

ITEM 9

TENDER T1000067 - BELLAMBI GULLY FLOOD MITIGATION SCHEME (ADJACENT TO GLADSTONE STREET BELLAMBI)

This report recommends that Council decline to accept any of the tenders submitted for the Bellambi Gully Flood Mitigation Scheme in accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021.

The Bellambi Gully flood mitigation scheme was identified as a project as part of the Collins Creek Flood Study, Floodplain Risk Management Study and Plan. This scheme aims to improve the Bellambi Gully channel and reduce flooding to surrounding properties including Holy Spirit College. The works, located between Pioneer Road and Holy Spirit College, involve excavation and upgrades to the channel to increase creek capacity, amplification of culverts under Gladstone Street, installation of new piped stormwater lines and adjustment to services.

The Tender Assessment Panel has concluded that none of the tenders is acceptable as all tenders received exceed the allocated budget and it is anticipated that negotiations in relation to a revised scope of works will result in a satisfactory outcome being achieved.

RECOMMENDATION

- 1 a In accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021, Council decline to accept any of the tenders received for the Bellambi Gully Flood Mitigation Scheme and resolve to enter into negotiations with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with Section 178(4) of the Local Government (General) Regulation 2021, the reason for Council hereby resolving to enter into negotiations with the highest ranking tenderer or the subsequent ranking tenderers or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those parties who demonstrate a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations, firstly with the tenderers, and, in the event of failure of negotiations with those tenderers, any other party, with a view to entering into a contract in relation to the subject matter of the tender.
- 3 Council grant authority for the use of the Common seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Joanne Page, Director Infrastructure + Works

ATTACHMENTS

- 1 Location Plan

BACKGROUND

The location of these proposed works within Bellambi Gully extends east from Pioneer Road Bellambi, through residential properties, under Gladstone Street and traverses the playing fields of Holy Spirit College. A review of the existing Collins Creek Flood Study, Floodplain Risk Management Study and Plan identified that the existing flat channel grade is the main contributor to poor hydraulic efficiency. Accordingly, Council is undertaking channel improvement works with the aim of reducing flooding to surrounding residential properties and the college.

Tenders were required to be invited for Bellambi Gully Flood Mitigation Scheme works. The scope of works includes:

- Channel works including deep excavation, construction of sandstone retaining walls and concrete dish drains through Holy Spirit College to improve the conveyance of flood water,

- Channel works including deep excavation and construction of permeable precast concrete retaining walls, fencing, concrete access ramp and concrete low flow channel from Pioneer Road to Gladstone Street to improve the conveyance of flood water,
- Demolition of the existing culverts under Gladstone Street and reconstruction of triple cell culverts with a larger capacity,
- Construction of new headwall inlets and outlets,
- Diversion of Sydney Water sewer lines accompanied by installation of new manholes, pits and fittings,
- Construction of low flow reinforced concrete pipes (RCP) for stormwater drainage as well as associated reinforced concrete manholes and pits from the outlet of the culvert under Gladstone Street to the existing channel to the north and south ends of Holy Spirit College,
- Demolition of existing foot bridge over the gully channel located between Pioneer Road and Gladstone Street,
- Associated civil and landscaping works.

The works will provide long term improvements to the hydraulic efficiency of the existing gully channel to support flood resilience and preparedness of the surrounding residential properties and the college. The works will reduce the impact of floods on the community while also reducing the need for additional repairs and recovery works after flood events. To that end, it is jointly funded by Council and the Commonwealth National Flood Mitigation Infrastructure Program (through NSW Government Department of Planning and Environment).

Tenders were invited by the open tender method with a close of tenders of 10.00 am on Thursday, 19 January 2023.

Four (4) tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Project Delivery, Infrastructure Strategy and Planning and Governance and Customer Service Divisions.

The Tender Assessment Panel assessed all tenders in accordance with the following assessment criteria and weightings as set out in the formal tender documents:

Mandatory Criteria

- 1 Satisfactory references from referees for previous projects of similar size and scope
- 2 Financial assessment acceptable to Council which demonstrates the tenderer's financial capacity to undertake the works
- 3 Health and Safety Policy and Workplace Health and Safety Management System Manual or Plan
- 4 As a minimum to have an accredited Health and Safety Policy and WHS Management System Manual or Plan and Environmental Management System Manual or Plan
- 5 Attendance to mandatory site inspection
- 6 Submission of a conforming tender

Assessable Criteria

- 1 Cost to Council – 35%
- 2 Appreciation of scope of works and construction methodology – 20%
- 3 Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile, including staff qualifications and experience – 20%
- 4 Proposed sub-contractors – 5%
- 5 Project Schedule – 10%
- 6 Demonstrated strengthening of local economic capacity – 10%

PROPOSAL

The Tender Assessment Panel has concluded that none of the tenders received is acceptable and has recommended that Council decline all tenders and enter negotiations firstly with the highest-ranking tenderer with a view to entering into a contract in relation to the subject matter of the tender. In the case that the negotiations with the highest-ranking tenderer do not achieve the intended outcome then Council will enter into negotiations with the subsequent ranking tenderer(s) or any other party.

