

5.6. 2023-5759 CONNECTING COMMUNITIES: MOSSMAN CBD TO MOSSMAN GORGE CYCLEWAY

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RECOMMENDATION

That Council:

1. Resolves to award Contract 2023-5759 – Connecting Communities: Mossman CBD to Mossman Gorge Cycleway and Pedestrian Bridge to King Concreting Pty Ltd Trading as Civform (ABN 70 075 411 442) for \$1,678,533.18 (GST exclusive).
2. Delegates authority under s 257 of the *Local Government Act 2009* to the Chief Executive Officer to negotiate, finalise and execute any and all matters in relation to this contract.

EXECUTIVE SUMMARY

Douglas Shire Council received funding to construct a cycleway between Mossman Aged Care facility to Mossman Gorge. The project consists of approximately two kilometers of concrete pathway to be utilised by pedestrians and cyclists. Furthermore, a pedestrian bridge and major culvert extension at Marr's Creek to accommodate safe access along with variation small drainage structure upgrades at residential and farming properties. The project will provide safe access for residents and tourists who seek to enjoy an active lifestyle and forms part of the cycleway improvements occurring across Queensland.

Douglas Shire Council will be undertaking this project under the 2022-2023 Capital Works Budget. The project budget is \$2,500,000 (exclusive of GST). The project is grant funded with a contribution from Council.

Council issued an open tender invitation through Vendor Panel for the 2023-5759 - **Connecting Communities: Mossman CBD to Mossman Gorge Cycleway and Pedestrian Bridge**. At the time of the tender close, five contractors submitted five submissions.

BACKGROUND

Douglas Shire Council received funding to construct a cycleway between Mossman Aged Care facility to Mossman Gorge. The project consists of approximately two kilometers of concrete pathway to be utilised by pedestrians and cyclists. Furthermore, a pedestrian bridge and major culvert extension at Marr's Creek to accommodate safe access along with multiple small drainage structure upgrades at residential and farming properties. The project will provide safe access for residents and tourists who seek to enjoy an active lifestyle and forms part of the cycleway improvements occurring across Queensland.

The primary challenges with the scope are constructing the works with minimal impact to businesses and residents, particularly tourists visiting the Mossman Gorge and cane farmer's during the sugarcane harvest season.

Furthermore, the works entail installation of a pedestrian bridge that consists of pile driving and construction of abutments. Other works include a major culvert extension at Marr's Creek and various small drainage structure upgrades to support the new cycleway network between the Mossman Aged Care Facility and the Mossman Gorge.

Council issued an open tender invitation through Vendor Panel for the 2023-5759 - **Connecting Communities: Mossman CBD to Mossman Gorge Cycleway and Pedestrian Bridge**. The Vendor panel reference number is VP351286.

COMMENTS

The submissions received are outlined in Table 1 - Received Submissions Summary below. It is noted that one submission received did not pertain to the tender request. This submission was deemed non-conforming following review from the evaluation panel. Furthermore, due to shortfalls with another submission, resulted in a second non-conforming submission. Thus, three conforming submissions remained.

Table 1. Received Submissions Summary

Tenderer	Price	Offer	Status
King Concreting t/a Civform	\$1,678,533.18	Comparative	Conforming
2	\$2,661,684.62	Comparative	Conforming
3	\$1,618,416.52	Comparative	Non-Conforming
4	\$1,986,995.66	Comparative	Conforming
5	–	N/A	Non-Conforming

This evaluation process was weighted with 40% price criteria and 60% weighting for the non-price criteria. All submissions were assessed by the evaluation committee. Based on the results of the evaluation, King Concreting Pty Ltd trading as Civform is the recommended tenderer for the contract.

Based on the results of the evaluation, King Concreting Pty Ltd trading as Civform is the recommended tenderer for the contract. King Concreting Pty Ltd provided a comprehensive submission in terms of strong understanding of the scope with experience to handle high risk activities such as pile driving and construction of abutment regarding the installation of the pedestrian bridge and detailed risk mitigation for work activities.

The submission also highlighted the contractor's capacity and experience to take on the scope.

The offer from King Concreting Pty Ltd was the second cheapest of the competing submissions, with a difference of \$60,116.66. Furthermore, due to other shortfalls, the cheapest submission was deemed non-confirming.

Evaluation of the received submissions was conducted by:

Table 2. Evaluation Panel Members

Position	Department
Project Manager	Project Office
Project Manager	Project Office
Construction Consultant	External Consultancy

An initial compliance check was conducted on received submissions to determine non-conforming and alternative offers from the requirements of the Request for Tender (RFT). This included compliance with the contractual requirements and provision of requested information.

It is noted that one submission did not pertain to the requirements of the construction tender. This submission was deemed non-conforming following review from the evaluation panel and was excluded from further evaluation.

During the evaluation process, another submission contained a significant shortfall that subsequently resulted in a second non-conforming submission. A summary of the compliance check is shown in Table 3.

Table 3. Tender Submission Conformance

Tenderer	Price	Offer	Status
King Concreting – t/a Civform	\$1,678,533.18	Comparative	Conforming
2	\$2,661,684.62	Comparative	Conforming
3	\$1,618,416.52	Comparative	Non-Conforming
4	\$1,986,995.66	Comparative	Conforming
5	–	N/A	Non-Conforming

The remaining three submissions received were accepted by the evaluation panel for assessment on the basis that all terms, conditions, and mandatory requirements of the RFT had been substantively met.

