




**12 CONFIDENTIAL ITEMS****12.2 RUBBLE RAISING, CRUSHING AND CARTING TENDER****RECOMMENDATION**

**That:**

- 1. Pursuant to Section 90(2) & (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Acting Chief Executive Officer, Manager Corporate Services, Acting Manager Infrastructure Services, Manager Property and Development Services, Coordinator Executive Services and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 16 August 2023 for Agenda Item 12.2 Rubble Raising, Crushing and Carting Tender;**
- 2. The Council is satisfied that pursuant to section 90 (3) (k) of the Local Government Act 1999, the information to be received, discussed or considered in relation to the Agenda Item 12.2 Rubble Raising, Crushing and Carting Tender is:**  
**tenders for the supply of goods, the provision of services or the carrying out of works.**
- 3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this Agenda Item 12.2 in confidence.**

**12.2 RUBBLE RAISING, CRUSHING AND CARTING TENDER**

**Responsible officer: Matthew Sherman, Manager Infrastructure Services**

- Attachments:**
1. **Evaluation report** [↓](#) 
  2. **Evaluation report 2** [↓](#) 
  3. **Recommendation report** [↓](#) 

<b>Section under the Act</b>	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 90(2) & (3) of the <i>Local Government Act 1999</i> .
<b>Sub-clause and Reason:</b>	(k) - tenders for the supply of goods, the provision of services or the carrying out of works.

**Executive Summary**

The purpose of this report is to award a contract for the delivery of raising, crushing, carting and /or laying of 40mm crushed rubble for council’s resheeting and maintenance program.

**RECOMMENDATION 1**

**That Council approves the appointment of Southern Contracting Group Pty Ltd-Trustee for MR & BM Ramke as the preferred contractor for the provision of works-supply, cart and /or lay 40mm crushed rubble in accordance with the tender evaluation report at appendix 1 and 3.**

**RECOMMENDATION 2**

**That Council agrees to the procurement advisor advising the preferred contractor of their successful request for tender for the provision of the works.**

**RECOMMENDATION 3**

**That Council notes that a copy of the draft contract will be provided for councils authorised officer for approval prior to being offered to the preferred contractor for signature.**

**RECOMMENDATION 4**

**That Council notes that risk mitigation strategies have been put in place to reduce the key risks associated with this procurement**

**Background**

Council has for a period now contracted out the raising, crushing and carting of rubble due to a range of changing practices and staffing arrangements with the current contract having concluded June 30, 2023. A new contract must now be put in place for council to continue its resheeting and maintenance program.

**Context**

Council engaged a procurement agent to run a select request for tender process. The tender was released as a select RFT process via the procurement agents secure email on June 2, 2023, and closed 2pm Monday 3 July 2023. The tender had four [4] components and the tenderers were able to provide a tender for one or more of the components. The contract is for a 3-year period with the option of two [2] by twelve [12] month extensions available with these extensions to be at the absolute discretion of council

A total of 6 responses were received for consideration from a pool of 17 companies.

Attached are 3 highly detailed reports including a recommendation report

**Policy and statutory implications**

Council has a procurement policy and the tender process has been undertaken in accordance with the policy.

All Council purchases must be carried out in compliance with the Local Government Act 1999 (the Act). Section 49 (a1) of the Act requires Council to develop and maintain procurement policies, practices and procedures directed towards:

- Obtaining value in the expenditure of public money, and
- Providing for ethical and fair treatment of participants, and
- Ensuring probity, accountability and transparency in the procurement process.

Council is not obliged to accept the lowest tender or any tender.

**Issues**

An assessment summary and tender evaluation is provided as an attachment to this report. As with all tenders you try and compare [ as they say “apples with apples”] as best with the information given.

Two contractors gave options of laying rubble with one \$23,117 per Km and the other \$19,680 per Km. With this in mind, council has continually undertaken the laying of rubble with the exception of Carcuma Road and currently Lameroo Sth Road in 2022/23. Over the last 2 financial years the average per Km for council to lay rubble has been 2022/23 \$9,625 and 2021/22 \$ 15,982, therefore council is still best positioned to continue to undertake the laying of the rubble.

**Alternate options**

The recommendation provides for one [1] contractor to undertake all the provision of the contract, however council may decide to split the contract and award certain components to different contractors. This option is not supported by council staff.

**Financial implications**

The total budget allocation for resheeting this financial year is \$1,305,000.

**Work Health and Safety and Risk implications**

The submitted tenders included work health and safety components. Risk implications are associated with tenders, however the detailed evaluation has made sure that any risks from a procurement process have been reduced.

**Consultation**

Council has been presented with a detailed report for consideration.

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**SOUTHERN MALLEE DISTRICT COUNCIL**

**Tender Evaluation Matrix - Summary of Scores**

**CONFIDENTIAL / COMMERCIAL-IN-CONFIDENCE**

<b>Tender Title</b>	Rubble Raising Crushing Carting or Supply Cart & Lay option	<b>EVALUATION CRITERIA</b>	<b>Weight (%)</b>
<b>Reference</b>	RFT-001	Price Weighting	
<b>Nominated Officer</b>	Matthew Sherman, Acting Chief Executive Officer	All Related Criteria	100.00
<b>Date</b>	5/07/2023	TOTAL (must equal 100.00)	100.00

TENDERER NAME		Alvanos Earthmoving		Swan Earthmovers		Flynn D'Arcy Civil Contractors		Pocock Quarries		MA Skinner Contracting		Southern Contracting Group	
<b>MANDATORY CRITERIA</b>		<i>Mandatory:</i>		<i>Mandatory:</i>		<i>Mandatory:</i>		<i>Mandatory:</i>		<i>Mandatory:</i>		<i>Mandatory:</i>	
Completeness and conformity of the Tender Response including compliance with conditions		Pass		Pass		Pass		Pass		Pass		Pass	
Insurance cover in accordance with Requirement		Pass		Pass		Pass		Pass		Pass		Pass	
Licence/Accreditation to undertake works/deliver service		Pass		Pass		Pass		Pass		Pass		Pass	
Legal Entity with Registered ABN		Pass		Pass		Pass		Pass		Pass		Pass	
All Related Criteria	Weight (%)	Score (0 - 10)	Weighted Score (%)	Score (0 - 10)	Weighted Score (%)	Score (0 - 10)	Weighted Score (%)	Score (0 - 10)	Weighted Score (%)	Score (0 - 10)	Weighted Score (%)	Score (0 - 10)	Weighted Score (%)
	(a)	(b)	(b) / 10 x (a)	(b)	(b) / 10 x (a)	(b)	(b) / 10 x (a)	(b)	(b) / 10 x (a)	(b)	(b) / 10 x (a)	(b)	(b) / 10 x (a)
Price – best value for money Schedule of Rates option to undertake the Works (including value-added Services, improvements, innovations)	30.00	5.0	15.0	5.7	17.0	8.3	25.0	6.7	20.0	6	18.0	8.0	24.0
Commercial Risk - WHS,Quality,Environmental & Risk	10.00	5.3	5.3	6.3	6.3	5.7	5.7	7.3	7.3	7.7	7.7	8.3	8.3
Capacity - including demonstrated understanding of the Service requirements, organisation structure and key staff/resources etc, Subcontractors to be used, contingency plans to provide the works on time and on budget.	30.00	5.0	15.0	6.0	18.0	7.3	22.0	6.7	20.0	8.0	24.0	7.7	23.0
Capability – including Methodology, previous experience, local knowledge, understanding of the requirements	30.00	5.7	17.0	6.3	19.0	7.0	21.0	7.0	21.0	7.3	22.0	8.3	25.0
Quality Score (%)		52.3		60.3		73.7		68.3		71.7		80.3	
QUALITY WEIGHTING RANK		6		5		2		4		3		1	

**SOUTHERN MALLEE DISTRICT COUNCIL**

**Tender Evaluation Matrix - Individual raw scores - unweighted**

**CONFIDENTIAL / COMMERCIAL-IN-CONFIDENCE**

<b>Tender Title</b>	Rubble Raising Crushing Carting or Supply Cart & Lay option	<b>EVALUATION CRITERIA</b>	<b>Weight (%)</b>
<b>Reference</b>	RFT-001	Price Weighting	
<b>Nominated Officer</b>	Matthew Sherman, Acting Chief Executive Officer	Non-Price Related Criteria	100.00
<b>Date</b>	5/07/2023	TOTAL (must equal 100.00)	100.00

<b>Evaluator</b>	EVALUATION NO. 1	1 low → 10 high
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Raw Score out of 10	Definition	Description
9-10	Excellent	Has exceeded all of the requirements specified in the documentation for that criterion. Demonstrated strengths, no significant weaknesses or omissions.
7-8	Very Good	Has met all and exceeded some of the requirements specified in the documentation for that criterion. May contain minor weaknesses or omissions which may be acceptable as offered.
5-6	Satisfactory	Has met achievement of the requirements specified in the documentation for that criterion. May contain minor weaknesses or omissions which may be acceptable as offered.
2-4	Unsatisfactory	Has partially met achievement of the requirements specified in the documentation for that criterion. Some weaknesses or omissions that may be possible to correct/overcome and make acceptable.
0-1	Poor	Has not or only partially met the requirements specified in the documentation for that criterion. Existence of numerous weaknesses or omissions that are difficult to correct/overcome and make acceptable.

