty Ltd; and
- Sassan Vodjdani Pty Ltd.

7. No late submissions were received.

Tender Evaluation

8. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
9. The results of the evaluation are provided in the Confidential Tender Evaluation Summary – Attachment A.

10. All submissions were assessed in accordance with the approved evaluation criteria being:
 - (a) the lump sum price and schedule of prices;
 - (b) company information including company profile and response to sustainable outcomes, personnel allocation, experience and capacity, including subcontractors and Aboriginal & Torres Strait Islander involvement. Details of roles, qualifications, percentage of time on project and relevant experience of nominated project team members including experience, role and relationship for any subcontractors;
 - (c) demonstrated previous experience in carrying out works of a similar size and nature, capacity and technical ability to carry out the work under the contract including references;
 - (d) proposed program and ability to achieve the program/deliverables including duration, sequencing and appropriately detailed breakdown of works tasks under contract and the ability to meet milestones;
 - (e) proposed project methodology including all scope and requirements under the tender documents, all project management plans including sustainable outcomes and environmental management, construction and operational waste management, perceived risks and innovation. Proposed method of undertaking works whilst avoiding adverse impacts to tenant, minimising risks and reducing costs and warranties;
 - (f) Work, Health and Safety; and
 - (g) financial and commercial trading integrity, including insurances.

Performance Measurement

11. The City will ensure that performance standards are achieved during construction through regular assessment of the following Key Performance Indicators:
 - (a) Safety and Environment - works performed safely, to avoid incidents and non-conformances. The site management plan to be developed and implemented in such a way as to ensure the safety of all depot staff and visitors;
 - (b) Communication - weekly site meetings and daily online / phone correspondence;
 - (c) Programming and Resources - approach and methodology strategically planned to maximise the efficient and effective use of resources and materials while ensuring all documentation and contract requirements are submitted on time;
 - (d) Quality Assurance - inspections, witness and hold points as necessary to meet the quality standards set out by the City; and
 - (e) Cost Variations - all efforts made to mitigate a variation to the contract with negative cost implications.
12. At the end of construction, the City will assess the contractor and complete a performance review.

Financial Implications

13. There are sufficient funds allocated for this project within the current years capital works budget and future years forward estimates.

Relevant Legislation

14. 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.
15. 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.
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. The following key dates apply to this project:
 - (a) Negotiations Commence September 2022
 - (b) CEO approval / CEO Update October 2022
 - (c) Contract Execution November 2022

Options

19. An alternative option is to retender the works for the roof remediation. This option is not recommended given six tenders were received and it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender.
20. An alternative option is to not proceed with the tendered works. This option is not recommended as it would have an ongoing impact on the operations of the library and will not address the water ingress and damaged building fabric.

Public Consultation

21. Development Consent has been received for the project and public consultation completed.
22. No further public consultation has been undertaken for the tendered scope.

KIM WOODBURY

Chief Operating Officer

Rajit Swaminathan, Project Manager