During the evaluation procedure, submissions were assessed against the evaluation criteria detailed in the RFT documentation. Specific criteria were weighted according to their importance in delivering the project successfully and providing the best overall value for money solution in accordance with Council's procurement policies. The weighting attributed to each criterion was:

Table 4. Evaluation Criteria

Criteria	Weighting
Technical Capacity of Tenderer	15%
Business Profile (Local, Social and Sustainability)	20%
Program of Works	10%
Works Procedures and Methodology	15%
Price	40%

Each Tenderers score and rankings are shown in Table 5.

Table 5. Tenderer's Ranking and Scoring

Weighted Score Table							
Tenderer	Price (40%)	Technical Capacity (15%)	Business Profile (20%)	Program (10%)	Methodology (15%)	Total %	Ranking
King Concreting t/a Civform	38.97	14	15.7	8.3	13.5	90.5	1
2	33.73	10.8	14	8	2	68.5	2
3	22.27	9.5	16	7.3	11	66.1	3

The green shading in the above table indicates the highest score for the criteria and the red shading indicates the lowest score for the criteria.

Based on the results of the evaluation, King Concreting Pty Ltd is the recommended tenderer for the contract. King Concreting Pty Ltd provided a comprehensive submission in terms of identifying and understanding the high-risk activities so that businesses, tourists and residents are least impacted as practicable as possible. The submission also highlighted the contractor's capacity and experience to take on the scope.

PROPOSAL

It is proposed that Council adopts to accept the evaluation panel's award recommendations.

That Council:

1. Resolves to award Contract 2023-5759 – Connecting Communities: Mossman CBD to Mossman Gorge Cycleway and Pedestrian Bridge to King Concreting Pty Ltd Trading as Civform (ABN 70 075 411 442) for \$1,678,533.18 (GST exclusive).
2. Delegates authority under s 257 of the *Local Government Act 2009* to the Chief Executive Officer to negotiate, finalise and execute any and all matters in relation to this contract.

FINANCIAL/RESOURCE IMPLICATIONS

Council has allocated the following amounts in the capital budget 22/23. Grant Funding applies for the project.

RISK MANAGEMENT IMPLICATIONS

The selection of King Concreting Pty Ltd provides reduced risk by:

- Engaging a Cairns based contractor who will be utilising subcontractors from the Douglas shire area.
- The contractor has a significant understanding of the scope of work and has undertaken similar high impact work previously.

- Understanding and experience with bridge installation, pile driving and construction of abutments.
- The contractor has provided a detailed risk Mitigation for work activities.
- The program consists of a 26-week construction timeline that is both reasonable and realistic.

As this project is grant funded and there is a limited construction window for the anticipated project duration, not awarding this tender puts the project completion in its entirety at risk and puts future grant opportunities with the funder also at risk.

If another tenderer other than the recommended tenderer was selected, there would significant cost implications which would have to be directly funded by Council rather than from the funding grant. Increased risk of quality issues, increased costs due to variations and potential prolonged construction durations are also potential risks if the recommended tenderer is not awarded the contract.

SUSTAINABILITY IMPLICATIONS

Economic: Local suppliers, cafes and at times hotel accommodation will be utilised during construction.

Environmental: The project is in Mossman. Environmental components have been reviewed and will be managed by the Principal Contractor awarded to undertake the works.

Social: The upgrade will provide save cycleway access for locals and tourists between the Mossman Aged Care Facility and the Mossman Gorge.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2019-2024 Initiatives:

Theme 1 - Celebrating Our Communities

Douglas Shire Council embraces the diversity of our communities and values the contribution that all people make to the Shire. We recognise that it is a core strength of the region. We acknowledge our past so that it may guide us in the future. We recognise the wrongs done to our Indigenous community and we actively seek to reconcile so that we may all benefit from and enjoy our Shire. We acknowledge early European settlers who forged an agricultural base for our economy, and we welcome all new arrivals as part of our broader community.

Goal 2 - We will deliver programs and services that protect and enhance the liveability of our beautiful Shire.

Theme 2 - Fostering Sustainable Economic Growth

A robust economy is at the heart of a thriving community and enables investment in environmental protection. While our remoteness is a key attribute, it also presents challenges for attracting new business and investment. We must also meet the challenges of fierce competition in the tourism sector. Council will partner with industry to build, diversify and promote the Douglas economy. Council will design and deliver infrastructure, strategies and services that support the local economy and businesses.

Goal 1 - We will build appropriate infrastructure and deliver services that connect and support businesses.

Theme 4 - Inclusive Engagement, Planning and Partnerships

In delivering for our communities, economy and environment, Douglas Shire will ensure open and transparent engagement and communication. We will develop robust strategic plans and we will partner with our community and key stakeholders.

Goal 3 - We will recognise the critical role that our partners play in planning and delivering vital programs and services.

Theme 5 - Robust Governance and Efficient Service Delivery

Strong governance and financial management are the foundations of the way in which Council will conduct its business and implement the initiatives of the Corporate Plan.

Goal 1 - We will conduct Council business in an open and transparent manner with strong oversight and open reporting.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Agent On occasion, Council delivers services or builds infrastructure on behalf of other levels of government or organisations.

CONSULTATION

Internal: Consultation has occurred with Officers across all required departments during the preparation of the tender
Councillor Workshop 18th April 2023

External: Tenders were received through public advertising of the project.

COMMUNITY ENGAGEMENT

Mossman Gorge and properties within the vicinity of the works were consulted regarding this grant funded project.

ATTACHMENTS

Nil