TENDERER NAME	Alvanos Earthmoving	Swan Earthmovers	Flynn D'Arcy Civil Contractors	Pocock Quarries	MA Skinner Contracting	Southern Contracting Group	Notes from Evaluator
Non-Price Related Criteria	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	
Price – best value for money Schedule of Rates option to undertake the Works (including value-added Services, improvements, innovations)	5	6	9	7	6	8	Demob/Mob price very low Flynn Darcy
Commercial Risk - WHS,Quality,Environmental & Risk	5	7	6	8	8	8	
Capacity - including demonstrated understanding of the Service requirements, organisation structure and key staff/resources etc, Subcontractors to be used, contingency plans to provide the works on time and on budget.	5	6	8	7	8	8	
Capability – including Methodology, previous experience, local knowledge, understanding of the requirements	6	7	7	7	7	8	

Evaluator		EVALUATOR NO. 2						1 low → 10 high
TENDERER NAME		Alvanos Earthmoving	Swan Earthmovers	Flynn D'Arcy Civil Contractors	Pocock Quarries	MA Skinner Contracting	Southern Contracting Group	Notes from Evaluator
Non-Price Related Criteria					Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	
Price – best value for money Schedule of Rates option to undertake the Works (including value-added Services, improvements, innovations)		5	5	8	7	6	8	
Commercial Risk - WHS,Quality,Environmental & Risk		5	6	5	7	7	9	
Capacity - including demonstrated understanding of the Service requirements, organisation structure and key staff/resources etc, Subcontractors to be used, contingency plans to provide the works on time and on budget.		5	6	7	6	8	7	
Capability – including Methodology, previous experience, local knowledge, understanding of the requirements		5	6	7	7	7	8	

Evaluator		EVALUATOR NO. 3						1 low → 10 high
TENDERER NAME		Alvanos Earthmoving	Swan Earthmovers	Flynn D'Arcy Civil Contractors	Pocock Quarries	MA Skinner Contracting	Southern Contracting Group	Notes from Evaluator
Non-Price Related Criteria		Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	
Price – best value for money Schedule of Rates option to undertake the Works (including value-added Services, improvements, innovations)		5	6	8	6	6	8	Overall response from Southern Contracting Group provided a good understanding of the requirements and their capability and capacity to undertake the Works. Pricing option also a reasonable price. Overall providing a Best Option based on the information provided.
Commercial Risk - WHS,Quality,Environmental & Risk		6	6	6	7	8	8	
Capacity - including demonstrated understanding of the Service requirements, organisation structure and key staff/resources etc, Subcontractors to be used, contingency plans to provide the works on time and on budget.		5	6	7	7	8	8	
Capability – including Methodology, previous experience, local knowledge, understanding of the requirements		6	6	7	7	8	9	

<b>AVERAGE OF ALL EVALUATION SCORES:</b>	<b>NUMBER OF EVALUATORS:</b>	<b>3</b>
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TENDERER NAME	Alvanos Earthmoving	Swan Earthmovers	Flynn D'Arcy Civil Contractors	Pocock Quarries	MA Skinner Contracting	Southern Contracting Group
Non-Price Related Criteria	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)	Score (0 - 10)
Price – best value for money Schedule of Rates option to undertake the Works (including value-added Services, improvements, innovations)	5.0	5.7	8.3	6.7	6.0	8.0
Commercial Risk - WHS,Quality,Environmental & Risk	5.3	6.3	5.7	7.3	7.7	8.3
Capacity - including demonstrated understanding of the Service requirements, organisation structure and key staff/resources etc, Subcontractors to be used, contingency plans to provide the works on time and on budget.	5.0	6.0	7.3	6.7	8.0	7.7
Capability – including Methodology, previous experience, local knowledge, understanding of the requirements	5.7	6.3	7.0	7.0	7.3	8.3



**SOUTHERN MALLEE DISTRICT COUNCIL**

Conformance Assessment Form

*Rubble Raising Crushing Carting or Supply Cart & Lay option*

RFT-001

**CONFIDENTIAL / COMMERCIAL-IN-CONFIDENCE**

RFT Clause / Schedule No.	Requirement	Compliance Requirement	Alvanos Earthmoving	Swan Earthmovers	Flynn D'Arcy Civil Contractors	Pocock Quarries	MA Skinner Contracting	Southern Contracting Group
(Y= Yes/Compliance met; N = No/Non Compliance)			<b>Tendered for: Carting from Borrow Pits only</b>	<b>Tendered for: Rubble Raising/Crushing from borrow pits only</b>	<b>Tendered for: Raising, Crushing and Carting from Borrow Pits only</b>	<b>Tendered for: Raising, Crushing from Borrow Pits only</b>	<b>Tendered for: Rubble Raising/Crushing and Carting and also Supply, Cart &amp; Lay but from Borrow Pit not own supply</b>	<b>Tendered for: Rubble Raising, Crushing and Carting from borrow pits and also Supply Cart and Lay from own quarry</b>
1	Tender Form	Tender Form - Formal Offer signed by authorised officer of the Tenderer	Y	Y	Y	Y	Y	Y
	Tenderer's Details	1.(a) Name of Tender	Alvanos Earthmoving Pty Ltd	Swan Earthmovers Pty Ltd	Flynn D'Arcy Civil Contractors Pty Ltd	Pocock Quarries Pty Ltd	The Trustee for Skinner Contracting Trust t/a MA Skinner Contracting Pty Ltd	Southern Contracting Group Pty Ltd Trustee for MR & BM Ramke
		1.(b) Correct ABN supplied	50 703 415 492	21 645 148 250	18 605 239 147	60 622 698 588	55 846 769 315	39 442 050 761
	Tenderer's Details	2. Contact Person	Dimitrios Alvanos	Kerry Swan	Luke Flynn D'Arcy	Charlie Pocock	Mark Skinner	Matthew Ramke
	Tenderer's Details	3. Registered Address	14 Ral Ral Avenue, Renmark 5341	Di Nino & Co Pty Ltd, Level 1 231 The Parade, Norwood 5067	21 Aberle Street, Karonda 5307	Perks Accountants - 8/81 Flinders Street, Adelaide 5000	8/81 Flinders Street, Adelaide 5000	35 Oborn Road, Lammaroo 5302
	Tenderer's Details	4. Postal Address	PO Box 1710, Renmark 5341	PO Box 339, Meningie 5264	19 Hage Road, Younghusband SA 5238	478 Rosedale Road, Rosedale 5350	PO Box 405, Wallaroo 5556	PO Box 619, Mount Barker 5251
	Tenderer's Details	5. Telephone	8595 3533	Office: 0419 719 008; Kerry 0407 412 857; Craig Swan 0428 813 209	0497 905 700	8558 3295 - Charlie 0400 770 031	8823 3466	8538 5342
	Tenderer's Details	6. Email	<a href="mailto:jim@alvanosearthmoving.com.au">jim@alvanosearthmoving.com.au</a> ; <a href="mailto:mark@alvanosearthmoving.com.au">mark@alvanosearthmoving.com.au</a> ; <a href="mailto:office@alvanosearthmoving.com.au">office@alvanosearthmoving.com.au</a>	<a href="mailto:office@swaneearthmovers.com.au">office@swaneearthmovers.com.au</a> ; <a href="mailto:kerry@swanbrothers.com.au">kerry@swanbrothers.com.au</a>	<a href="mailto:luke.flynnarcy@fdcc.com.au">luke.flynnarcy@fdcc.com.au</a>	<a href="mailto:admin@pocockquarries.com.au">admin@pocockquarries.com.au</a>	<a href="mailto:sales@skidders.net.au">sales@skidders.net.au</a>	<a href="mailto:matt@scg.net.au">matt@scg.net.au</a>
Tenderer's Details	7. Sign agreement to Read & Understood the RFT & Conditions of Tender	Y	Y	Y	Y	Y	Y	
2	Pricing & Rates	Schedule has been addressed	Y	Y	Y	Y	Y	Y
3	Licences & Accreditations	Schedule has been addressed	Y	Y	Y	Y	Y	Y
4	Insurances	Schedule has been addressed	Y	Y	Y	Y	Y	Y
5	Environmental Management System	Schedule has been addressed	Y	Y	Y	Y	Y	Y
6	Quality Systems	Schedule has been addressed	Y	Y	Y	Y	Y	Y
7	Work Health & Safety and Risk Management	Schedule has been addressed	Y	Y	Y	Y	Y	Y
8	Conflict of Interest	Schedule has been addressed	Y	Y	Y	Y	Y	Y
9	Statement of Conformity with Draft Contract and/or RFT documents	Schedule has been addressed	Y	Y	Y	Y	Y	Y
10	Organisation Structure, Key Staff, Subcontractors, Contingency Plan	Schedule has been addressed	Y	Y	Y	Y	Y	Y
11	Methodology	Schedule has been addressed	N - see Conformance Note re requirement	Y	Y	Y	Y	Y
12	Covid 19-Existing Conditions	Schedule has been addressed	Y	Y	Y	Y	Y	Y

<b>SOUTHERN MALLEE DISTRICT COUNCIL</b>		
Notes for consideration in TEP Evaluation Process only.		
<b>CONFIDENTIAL / COMMERCIAL-IN-CONFIDENCE</b>		
Conformance Notes		
Company No #	Item	Comments
Alvanos Earthmoving	<b>Pricing</b> - Labour hire - overtime rates see Price Comparison Note;	Pricing for Rubble Carting Only
	<b>Assumptions and Exclusions</b> to tender pricing: Assumptions: as the location of each work site is different, separate carting rates for different sites have been provided; Mobilisation/Demobilisation Rate is for one visit or continuous works	Assumptions & Exclusions must be considered as part of the Best Price option
	<b>Basis for Fee review annually:</b> Annual CPI Adelaide for quarter prior to anniversary date	
	<b>Licences &amp; Accreditations:</b> Work Zone Traffic Management; Excavator, Grader, Bobcat licences; White Card	copy of each provided - starting at page 24
	<b>Insurance:</b> Public Liability - \$20m in aggregate - current expiry 31/7/23; Motor Vehicle Fleet - \$32,500,000 - current expiry 31/7/23; Return to Work SA - coverage to 30/6/23	will need to obtain updated insurance documents if successful, prior to commencement of works
	<b>Environment Management System:</b> No ISO 14001 accreditation; Have considered Risk with project; Have provided Policy at Appendix 3.	
	<b>Quality Systems:</b> No ISO 9001 Quality Management accreditation; Have considered Risk and provided overview - CCF SA accredited for IMS. Will have an Inspection Test Plan available; Have provided Policy at Appendix 4	JSEA/SWEMS and CCF accreditation provided for review
	<b>WHS and Risk Management:</b> Comply with OH&S Standard 18001; 3rd Party accreditation - provided as part of Appendix 4	
	<b>Conflict of Interest</b> - nil reported	
	<b>Statement of Conformance with Draft Contract</b> - No non-conformances advised	
	<b>Organisation Structure</b> - Company Chart provided; <b>Employees including Qualifications</b> - full list provided; <b>Subcontractors</b> - Nil identified; <b>Contingency Plan</b> - basic overview provided	
	<b>Methodology</b> - Nil provided	Carting only - therefore no specific need to provide a Methodology