The Panel anticipates that a satisfactory outcome will be achieved through a negotiation process conducted in accordance with Council's Procurement Policies and Procedures.

The Bellambi Gully Flood Mitigation Scheme is a challenging project in an area prone to flooding and it is jointly funded by Council and the Commonwealth National Flood Mitigation Infrastructure Program. The total cost of the project received from all tenders exceeds the allocated budget. Negotiations will provide the opportunity to stage the current scope of work so that a section of the works up to the value of the allocated budget can be undertaken, in compliance with the approval and funding conditions, meeting community expectations and providing the best value outcome for the community. While this initial stage of works is underway, Council will pursue further funding opportunities which may arise to complete the outstanding works.

CONSULTATION AND COMMUNICATION

1 Members of the Tender Assessment Panel

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal 1 "We value and protect our environment". It specifically delivers on the following:

Implement flood and stormwater related actions of Council's strategic documents including floodplain management plans, coastal management programs, stormwater asset management plan and entrance management policies to support environmental, coastal, flood and stormwater management outcomes.

RISK ASSESSMENT

The risk in accepting the recommendation of this report is considered low on the basis that the tender process has fully complied with Council's Procurement Policies and Procedures and the Local Government Act 1993.

The risk of the project works, or services is considered high based upon Council's risk assessment matrix and appropriate risk management strategies will be implemented.

SUSTAINABILITY IMPLICATIONS

Economic sustainability implications are considered relevant to the flood resilience and preparedness of the surrounding residential properties and the college. The works will reduce impacts of floods on the community and reduce the need for additional repairs and recovery works following flood events. The Bellambi Gully Flood Mitigation Scheme will lead to improved safety and reduced risk related to floods for the public as well as urban infrastructure and assets.

The design for the works incorporates supply and installation of precast concrete retaining wall units, sandstone wall units, precast concrete culverts and linking slab units, reinforced concrete pipe and pit units which aims to provide a long-term, low maintenance finished product that also enhances safety during construction. A concrete access ramp at the east side of the new channel from Pioneer Road to Gladstone Street will also be constructed to provide safe access for future maintenance works.

FINANCIAL IMPLICATIONS

It is proposed that the total project be funded from the following source/s as identified in the Operational Plan –

2022/23 Capital Program

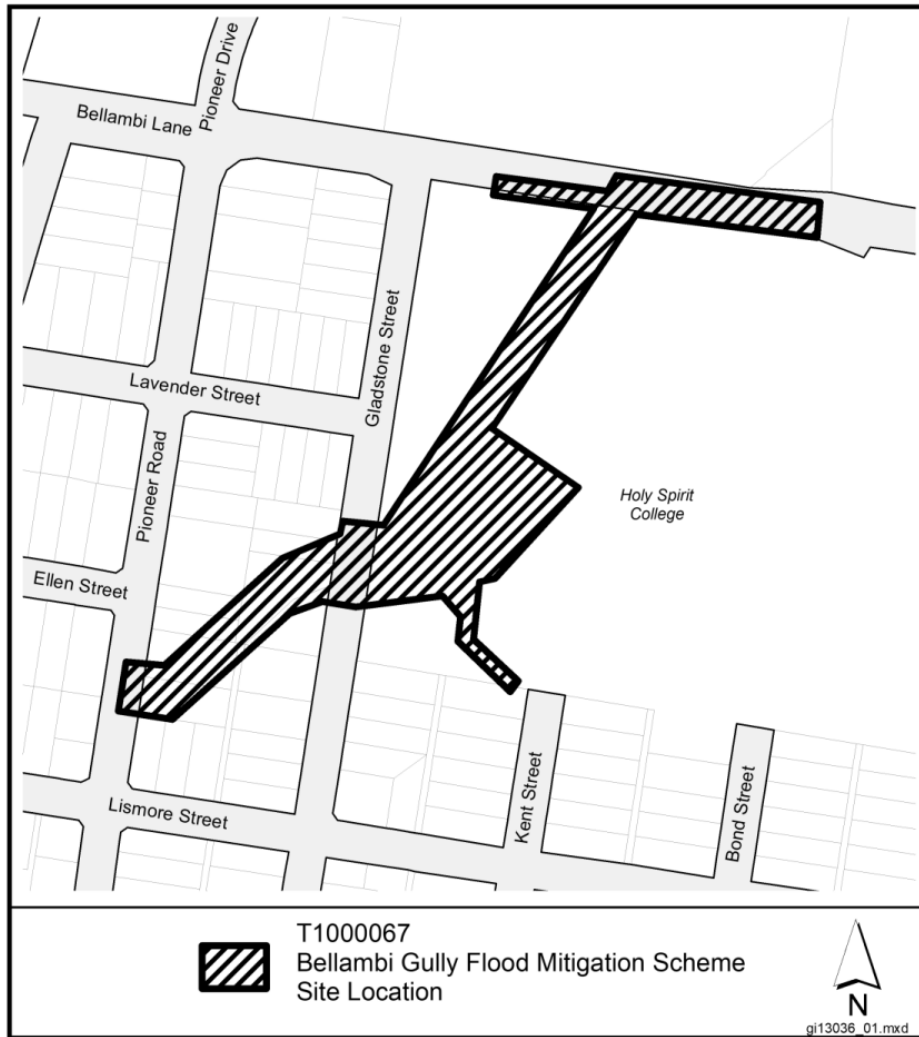
The project is supported by funding under the Commonwealth National Flood Mitigation Infrastructure Program (through NSW Government Department of Planning and Environment)