<b>Swan Earthmovers</b>	<b>Pricing</b> - as submitted	<b>Pricing for: Item 1 - Rubble Raising/Crushing from Borrow Pit</b>
	<b>Assumptions and Exclusions</b> to tender pricing: <u>Assumptions:</u> Top Soil to be removed to a depth of 300mm; Pricing is prepared using the Kerley Impact Closed Crushing Circuit; <u>Exclusions</u> - Site remediation and replacement of topsoil	Assumptions & Exclusions must be considered as part of the Best Price option
	<b>Basis for Fee review annually:</b> Annual CPI Adelaide for the Quarter prior to the anniversary date	
	<b>Licences &amp; Accreditations:</b> EPA License; Master Builders SA Contractor Licensing Course; White Card; etc	Refer to the Response - Note that there are over 70 separate attachments including the various licences and certifications for each employee. Please advise if required to review
	<b>Insurance:</b> Public Liability - \$20m per incident and in the aggregate; Plant & Equipment - per machine; Return to WorkSA	
	<b>Environment Management System:</b> no ISO or third party accreditation; mitigation strategy provided	Environmental Management Plan attached
	<b>Quality Systems:</b> no ISO accreditation but advised that they working toward both ISO 9001:2015 and ISO 45001:2018as at October 2021; mitigation strategy provided	Letter confirming engagement re accreditation included
	<b>WHS and Risk Management:</b> no ISO accreditation (as above) JSEA and SWMS provided	as above
	<b>Conflict of Interest</b> - Nil provided	
	<b>Statement of Conformance with Draft Contract</b> - none identified	
	<b>Organisation Structure</b> - provided; <b>Employees</b> - full list including qualifications provided in response; <b>Subcontractors</b> - Nil; <b>Contingency Plan</b> provided	provided with response, including copy of all licences and accreditation for all employees
	<b>Methodology</b> - Brief methodology provided.	

<b>Flynn D'Arcy Civil Contractors</b>	<b>Pricing</b> - Haulage Rates commence at 1km \$1.72 per KM per Tonne ex GST to 80km \$16.59 per Km per tonne ex GST	<b>Pricing for: Item 1</b> - Rubble Raising/Crushing from Borrow Pit; Item 2 - Rubble Carting from Borrow Pit; Item 3 - Raising and Crushing and Carting from Borrow Pit
	<b>Assumptions and Exclusions</b> to tender pricing: Assumptions: Material to be raised is able to be raised at a rate of 250 cubic metres per hour: Exclusions: Rock Hammer/Blasing of Rock	Assumptions & Exclusions must be considered as part of the Best Price option
	<b>Basis for Fee review annually:</b> Annual CPI yearly review; Excessive increase in fuel price - Terminal Gate Price and negotiation with Council	
	<b>Licences &amp; Accreditations:</b> refer to proposal submitted as separate document	Included in Response document provided as "Proposal" - refer to Key Staff
	<b>Insurance:</b> Public Liability - \$20m per incident and in the aggregate, expiry 11/10/23; Return to WorkSA, expiry 30/6/24; Plant & Equipment - \$1,117,500 / \$745,000 / \$515,000 each expiring 11/10/23	
	<b>Environment Management System:</b> has a relevant system in place; has mitigation strategy provided	
	<b>Quality Systems:</b> No ISO 9001 QM certified; has considered risks; provided mitigation strategy	
	<b>WHS and Risk Management:</b> no OH&S Safety Standard 18001 certified; aware of obligations	JSA provided in Response document provided as "Proposal"
	<b>Conflict of Interest</b> - No conflict identified	
	<b>Statement of Conformance with Draft Contract</b> - provided an alternative offer for Cartage of Material as Haulage Matrix	Contract to be amended to reflect Alternative offer if successful
	<b>Organisation Structure</b> - refer to "Proposal" supplied with tender; key staff; Contingency <b>Subcontractors</b> - Port Adelaide Construction - heavy haulage of crushing plant	Included in Response document provided as "Proposal" Page 13 - Employees page 14;
	<b>Methodology</b> - full proposal provided as a separate document - for review by TEP members	Included in Response document provided as "Proposal" Methodology, timeframe etc refer to Page 8-10

<b>Pocock Quarries</b>	<b>Pricing</b> - as supplied	<b>Pricing for: Item 1 - Rubble Raising/Crushing from Borrow Pit Only</b>
	<b>Assumptions and Exclusions</b> to tender pricing: Assumptions: Raw Feed to be free from contaminants (eg large steel); mobilisation/demobilisation allows for 2 pits per annum; Single campaign per pit. <b>Exclusions:</b> NIL	Assumptions & Exclusions must be considered as part of the Best Price option
	<b>Basis for Fee review annually:</b> All groups CPI Adelaide Index (Series ID A2325821J) for the quarter prior to anniversary date	
	<b>Licences &amp; Accreditations:</b> all ISO accredited as below; CCF Membership; Institute of Quarrying Australia Membership.	
	<b>Insurance:</b> Public Liability - \$20m per incident & in the aggregate; \$20m Products in the aggregate; ReturntoWorkSA	
	<b>Environment Management System:</b> ISO 14001:2015 accredited; provided SWMS and Risk Mitigation Strategy	provided as appendix 2
	<b>Quality Systems:</b> ISO 9001:2015 accredited; provided SWMS	provided as appendix 2
	<b>WHS and Risk Management:</b> ISO 45001:2018 accredited; provided SWMS	provided as appendix 2
	<b>Conflict of Interest</b> - Nil advised	
	<b>Statement of Conformance with Draft Contract</b> - Nil advised	
	<b>Organisation Structure</b> - provided; <b>employees</b> - provided qualifications in response; <b>Subcontractors</b> - Nil; <b>Contingency</b> provided in Appendix 3 - Capability Statement	provided as appendix 3
	<b>Methodology</b> - Brief overview of Methodology provided for review	

<b>MA Skinner Contracting</b>	<p><b>Pricing</b> - Note Item 4 - <b>Supply, Cart &amp; Lay</b> - have tendered but from Council Borrow Pits not own Pit. <b>(provided alternative offer -full package option on pg 20 for review)</b></p> <p><b>Note</b> mobilisation for all sites not per site</p> <p><b>Note</b> Rubble carting per tonne Item 2 - average of total over various distances per load - See separate pricing schedule attached</p> <p><b>Material Testing costs</b> - \$350 for all testing required</p> <p>No <b>Labour rates</b> provided - state simply all own staff</p>	<p><b>Pricing for: Item 1 - Rubble Raising/Crushing from Borrow Pit; Item 2 - Rubble Carting from Borrow Pit; Item 3 - Raising and Crushing and Carting from Borrow Pit; Item 4 - Supply, Cart &amp; Lay but from Borrow Pit</b></p>
	<p><b>Assumptions and Exclusions</b> to tender pricing:</p> <p><b>Assumptions:</b> <u>Raise &amp; Crush</u> - assumes all topsoil to be stockpiled on site, all rehabilitation of borrow pits to be done by others, all crushed material to be weighed and stockpiled with stacker.</p> <p><u>Load &amp; Cart</u> - assume all materials to be carted and stockpiled on road site ready for mixing - Skinner to supply traffic signage &amp; TMP;</p> <p><u>Laying of Crushed Rubble</u> - supplied from council borrow pits, existing subbase to be tynd to allow additional rubble to bind, blade mix additional rubble to OMC lay rubble to design width and grade with GPS controlled grader, compact and trim base course to a smooth, tight finish.</p>	<p>Assumptions &amp; Exclusions must be considered as part of the Best Price option</p>
	<p><b>Exclusions:</b> <u>Raise &amp; Crush</u> - rehabilitating of borrow pit;</p> <p><u>Load &amp; Cart</u> - maintaining of existing roads;</p> <p><u>Laying of Crushed Rubble</u> - Reworking and forming up of existing subgrade to achieve designed wide or crown before placing of new base course layer.</p>	
	<p><b>Basis for Fee review annually:</b> annual CPI SA and AIP Diesel Price Increase</p>	
	<p><b>Licences &amp; Accreditations:</b> Builders Licence; NHVR accreditation;</p>	<p>provided with response</p>
	<p><b>Insurance:</b> Public Liability - \$20m per incident and in the aggregate; ReturntoworkSA; Directors &amp; Officers</p>	<p>provided with response</p>
	<p><b>Environment Management System:</b> ISO 14001:2015 accredited; risk mitigation strategy and SWMS</p>	<p>provided with response</p>
	<p><b>Quality Systems:</b> Quality ISO 9001:2015 accredited; risk mitigation outlined</p>	<p>provided with response</p>
	<p><b>WHS and Risk Management:</b> ISO 45001:2018 accredited; risk mitigation strategy outlined; SWMS</p>	<p>provided with response</p>
	<p><b>Conflict of Interest</b> - Nil advised</p>	
	<p><b>Statement of Conformance with Draft Contract</b> - Nil advised</p>	
	<p><b>Organisation Structure</b> - Org Chart provided; Employees including licences/tickets provided;</p> <p><b>Subcontractors</b> - Nil advised; Contingency provided</p>	
	<p><b>Methodology</b> - Provided a full methodology for review and consideration</p>	<p>Refer page 19 of response</p>

<b>Southern Contracting Group</b>	<b>Pricing</b> - Schedule of rates for Cartage provided - includes all items for inclusion in price submitted	<b>Pricing for: Item 1 - Rubble Raising/Crushing from Borrow Pit; Item 2 - Rubble Carting from Borrow Pit; Item 3 - Raising and Crushing and Carting from Borrow Pit; Item 4 - Supply, Cart &amp; Lay from own pit</b>
	<b>Assumptions and Exclusions</b> to tender pricing: <u>Assumptions:</u> 2 x pits being used, Litchfields and Lehmans; No more than 300mm of topsoil to be removed in rubble pits; Water is made available for road construction; 46,000t p/a of crushing minimum. <u>Exclusions:</u> Water for road constructions; Hard Rock Excavation (if 45t Excavator cannot raise)	Assumptions & Exclusions must be considered as part of the Best Price option
	<b>Basis for Fee review annually:</b> CPI increase Adelaide	
	<b>Licences &amp; Accreditations:</b> Mass & Maintenance Management certification; Contractor's Licence - Building Works certified	
	<b>Insurance:</b> Public Liability - \$20 per incident; Professional Indemnity - \$20m per incident; ReturntoWork SA;	
	<b>Environment Management System:</b> ISO 14001 certified; overview of mitigation strategy provided	copy provided with response
	<b>Quality Systems:</b> Quality ISO 9001:2015 accredited; risk mitigation outlined	copy provided with response
	<b>WHS and Risk Management:</b> ISO 45001:2018 accredited; risk mitigation strategy outlined; Project Safety Management Plan provided	copy provided with response
	<b>Conflict of Interest</b> - Nil advised	
	<b>Statement of Conformance with Draft Contract</b> - Nil advised	
	<b>Organisation Structure</b> - provided in response; <b>Employees</b> - including Licences & certifications provided for each; <b>Subcontractors:</b> Hiway Stabilizers for profiling/stabilising; Lab and Field Pty Ltd - Material testing; <b>Contingency</b> Provided	copies provided with response
	<b>Methodology</b> - Full Methodology provided with response for review	

SOUTHERN MALLEE DISTRICT COUNCIL			
Side-by-Side Price Comparison			
CONFIDENTIAL / COMMERCIAL-IN-CONFIDENCE			
Alvanos Earthmoving			
Service	Unit	Price per Unit ex GST	Price per Unit incl GST
ITEM 1 - Rubble Raising / Crushing	NO		
ITEM 2 - Rubble Carting	YES		
Item	Unit	Rate Ex GST	
Mobilisation/Demobilisation	Sum	\$ 1,000.00	
Driscoll Road	Per Tonne	\$ 29.00	
McKenzie Road	Per Tonne	\$ 24.00	
Border Road	Per Tonne	\$ 33.00	
Yappara Road	Per Tonne	\$ 23.00	
Bews North Road	Per Tonne	\$ 20.00	
Parrakie North Road	Per Tonne	\$ 12.00	
Parrakie South Road	Per Tonne	\$ 15.00	
Material Testing	Per Test	not applicable	
Accommodation	Per night per truck	\$ 150.00	
CTIF Levy	Per Item	\$ 2,773.00	











<b>PLANT HIRE RATES</b>			
<b>Plant/Machinery Item</b>	<b>Unit</b>	<b>Unit Price ex GST</b>	
Chieftain Screen	Rate per hour/WET	\$ 200.00	
Pegson Jaw Crusher	Rate per hour/WET	\$ 350.00	
Gyro Cone Crusher	Rate per hour/WET	\$ 395.00	
Metso Impact Crusher ( including EzyStack Stacker; Telestacker - both with weighing capacity; and Anaconda Hydraulic Wheel Conveyor x 2)	Rate per hour/WET	\$ 650.00	
Kumbee # 2 Impactor crusher	Rate per hour/WET	\$ 350.00	
Metso Loader or excavator, stack - small circuit operation	Rate per hour/WET	\$ 850.00	
McCloskey R155 Screener with weighing capacity	Rate per hour/WET	\$ 280.00	
Pugmill	Rate per hour/WET	\$ 650.00	
Vibrator Roller	Rate per hour/WET	\$ 215.00	
120G Grader	Rate per hour/WET	\$ 190.00	
924 Cat Loader	Rate per hour/WET	\$ 200.00	
555 Grader	Rate per hour/WET	\$ 215.00	
40t 6x6 Truck - off road cartage	Rate per hour/WET	\$ 260.00	
500, 150, 966 Loader	Rate per hour/WET	\$ 250.00	
330DL Excavator - raising	Rate per hour/WET	\$ 215.00	
336 DL Excavator	Rate per hour/WET	\$ 215.00	
PC 450 Excavator	Rate per hour/WET	\$ 260.00	
PC 650 Excavator	Rate per hour/WET	\$ 305.00	
Selwood 150 Pump	Per Day	\$ 285.00	
<b>LABOUR HIRE RATES</b>			
<b>Position</b>	<b>Rate per hour ex GST Day Rate</b>	<b>Rate per Hour ex GST Overtime Rate</b>	
Plant Operator	\$ 60.00	\$ 80.00	
Mechanic	\$ 135.00	\$ 175.00	

















ITEM 3 - Raising and Crushing and Carting		YES	
Item	Unit	Rate Ex GST	
Mobilisation/Demobilisation	Sum	\$ 48,344.82	
ubble Raising / Crushing	Per Tonne	\$ 19.25	
Material Testing - Particle size distribution etc	Per Test	\$ 350.00	
Wages & Administration	per Hour	\$ 188.00	
Accommodation	Per Day per Operator	\$ 200.00	
CTIF Levy		0.25% of total rubble carting	
All fuel is supplied with hire or tonnage rates			
See Conformance Notes re rubble carting over various distances			
ITEM 4 - Supply, Cart and Lay -		YES	
NOTE - from Borrow Pit not own pit			
Item	Unit	Rate Ex GST	
Supply of Crushed Rubble from own Quarry Pit	Per Tonne	Not applicable	
Laying of Crushed Rubble - 22.3km in length x 7.2 meters in width x 1950 tonnes per km across various roads	Per km	\$ 23,117.64	
<b>see BELOW AND PG 20 of response for ALTERNATE OPTION PRICING</b>			
	Unit	Rate per unit	Total per Item
1.1 - Mobilisation/Demobilisation Fee	Item		\$ 48,344.82
1.2 - Lay & Compact from Council pits 22.3 km at 7.2m wide @ 1950t	Item		\$ 515,523.37
1.3 - Raise & Crush 46,000t of 40mm rubble from Council Pit	46,000 Tonne	\$ 7.40	\$ 340,342.40
1.4 - Rubble Carting 46,000t of 40mm rubble from Council borrow pit	Item		\$ 460,243.33
<b>SUBTOTAL</b>			<b>\$ 1,364,453.92</b>
Provisional Sums			\$ -
Additional Testing			\$ -
Rock Excavation			\$ -
Subgrade Replacement			\$ -
Common Service Work			0
Dewatering			0
Silt Fencing			0
Fuel Levy			0
<b>TOTAL Ex GST</b>			<b>\$ 1,364,453.92</b>
GST			\$ 136,445.39
CITB Levy			\$ 2,560.28
<b>TOTAL INCLUDING PROVISIONAL SUMS LISTED , CITB AND GST</b>			<b>\$ 1,503,459.59</b>









<b>PLANT HIRE RATES</b>			
<b>Plant/Machinery Item</b>	<b>Unit</b>	<b>Unit Price ex GST</b>	
Cat 345 Excavator	Per hour	\$ 260.00	
966 Cat Front End Loader	Per hour	\$ 165.00	
Terex I-120 Impact Crusher	Per hour	\$ 500.00	
Tele-stacker Conveyor	Per hour	\$ 150.00	
John Deere grader 672GP	Per hour	\$ 260.00	
Cat 2011. CS-533E Smooth Drum Vibrating Roller	Per hour	\$ 140.00	
Multi Tyre Roller	Per hour	\$ 140.00	
Semi Water Cart	Per hour	\$ 170.00	
Prime Mover & Quad Axel Float - transport of equipment	Per hour	\$ 270.00	
Truck & Dogs	Per hour	\$ 165.00	
B Double Side Tippers	Per hour	\$ 180.00	
<b>LABOUR HIRE RATES</b>			
<b>Position</b>	<b>Rate per hour ex GST Day Rate</b>	<b>Rate per Hour ex GST Overtime Rate</b>	
Civil Operations Manager	\$ 120.00	\$ 180.00	
Loader & Crushing Operator	\$ 80.00	\$ 120.00	
Excavator Operator	\$ 80.00	\$ 120.00	
Field Service Technical	\$ 100.00	\$ 150.00	



**CONFIDENTIAL EVALUATION AND  
PROBITY REPORT**  
**Commercial-in-Confidence**

**Select Request for Tender**

Request for Tender (RFT) Title	Provision of options for the following Works – <ol style="list-style-type: none"> <li>1. Raising / crushing of Rubble from Council Borrow Pits; <i>and/or</i></li> <li>2. Rubble Carting from Council Borrow Pits; <i>and/or</i></li> <li>3. Raising / Crushing and carting from Council Borrow Pits; <i>or</i></li> <li>4. Supply, Cart and Lay 40mm crushed rubble as per Council's Resheet Program from Contractor's Quarry Pit</li> </ol>
Request For Tender Number:	RFT – 001
RFT Released	FRIDAY 2 June 2023
Closing Time for RFT:	2.00 pm (South Australia Time) MONDAY 3 JULY 2023
Response to RFT	Tender responses <b>must only</b> be via the secure email portal – <a href="mailto:tenderagent98@gmail.com">tenderagent98@gmail.com</a>
Council's Nominated Contact Person for all queries or clarifications:	Diane Harris, Council appointed Procurement Agent Email for queries: <a href="mailto:di.harris.tenders@outlook.com">di.harris.tenders@outlook.com</a> Phone: 0400 821 237

## BACKGROUND AND GENERAL INFORMATION

- 1.0 The Southern Mallee District Council (the **Council**) sought responses from suitably qualified providers for the provision of the Works (the **Works**) via a Select Request for Tender to suppliers identified as being capable and having the capacity to undertake the Works.

Tenderers were able to tender for all or some of the following Works, which would enable Council to consider appointing various suppliers for portions of the works or a sole provider for Item 4 below, dependent on the best value of money option to the Council. The service options were:

1. **Rubble Raising /crushing only** - 40mm x 46,000 tonnes per annum in council's borrow pits; and/or
2. **Rubble Carting only** – 40mm x 46,000 tonnes from council's borrow pits; and/or
3. **Raising / Crushing and carting**– 40mm x 46,000 tonnes per annum raised ,crushed in council's borrow pits and carting to council work sites ; **or**
4. **Supply, Cart and Lay:-**
  - **Supply** – 40mm crushed rubble from own Quarry Pit per Council's resheet program – 22.3 km in length x 7.2 meters in width x 1,950 tonnes per km across the various roads;
  - **Cart** – cart required crushed rubble as and when needed from own Quarry Pit – based on per km/per tonne from nearest Quarry Pit site to Council works required;
  - **Lay** – full cost to lay the 40mm crushed rubble per site as required by Council from time to time..

The Council will enter into and manage a Contract Arrangement for the Works with the successful respondent (the **Provider**).

The Contract will be for a **period of three (3) Years concluding on 30 June 2026** with the option to extend the Contract for a period of 2 x 12 month options, such extensions to be at the absolute discretion of the Council, following consultation and negotiation with the Contractor.