CONCLUSION

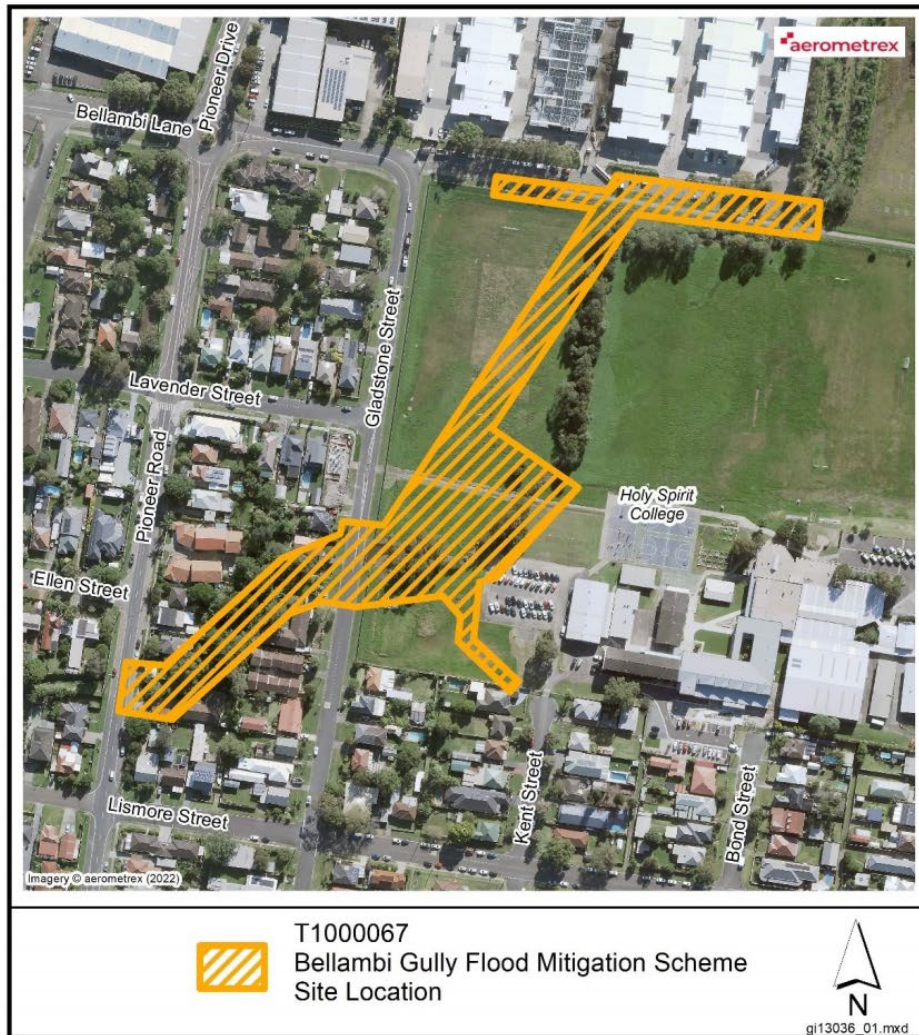
None of the tenders have submitted a tender which is within the allocated budget.

It is anticipated that the best value outcome for the community can be achieved via a direct negotiation firstly with the highest ranked tenderer who has demonstrated a capacity and ability to undertake the works. In the case that the negotiations with the highest-ranking tenderer do not reach the intended outcome, Council will then conduct negotiations with the subsequent ranking tenderer and any other party.

Council should endorse the recommendations of this report.



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