Council would require the Panel Provider to supply and deliver requested product in a timely manner to ensure a continuation of the works being undertaken by Council at that time.

Council appointed an independent Procurement Agent to undertake the following:

- preparation of the tender documents and once approved by Council, release to the selected providers,
- undertake a Compliance Report and side-by-side price comparison following close of tenders,
- act in the capacity of scoring Chair of the Tender Evaluation Panel (TEP),
- provide Probity Advice as and when required throughout the tender and evaluation process,
- prepare reports relating to the evaluation process, and
- prepare to full execution of the required Panel Arrangement Contracts.

### 1.1 Works

The Works to be provided by the Panel Providers include (but not limited to):

- 1.1.1 supply of good quality, suitable product from time to time as required by Council; and
- 1.1.2 delivery to the below sites as requested for each individual requirement;
  - O'Driscoll Road – 3.5km
  - McKenzie Road – 4.2km
  - Border Road – 2.3km
  - Yappara road – 1.2km

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- Bews North Road – 4.8km
- Parrakie North Road – 2.5km
- Parrakie South Road – 3.8km

with the required product to be delivered from the nearest available quarry to the work site as may be nominated by the successful Provider in consultation with the Council..

#### 1.2 **Aims and Objectives**

Council's aims and objectives regarding the Works is to establish a Contract to enable Council to meet its construction and maintenance responsibilities throughout the term of the Contract, including any extensions that may be exercised under the terms and conditions of the Contract.

#### 1.3 **Contract Term**

Council will enter into a Contract arrangement with the successful Provider for a period of three (3) years, with the option of further extensions of two (2) periods of 12 months per extension. Such extensions will be at the absolute discretion of the Council.

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## APPENDIX 1 - TENDER EVALUATION REPORT

### RFT – 001 – Provision of Services - Rubble for Council Road Resheeting Program

This Tender has been evaluated in accordance with the Acquisition, Probity & Evaluation Plan incorporating the evaluation methodology and process, as approved by the Acting Chief Executive Officer, on 16 June 2023.

The Request for Tender was sourced through a Select Request for Tender process via the Procurement Agent secure email portal on 2 June 2023, to seventeen suppliers identified by Council as qualified to provide the Works and closed at 2.00 pm SA Time on Monday 3 July 2023 via the secure email portal.

Tenders were received from 4 respondents and were downloaded by the Procurement Agent at 2.20 pm on Monday 3 July 2023. A Compliance review of each response was undertaken, which aimed to ensure a response in some form, had been provided for all Schedules required, and a side-by-side comparison of pricing was completed.

The responses received and the final Compliance review and Price comparison were provided to Tender Evaluation Panel Members as below, for evaluation on 6 July 2023 at 2.15 pm.

The Tender Evaluation Panel then independently reviewed the responses and supplied scores based on weightings agreed in the Acquisition, Probity and Evaluation Plan to the Chair of the Tender Evaluation Panel for compilation and final aggregated scoring. The process was conducted in accordance with the SA Local Government Act 1999.

Members of the Tender Evaluation Panel (the **TEP**) comprise:

Name	Organisation	Role
Diane Harris	Council appointed Procurement Agent Di Harris Purchasing	Scoring TEP Chair
Matthew Sherman	Acting Chief Executive Officer Southern Mallee District Council	TEP Member
Neil Steer	Acting Manager, Infrastructure Services Southern Mallee District Council	TEP Member

The TEP was also assisted in the evaluation process by:

Name	Organisation	Role
Diane Harris	Di Harris Purchasing	Probity advice if/as required

Chair, TEP

Signature:



Name:

Diane Harris

Position:

Procurement Agent & Chair of the TEP

Date:

21 July 2023

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**APPENDIX 2 – REQUEST FOR TENDER OPENING SUMMARY**

The Request for Tender was released on 2 June 2023 as a Select Request for Tender to 17 Companies identified as capable of undertaking the Works, via the secure Procurement Agent email portal and closed via the email portal at 2.00 pm on Monday 3 July 2023.

Tender responses were received from 6 respondents and were downloaded by the Procurement Agent at 2.20 pm on Monday 3 July 2023. A Compliance review of each response was undertaken, which aimed to ensure a response in some form, had been provided for all Schedules required, and a side-by-side comparison of pricing was completed.

The responses received and the final Compliance review and Price comparison were provided to Tender Evaluation Panel Members as below, for evaluation on 6 July 2023 at 2.15 pm.

Project: Provision of Service – Provision of Services – Rubble for Council Resheeting Program		
Tenderer	Tendered for:	ABN
Alvanos Earthmoving Pty Ltd	Carting from Council Pits	50 703 415 492
Swan Earthmovers Pty Ltd	Raising and Crushing from Council Pits	21 645 148 250
Flynn D’Arcy Civil Contractors Pty Ltd	Raising, Crushing and Carting from Council Pits	18 605 239 147
Pocock Quarries Pty Ltd	Raising and Crushing from Council Pits	60 622 698 588
The Trustee for Skinner Contracting Trust trading as MA Skinner Contracting Pty Ltd	<b>Option 1</b> - Raising, Crushing and Carting from Council Pits <b>Option 2</b> – Supply, Cart and Lay from Council Pits	55 846 769 315
Southern Contracting Group Pty Ltd - Trustee for MR & BM Ramke	<b>Option 1</b> - Raising, Crushing and Carting from Council Pits <b>Option 2</b> – Supply, Cart and Lay from Own Quarry	39 442 050 761

Signed:



Name: Diane Harris  
 Position: Procurement Agent & Chair of the TEP  
 Date: 21 July 2023

## APPENDIX 3 – EVALUATION REPORT SUMMARY

At close of tender, six responses had been received and were presented for evaluation.

### **1. EVALUATION METHODOLOGY**

#### **1.4 Approved Evaluation Methodology**

Council received, reviewed and accepted the RFT Acquisition, Probity and Evaluation Plan for this procurement which outlined the proposed approach for the tender and evaluation. This approach required a Select Request for Tender to be released to identified qualified providers via the Procurement Agent email portal, and sought a response in relation to the specifications released.

#### **1.5 Tender Evaluation Panel (TEP)**

The Tender Evaluation Panel (the TEP) comprised those representatives as listed in Appendix 1 – Tender Evaluation Report. Each were required to sign a Code of Conduct and Confidentiality Declaration and if at any time throughout the process, any TEP member identified as a Conflict of Interest or what could be perceived to be a Conflict of Interest, were required to immediately complete the Conflict of Interest Declaration and provide to the TEP Chair.

### **2. EVALUATION**

The evaluation conducted has followed a rigorous process to meet the requirements of the SA Local Government Act 1999. The evaluation has been undertaken in a staged approach, which has enabled clarification and consideration of submissions more thoroughly.

#### **2.1 Late Tender submission**

There were no Late Tender submissions received.

#### **2.2 Stage 1 – Compliance and Comparative assessments**

An initial compliance assessment to identify any key points that may have not been provided by tender respondents of issues for clarification and/or negotiation was undertaken by the Procurement Agent and a comprehensive assessment together with an Evaluation Spreadsheet was submitted to the TEP members for review.

The assessment included a comparison summary of pricing submitted.

There were Clarifications required to be sought from the tenderers, as outlined in Clause 3 - Clarifications.

In consideration of the second stage of evaluation, it was determined that there was likelihood of an acceptable offer from the submissions received.

#### **2.3 Stage 2 – Shortlisted evaluation**

All six submissions were considered to be qualified and able to provide the Service to varying degrees and were then included in the Stage 2 evaluation process.

By 14 July 2023, each of the individual Tender Evaluation Panel members had completed their evaluations and provided a response to the weighted scores to the Procurement Agent for collation, as agreed prior to close of tenders.

#### **2.4 Individual Review**

A review for each of the submissions, are as follows:

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### **Alvanos Earthmoving**

Pricing - Labour hire - overtime rates included in response

Assumptions and Exclusions to tender pricing:

**Assumptions:** as the location of each work site is different, separate carting rates for different sites have been provided; Mobilisation/Demobilisation Rate is for one visit or continuous works.

**Exclusions:** Nil.

Basis for Fee review annually: Annual CPI Adelaide for quarter prior to anniversary date

Licences & Accreditations: Work Zone Traffic Management; Excavator, Grader, Bobcat licences; White Card

Insurance: Public Liability - \$20m in aggregate - current expiry 31/7/23; Motor Vehicle Fleet - \$32,500,000 - current expiry 31/7/23; Return to Work SA - coverage to 30/6/23. Updated Insurance docs to be provided if successful, prior to commencing any works.

Environment Management System: No ISO 14001 accreditation; Have considered Risk with project; Have provided Environment Policy for review.

Quality Systems: No ISO 9001 Quality Management accreditation; Have considered Risk and provided overview - CCF SA accredited for IMS. Will have an Inspection Test Plan available; Have provided Quality Management Policy for review.

WHS and Risk Management: Comply with OH&S Standard 18001; 3rd Party accreditation - provided as part of response.

Conflict of Interest - nil reported

Statement of Conformance with Draft Contract - No non-conformances advised

Organisation Structure - Company Chart provided; Employees including Qualifications - full list provided; Subcontractors - Nil identified; Contingency Plan - basic overview provided

Methodology - Nil provided

### **Swan Earthmoving**

Assumptions and Exclusions to tender pricing:

**Assumptions:** Top Soil to be removed to a depth of 300mm; Pricing is prepared using the Kerley Impact Closed Crushing Circuit;

**Exclusions** - Site remediation and replacement of topsoil

Basis for Fee review annually: Annual CPI Adelaide for the Quarter prior to the anniversary date

Licences & Accreditations: EPA License; Master Builders SA Contractor Licensing Course; White Card; etc

Insurance: Public Liability - \$20m per incident and in the aggregate; Plant & Equipment - per machine; Return to WorkSA

Environment Management System: no ISO or third party accreditation; mitigation strategy provided

Quality Systems: no ISO accreditation but advised that they working toward both ISO 9001:2015 and ISO 45001:2018 as at October 2021; mitigation strategy provided

WHS and Risk Management: no ISO accreditation (as above) JSEA and SWMS provided

Conflict of Interest - Nil provided

Statement of Conformance with Draft Contract - none identified

Organisation Structure - provided; Employees - full list including qualifications provided in response; Subcontractors - Nil; Contingency Plan provided

Methodology - Brief methodology provided.



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#### **Flynn D'Arcy Civil Contractors**

Pricing - Haulage Rates commence at 1km \$1.72 per KM per Tonne ex GST to 80km \$16.59 per Km per tonne ex GST

Assumptions and Exclusions to tender pricing:

**Assumptions:** Material to be raised is able to be raised at a rate of 250 cubic metres per hour:

**Exclusions:** Rock Hammer/Blasting of Rock"

Basis for Fee review annually: Annual CPI yearly review; will include **Excessive increase** in fuel price - Terminal Gate Price and negotiation with Council

Licences & Accreditations: full list provided

Insurance: Public Liability - \$20m per incident and in the aggregate, expiry 11/10/23; Return to WorkSA, expiry 30/6/24; Plant & Equipment - \$1,117,500 / \$745,000 / \$515,000 each expiring 11/10/23

Environment Management System: has a relevant system in place; has mitigation strategy provided

Quality Systems: No ISO 9001 QM certified; has considered risks; provided mitigation strategy

WHS and Risk Management: no OH&S Safety Standard 18001 certified; aware of obligations

Conflict of Interest - No conflict identified

Statement of Conformance with Draft Contract - provided an alternative offer for Cartage of Material as Haulage Matrix

Organisation Structure - supplied with tender; key staff; Contingency

Subcontractors - Port Adelaide Construction - heavy haulage of crushing plant

Methodology - full proposal provided for review by TEP members

#### **Pocock Quarries**

Assumptions and Exclusions to tender pricing:

**Assumptions:** Raw Feed to be free from contaminants (eg large steel); mobilisation/demobilisation allows for 2 pits per annum; Single campaign per pit.

**Exclusions:** Nil

Basis for Fee review annually: All groups CPI Adelaide Index (Series ID A2325821J) for the quarter prior to anniversary date

Licences & Accreditations: CCF Membership; Institute of Quarrying Australia Membership.

Insurance: Public Liability - \$20m per incident & in the aggregate; \$20m Products in the aggregate; ReturntoWorkSA

Environment Management System: ISO 14001:2015 accredited; provided SWMS and Risk Mitigation Strategy

Quality Systems: ISO 9001:2015 accredited; provided SWMS

WHS and Risk Management: ISO 45001:2018 accredited; provided SWMS

Conflict of Interest - Nil advised

Statement of Conformance with Draft Contract - Nil advised

Organisation Structure - provided; employees - provided qualifications in response; Subcontractors - Nil; Contingency provided for consideration - Capability Statement provided.

Methodology - Brief overview of Methodology provided for review

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RFT – 001 - Provision Services - Rubble for Council Resheeting Program  
Confidential Evaluation and Probity Report

### **M A Skinner Contracting**

Pricing –

- Note Item 4 - Supply, Cart & Lay - have tendered but from Council Borrow Pits not own Pit. (provided alternative offer as a full package option for review.
- Note mobilisation as a lump sum for all sites not as a per site price
- Note Rubble carting provided as a per tonne - average of total over various distances per load – tender called for Price per km per tonne.
- Material Testing costs - \$350 for all testing required
- No Labour rates provided - state simply all own staff

Assumptions and Exclusions to tender pricing:

#### **Assumptions:**

- Raise & Crush - assumes all topsoil to be stockpiled on site, all rehabilitation of borrow pits to be done by others, all crushed material to be weighed and stockpiled with stacker.
- Load & Cart - assume all materials to be carted and stockpiled on road site ready for mixing - Skinner to supply traffic signage & TMP;
- Laying of Crushed Rubble - supplied from council borrow pits, existing subbase to be tyned to allow additional rubble to bind, blade mix additional rubble to OMC lay rubble to design width and grade with GPS controlled grader, compact and trim base course to a smooth, tight finish.

#### **Exclusions:**

- Raise & Crush - will not offer rehabilitating of borrow pit;
- Load & Cart - maintaining of existing roads;
- Laying of Crushed Rubble - Reworking and forming up of existing subgrade to achieve designed wide or crown before placing of new base course layer.

Basis for Fee review annually: annual CPI SA and AIP Diesel Price Increase

Licences & Accreditations: Builders Licence; NHVR accreditation;

Insurance: Public Liability - \$20m per incident and in the aggregate; ReturntoWorkSA; Directors & Officers

Environment Management System: ISO 14001:2015 accredited; risk mitigation strategy and SWMS

Quality Systems: Quality ISO 9001:2015 accredited; risk mitigation outlined

WHS and Risk Management: ISO 45001:2018 accredited; risk mitigation strategy outlined; SWMS

Conflict of Interest - Nil advised

Statement of Conformance with Draft Contract - Nil advised

Organisation Structure - Org Chart provided; Employees including licences/tickets provided; Subcontractors - Nil advised; Contingency provided

Methodology - Provided a full methodology for review and consideration.

### **Southern Contracting Group**

Assumptions and Exclusions to tender pricing:

**Assumptions:** 2 x pits being used, Litchfields and Lehmans; No more than 300mm of topsoil to be removed in rubble pits; Water is made available for road construction; 46,000t p/a of crushing minimum.

**Exclusions:** Water for road constructions; Hard Rock Excavation (if 45t Excavator cannot raise)"

Basis for Fee review annually: CPI increase Adelaide

Licences & Accreditations: Mass & Maintenance Management certification; Contractor's Licence - Building Works certified

Insurance: Public Liability - \$20 per incident; Professional Indemnity - \$20m per incident; ReturntoWork SA;

9

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Southern Mallee District Council

RFT – 001 - Provision Services - Rubble for Council Resheeting Program  
Confidential Evaluation and Probity Report

Environment Management System: ISO 14001 certified; overview of mitigation strategy provided  
Quality Systems: Quality ISO 9001:2015 accredited; risk mitigation outlined  
WHS and Risk Management: ISO 45001:2018 accredited; risk mitigation strategy outlined; Project Safety Management Plan provided  
Conflict of Interest - Nil advised  
Statement of Conformance with Draft Contract - Nil advised  
Organisation Structure - provided; Employees - including Licences & certifications provided for each;  
Subcontractors: Hiway Stabilizers for profiling/stabilising; Lab and Field Pty Ltd - Material testing; Contingency provided  
Methodology - Full Methodology provided with response for review.

### **3. CLARIFICATIONS:**

No clarifications were sought by tenderers during the tender open period.

Following the initial individual evaluations by the TEP members, the following were sought and responses provided:

#### **Flynn D'Arcy Civil Constructions:**

##### ***Clarification: No. 1***

Your response to tender only mentions the use of 1 Truck and Trailer. Can you please advise whether you will be using a Sub-contractor to assist with carting of Rubble. If so, please advise the name(s) of the subcontractors.

##### ***Response:***

No sub-contractors are to be used. Currently have 6 truck and dog trailers of the same configuration with an additional 2 trucks coming online in October. Identical configured vehicles charged at the same rate.

#### **MA Skinner**

##### ***Clarification No. 1***

Your response indicates that topsoil is to be stockpiled on site. What allowance in depth of topsoil is in the price ie 300mm and will anything over this be a council cost?

##### ***Response***

We assumed with in the tender that at average of 250mm to 300mm of topsoil would have to be stock piled ready for reuse.

In response to additional topsoil removal, over 300mm or an average over 300mm would be an additional \$2.50 per m3 to strip and stockpile.

#### **Southern Contracting Group**

##### ***Clarification No. 1:***

Your response has indicated that you will supply rubble for other than a Council Borrow Pit. Can you please advise the location of these Pits to enable Council to understand the cost of cartage.

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Southern Mallee District Council

RFT – 001 - Provision Services - Rubble for Council Resheeting Program  
Confidential Evaluation and Probity Report

**Response No. 1:**

SCG have the following Limestone mineral claims available to supply limestone material:

- Sherlock Limestone pit (SA) - approx. 6km West of Sherlock 5301, on the Mallee Highway Pin drop: 35.308397, 139.736275
- Jabuk Limestone Pit (SA) - 36 Piggott Rd, Peake SA 5301 (lease is 4-6 weeks away from approval by DEM for mining). Pin drop: -35.373126, 140.012925
- Brown Well Limestone pit (SA) - 4594 Browns Well Highway, Meribah SA 531. Pin drop: -34.809471, 140.791481
- Murrayville Limestone Pit (Vic) - Cemetery W Rd, Murrayville VIC 3512. Pin drop: -35.235199, 141.167340

**Clarification No. 2** (Note each response in red below)

With regard to the submitted price of Supply of Crushed Rubble from your own Quarry Pit at a cost of \$10.80 per tonne, can you please advise whether there is any room for negotiation relating to this price.

Our current normal price for PM2/40mm crushed rubble from our registered pits is \$12 per tonne plus GST. SCG have already reduced the price to \$10.80 in our submission specifically for Council. Unfortunately this is the lowest we can go.

In this regard, Council currently have a stockpile of rubble at a borrow pit near Pinnaroo which could potentially be used on the initial roadworks on McKenzie Road. Would SCG consider using this material on McKenzie Road, with further rubble to then be sourced from your nominated registered pits?

Yes, SCG are happy to work in with Council.

If so, are the cartage rates the same to cart this rubble?.

Yes, all our carting rates are from our matrix sheet that was submitted in our submission on a per tonne/per km basis.

Your cartage rates highlights that if SCG are to supply a loader it is \$0.90c per tonne. Is the loader included in the cartage rates when rubble is delivered from the registered pits.

Our rate of \$10.80 per tonne includes our loader rates for supply & loading rubble. The \$0.90c p/t is applicable only when loading rubble from Council Nominated Pits. The \$0.90c p/t will not be charged to Council if SCG are supplying the rubble from our registered pits.

The majority of Re-sheeting of the finished roads will be undertaken by Council, however there may potentially be a requirement for Council to seek assistance in completing this work. Can you please advise whether this is something that you would contemplate undertaking at some point through the 3 year term of the Contract, including any further extensions that may be offered by Council.

Yes, SCG would be happy to assist Council with re-sheeting works on an as needed basis. We understand that this work may be shared with Council, or only offered by Council when required.

**4. OVERVIEW:**

All six tender submissions received were of good quality and provided Council with varying levels of comfort that they have the capability and capacity to undertake the supply and delivery on time and on budget.

The Clarification responses were taken into account in the final response to the weighted scores by each of the individual Tender Evaluation Panel members.

**5. EVALUATIONS BY TEP MEMBERS**

Tender Evaluation Panel weighting was set prior to close of tenders as follows:

<b>Price</b> – best value for money - Schedule of Rates option to undertake the Works (incl value-added Services, improvements, innovations)	30%
<b>Commercial Risk</b> – WHS, Quality, Environmental & Risk, Financial capacity	10%
<b>Capacity</b> - including demonstrated understanding of the Service requirements, organisation structure and key staff/resources etc, Subcontractors to be used, contingency plans to provide the works on time and on budget.	30%
<b>Capability</b> – including Methodology, previous experience, local knowledge, understanding of the requirements	30%

Following a full review of each response, the Tender Evaluation Panel members individually scored using the Weighting method provided and submitted individually to the Chair for compilation.

**6. WEIGHTED TEP SCORES**

Based on the above weightings, the TEP accumulated total score in order of highest to lowest, for each tenderer are as follows:

Southern Contracting Group	80.3%
Flynn D’Arcy Civil Contractors	73.7%
MA Skinner Contracting	71.7%
Pocock Quarries	68.3%
Swan Earthmovers	60.3%
Alvanos Earthmoving	52.3%

**7. EVALUATION OUTCOME**

Based on the final evaluation by the Tender Evaluation Panel and in consultation with the Council representatives, it is the recommendation that the offer by Southern Contracting Group for the Contract for Provision of Item 4 – Supply Raised and Crushed Rubble from Registered Quarries, utilising rubble currently held at Council borrow pit for the initial body of works, Cart and Lay on site, and provide assistance, if requested by Council in laying component, for a period of 3 years commencing in the 2023/2024 financial year with options of 2 x 12 month extensions, be accepted as providing Council with the best value for money option.

**Attachment 1:** **CONFIDENTIAL – COMMERCIAL IN CONFIDENCE** - Tender Evaluation, Compliance and Pricing Summary.



## **RECOMMENDATION REPORT**

### **Request for Tender**

**RFT -001**

**For Provision of Works – Supply, Cart and Lay 40mm  
Crushed Rubble**

**TABLE OF CONTENTS**

**1. PROCUREMENT DESCRIPTION ..... 3**

**2. KEY RISKS IDENTIFIED ..... 3**

**3. ACQUISITION STRATEGY USED ..... 4**

**4. PROCUREMENT PROCESS DETAILS ..... 4**

4.1 Documentation Used.....4

4.2 Market approach .....4

4.3 Tenders submitted.....4

4.4 Compliance Assessment .....4

4.5 Probity/Conflict of Interest.....4

4.6 Evaluation outcome – Preferred Providers .....4

4.7 Evaluation Report.....5

**5. CONTRACT ADMINISTRATION..... 5**

**6. RECOMMENDATION ..... 5**

**APPENDIX 1 - TENDER EVALUATION REPORT ..... 7**

**APPENDIX 2 – REQUEST FOR TENDER OPENING SUMMARY ..... 8**

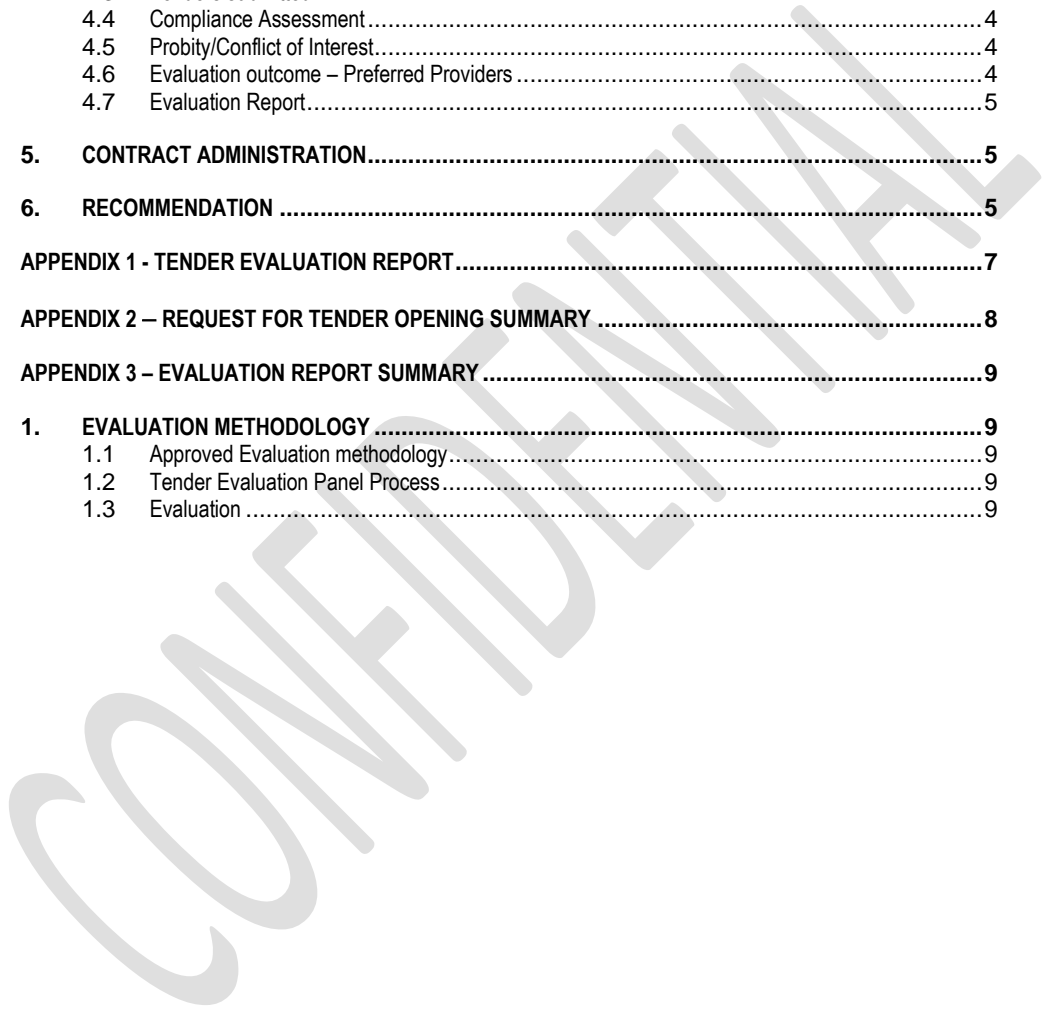
**APPENDIX 3 – EVALUATION REPORT SUMMARY ..... 9**

**1. EVALUATION METHODOLOGY ..... 9**

1.1 Approved Evaluation methodology.....9

1.2 Tender Evaluation Panel Process.....9

1.3 Evaluation .....9



## RECOMMENDATION REPORT

### 1. PROCUREMENT DESCRIPTION

The Southern Mallee District Council (the **Council**) sought tender responses through a Select Request for Tender (the **RFT**) process via the Council appointed Procurement Agent's secure email, to suitably qualified providers identified as being qualified to supply and deliver various rubble raising, crushing, carting and/or Laying of 40mm crushed rubble to selected work sites throughout the area, being the Works required to be undertaken (the **Works**).

Tenderers were able to provide a tender response for one or more of the various bodies of work that they believed they had the capability and capacity to undertake. Council had reserved the right to appoint one or more Contractors to undertake the Works, dependent upon the overall responses received.

A Contract will be established and managed by the Council, with the successful Contractor. The Contract will be for the Works for a period of three (3) years with the option of two (2) by twelve (12) month extensions available, such extensions to be at the absolute discretion of the Council.

Council's aims and objectives regarding the Works is to establish a Contract to enable Council to meet its construction and maintenance responsibilities throughout the term of the Contract, including throughout any extensions that may be exercised under the terms and conditions of the Contract.

### 2. KEY RISKS IDENTIFIED

Key risks identified, associated risk ratings and risk mitigation activities for this procurement are detailed at Table One. Risks have been rated in accordance with the Risk Assessment Matrix at Table Two.

Table One - Risks

Risk #	Risk Description	Risk Rating	Risk Mitigation Activity
1	No Responses to the RFT	M	Ensure documentation is suitable for the project and maintain contact with selected suppliers re queries
2	Responses received not providing a best value for money option for the Council	H	Council to reserve the option to negotiate with respondents to the tender and retain the option to close or amend the process and go back to the market if required.
2	High price received for supply	H	Enter into further negotiation with selected suppliers to achieve best value for money option Council, or go back to market with additional suppliers.
3	Inability through clarification and negotiation to achieve savings to bring the project within budget	H	Ensure options are open for review, deletion or replacement of high cost inclusions to enable tenderers to provide a best value option for Council consideration.

Table Two - Risk Assessment Matrix

CONSEQUENCE - General Description		Likelihood of Risk				
		Rare	Unlikely	Possible	Likely	Almost Certain
Would stop the achievement of functional goals/objectives	Severe	High	High	Extreme	Extreme	Extreme
Would threaten functional goals/objectives	Major	Medium	Medium	High	High	Extreme
Requires Significant adjustment to overall function to achieve objectives	Moderate	Medium	Medium	Medium	High	High
Would threaten an element of the function and would require some adjustment to achieve objectives	Minor	Low	Medium	Medium	Medium	High
Low consequence to achievement of objectives	Insignificant	Low	Low	Low	Medium	Medium



**3. ACQUISITION STRATEGY USED**

The Council engaged the services of a Procurement Agent to act as its Agent only to undertake the direct Select Request for Tender (RFT) on its behalf.

This engagement included collaboration with nominated Council staff in the preparation of Specifications, and development of the RFT documentation and Addendums; probity oversight of the overall process; responding to questions from suppliers; submission of evaluation documentation for use by the Tender Evaluation Panel (the **TEP**) members, assist as a scoring or non-scoring TEP member, provision of Probity Advice and oversight of the evaluation process, preparation of a Recommendation Report and preparation to full execution of the Contracts between the Council and the successful Contractor.

The procurement process has followed a rigorous and robust Tender process and meets the requirements for procurement under both the Council Policies and Procedures and the SA Local Government Act 1999.

**4. PROCUREMENT PROCESS DETAILS**

The Procurement process has followed established Request for Tender procedures and Council and/or its Delegated Authorised Officer will consider the Recommendation Report and make a decision based within the procurement and delegation policies:

**4.1 Documentation Used**

The RFT documentation was prepared taking into account the requirements under the provisions of:

- SA Local Government Act 1999, - Section 155 – Service rates and service charges;
- Southern Mallee District Council – Procurement Policy
- Council Specifications and Addendums prepared in collaboration with the nominated Council staff

**4.2 Market approach**

- Request for Tender was released as a Select RFT process via the Procurement Agent secure email on 2 June 2023 and closed at 2.00 pm Monday 3 July 2023 with documents downloaded on that day by the Procurement Agent.
- No Industry Briefing session was held.
- In accordance with the Terms of tendering, submissions were requested electronically through the Procurement Agent secure email portal.

**4.3 Tenders submitted**

At close of Tenders six (6) responses had been received for consideration.

**4.4 Compliance Assessment**

A Compliance Assessment has been undertaken to ensure all respondents had submitted responses for each of the Schedules, including any Mandatory Requirements, and all were considered to be compliant.

All responses and the final Compliance Assessment report were provided to the Tender Evaluation Panel (**TEP**) members for evaluation on 6 July 2023.

**4.5 Probity/Conflict of Interest**

There were no Probity issues identified, and no Conflict of Interest were identified by TEP members and therefore no Conflict of Interest Declarations were required to be submitted to the Chair of the TEP. Each member had submitted to the Chair of the TEP, a signed Code of Conduct and Confidentiality Declaration prior to close of tenders.

**4.6 Evaluation outcome – Preferred Providers**

On completion of the evaluation process, responses received by all tenderers were identified as demonstrating their capability and capacity across various requirements, plus offering best value for money and were all therefore the recommended preferred providers for inclusion on the Panel Contract.

**Southern Mallee District Council Recommendation Report – RFT 001 – Supply, Cart and Lay Crushed Rubble**

*Within the Tender documentation, Council reserved the right (Part 2 – Conditions of Tendering - Clause 3.7 – Council’s Rights) to:*

*The Council reserves the right to:*

- 3.7.1 amend, vary, supplement or terminate this RFT at any time;*
- 3.7.2 accept or reject any Tender, including the lowest price tender;*
- 3.7.3 negotiate with any service provider on all or any part of the Services to be supplied pursuant to this RFT;*
- 3.7.4 vary the timing and process referred to in clause 3.2.6;*
- 3.7.5 postpone or abandon this RFT;*
- 3.7.6 add or remove any Tenderer;*
- 3.7.7 accept or reject any Tenders whether or not they are Conforming Tenders;*
- 3.7.8 accept all or part of any Tender;*
- 3.7.9 negotiate or not negotiate with one or more Tenderers; and/or*
- 3.7.10 discontinue negotiations with any Tenderer.*

**4.7 Evaluation Report**

A copy of the supporting Report documents is at Appendix 1, 2 and 3.

**5. CONTRACT ADMINISTRATION**

- 5.1 The preferred Contractor will be engaged under a **Works Contract – Provision of Works - Supply, Cart and Lay 40mm Crushed Rubble** for supply of the Works.
- 5.2 The Contracts will be prepared by the Procurement Agent for full approval by Council prior to issue to preferred Contractor for signature.
- 5.3 The Contract will be administered by the Southern Mallee District Council.

**6. RECOMMENDATION**

That the Southern Mallee District Council:

- a) APPROVES the appointment of **Southern Contracting Group Pty Ltd - Trustee for MR & BM Ramke, ABN 39 442 050 761** as the Preferred Contractor for the Provision of Works - Supply, Cart and Lay 40mm Crushed Rubble in accordance with the Tender Evaluation Report at Appendix 1 and 3.  
**APPROVED / NOT APPROVED**
- b) AGREES to the Procurement Advisor advising the Preferred Contractor of their successful Request for Tender for the Provision of the Works.  
**APPROVED / NOT APPROVED**
- c) NOTES that a copy of the draft Contract will be provided for Council and/or Council’s authorised officer for approval prior to being offered to each of the Preferred Contractor for signature; and  
**NOTED**
- d) NOTES that risk mitigation strategies have been put in place to reduce the key risks associated with this procurement.  
**NOTED**

Approved by Southern Mallee District Council

Signed: 

Name: Matthew Sherman

Position: Acting Chief Executive Officer

Date: 25 July 2023

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**APPENDIX 1 - TENDER EVALUATION REPORT****REQUEST FOR TENDER – RFT 001 – Provision of Works - Supply, Cart and Lay 40mm Crushed Rubble**

This Tender has been evaluated in accordance with the Acquisition, Probity & Evaluation Plan incorporating the evaluation methodology and process, as approved, on 16 June 2023.

The Request for Tender was sourced through a Select Request for Tender process via the Procurement Agent secure email, on 2 June 2023, to seventeen suppliers identified as being qualified to provide the Works and closed at 2.00 pm SA Time on Monday 3 July 2023 via the Procurement Agent's secure email portal.

Six Tender responses were received for consideration at close of Tenders.

Members of the Tender Evaluation Panel (TEP) were appointed as part of the Acquisition, Probity and Evaluation Plan, on 16 June 2023. Members were provided with tender responses and the Compliance Assessment on 6 July 2023 for evaluation.

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**APPENDIX 2 – REQUEST FOR TENDER OPENING SUMMARY****REQUEST FOR TENDER – RFT 001 – Provision of Works - Supply, Cart and Lay 40mm Crushed Rubble**

The Request for Tender responses were downloaded at 2.15pm on Monday 3 July 2023 by the Council appointed Procurement Agent, who undertook a Compliance Report on each of the responses to ensure all requirements within the Tender document, had been completed by the tenderers.

The Compliance Report and the Evaluation Spreadsheet for use in the Evaluation Process, together with all responses received, were provided to the Tender Evaluation Panel members for review on 6 July 2023.

At close of Tender, six submissions had been received for further evaluation, with all being compliant responses.

CONFIDENTIAL

**APPENDIX 3 – EVALUATION REPORT SUMMARY****1. EVALUATION METHODOLOGY****1.1 Approved Evaluation methodology**

The Procurement Agent appointed by the Southern Mallee District Council undertook a Compliance Evaluation of each response to ensure compliance with the requirements of the Specifications, prior to provision to members of the Tender Evaluation Panel.

The Council had approved the RFT Acquisition, Probity & Evaluation Plan for this procurement which outlined the proposed approach for the tender and evaluation including weightings for each category. This Acquisition approach required a select Request for Tender to be released to identified qualified suppliers via the Procurement Agent secure email, and sought a response in relation to the specifications released.

No clarifications were sought from any respondent in relation to their completion of documentation for submission.

Clarifications were sought by the Tender Evaluation Panel members during the evaluation process to assist in the final evaluation of responses.

**1.2 Tender Evaluation Panel Process**

Members of the Tender Evaluation Panel were appointed as part of the Acquisition, Probity and Evaluation process.

Members were provided with the Request for Tender responses and the Compliance Assessment on 6 July 2023 for full review. Each TEP member provided their individual responses to the Procurement Agent, based on the Weightings which had been agreed prior to close of tenders, across various categories.

The individual responses were collated by the Procurement Agent as Chair of the TEP, and general discussions were then held on any clarifications required and/or variations to considerations and final agreement on the preferred providers reached.

**1.3 Evaluation**

The evaluation conducted has followed a rigorous process to meet the requirements of the Local Government Act 1999. The evaluation has been undertaken in a staged approach, which has enabled clarifications if required and consideration of shortlisted viable submissions more thoroughly.

Tender opening saw six submissions tendered in response to the specifications.

**OUTCOME:**

The tender submissions were all of good quality and offered varying levels of comfort in their capability and capacity to undertake various aspects of the work.

Evaluation has endeavoured to provide a like comparison across all elements of each of the submissions.

Based on the evaluation by the Tender Evaluation Panel, and in conjunction with the Council representatives, it is the recommendation that the offer of **Southern Contracting Group Pty Ltd - Trustee for MR & BM Ramke, ABN 39 442 050 761** as the Preferred Contractor for the Provision of Works - Supply, Cart and Lay 40mm Crushed Rubble be accepted, for a period of three (3) years with option to extend for 2 x 12 month extensions, with such extensions to be at the absolute discretion of the Council.

**12 CONFIDENTIAL ITEMS****12.2 RUBBLE RAISING, CRUSHING AND CARTING TENDER****RECOMMENDATION**

That having considered agenda Item 12.2 in confidence under section 90 (2) and (3) (k) of the Local Government Act 1999, the Council pursuant to section 91 (7) of the Act orders that the documents considered by the Council, including the officer's report and all minutes be retained in confidence. This order is to be reviewed at or before the ordinary Council meeting to be held in January 2024, as to if this order is to continue in operation.

**12 CONFIDENTIAL ITEMS****12.2 RUBBLE RAISING, CRUSHING AND CARTING TENDER**

MOVED COUNCILLOR NEVILLE PFEIFFER  
SECONDED COUNCILLOR LUKE KENNEDY

That:

1. Pursuant to Section 90(2) & (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Acting Chief Executive Officer, Manager Corporate Services, Acting Manager Infrastructure Services, Manager Property and Development Services, Coordinator Executive Services, Coordinator Organisational Development and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 16 August 2023 for Agenda Item 12.2 Rubble Raising, Crushing and Carting Tender;
2. The Council is satisfied that pursuant to section 90 (3) (k) of the Local Government Act 1999, the information to be received, discussed or considered in relation to the Agenda Item 12.2 Rubble Raising, Crushing and Carting Tender is:  
  
tenders for the supply of goods, the provision of services or the carrying out of works.
3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this Agenda Item 12.2 in confidence.

CARRIED.

MOVED COUNCILLOR CHRIS MEAD  
SECONDED COUNCILLOR NEVILLE PFEIFFER

That Council approves the appointment of Southern Contracting Group Pty Ltd-Trustee for MR & BM Ramke as the preferred contractor for the provision of works-supply, cart and /or lay 40mm crushed rubble in accordance with the tender evaluation report at appendix 1 and 3.

CARRIED.

MOVED COUNCILLOR DAVID SMITH  
SECONDED COUNCILLOR TREVOR POCOCK

That Council agrees to the procurement advisor advising the preferred contractor of their successful request for tender for the provision of the works.

CARRIED.