

YARRA VALLEY TRAIL STAGE 1B TENDER EVALUATION

Report Author: Project Manager - Yarra Valley Trail
Responsible Officer: Director Built Environment & Infrastructure
Ward(s) affected: Ryrie;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

Confidential information is contained in Attachment 1. This information relates to contractual matters and contains commercially sensitive information including, but not limited to, the name of tendering parties, the evaluation panel members, and the evaluation of the EOI tenders received against the published evaluation criteria.

Any disclosure of the information included within the confidential attachments to this report could be prejudicial to the interests of the Council or other parties. If a discussion of any of this confidential information is required, the Council is recommended to resolve that item by having it deferred to the confidential section of the agenda when the meeting is closed to members of the public in accordance with Section 3(1), g(i)g(ii) of the Local Government Act 2020.

SUMMARY

This report summarises the evaluation process taken and seeks Council approval for the construction of a new 1.2 km long shared path trail north of MacIntyre Lane, Yering. This construction constitutes stage 1B.1 of the Yarra Valley Trail project.

An advertisement calling for tenders was placed in The Age newspaper on Saturday 30 September 2023.

Tenders closed on Wednesday 1st November 2023 and three (3) tenders were received.

This item has been included in the public agenda to facilitate the openness and transparency in Council's decision making. Confidential attachments have been included with the report which contain commercially sensitive information that is not to be disclosed while the meeting is open to the public

The recommendation in this report has been formally endorsed by the tender evaluation panel.

RECOMMENDATION

That

- 1. Council awards the tender from Cope Ag Pty Ltd for a total lump sum price of \$1,584,311.00 exclusive of GST (\$1,742,742.10 inclusive of GST) for Contract CT7360 Yarra Valley Trail Stage 1B.1.**
- 2. The Director Built Environment and Infrastructure be delegated authority to sign the contract documents.**
- 3. The confidential attachment to this report remain confidential indefinitely as it relates to matters specified under section section 3(1)(g)(i)(g)(ii) of the Local Government Act.**

RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

DISCUSSION

Purpose

The purpose of this report is to seek Council approval to enter into a contract for the design and construction of Yarra Valley Trail Stage 1B.1 under contract CT7360.

This tender includes the following:

- Project management and authority approvals.
- Demolition and removal of remaining railway sleepers, railway line and fixtures including stockpiling of steel for future heritage railway reuse.
- Detailed design certified by a structural engineer including demolition, testing, strengthening and re-construction methodology for the two (2) existing timber trestle bridges.
- Repair, strengthening and reconstruction of two historic timber trestle railway bridges.
- Construction of approximately 1.06 kilometres of 3.0 metres wide crushed rock path, with crushed rock shoulders.
- Installation of approximately 2.1 kilometres of partial barrier timber and wire fencing either side of the crushed rock path along the earth viaduct.
- Fencing to include flood risk gates at the MacIntyre Lane end of the trail, self-closing stock control gates, and stock evacuation gates.

Background

This project was identified in various Council adopted strategies including the Hike and Bike Plan 2005 and the Eastern Regional Trails Strategy 2018. The Stage 1 was described in the Yarra Valley Trail Feasibility Study Report and the Yarra Valley Trail Impact Assessment.

The 7.5km Stage 1A was completed in December 2019. Following a VCAT hearing the Planning Permit for Stage 1B was issued in February 2023.

Options considered

The procurement method for this tender was a single stage competitive open tender. An advertisement calling for tenders was published on Council's online e-tendering portal and placed in The Age newspaper on Saturday 30 September 2023. Tenders closed on Wednesday 1st November 2023 and three (3) tenders were received.

The tender process has been carried out in accordance with the requirements of Council's Procurement Policy. Tenders were assessed for conformity with the tender documents. A summary of these tender submissions is contained within the confidential attachment to this report. The evaluation panel scored the tenders against the pre-established evaluation criteria, as published in the tender document. A summary of the evaluation criteria follows:

- Tendered Price - 40%
- Capability & Capacity to Undertake Work - 20%
- Commitment to Quality & Sustainability - 10%
- Timeframes - 30%

Recommended option and justification

Following an extensive evaluation process as detailed in Confidential Attachment 1, the tender evaluation panel are unanimous in their decision to recommend the tender from Cope Ag Pty Ltd for a total contract sum price of \$1,584,311.00 exclusive of GST.

FINANCIAL ANALYSIS

This tender is part of a larger Yarra Valley Trail Stage 1 project. Overall Stage 1 has committed funding (Exclusive of GST) as follows:

- \$2.5M Yarra Ranges Shire Council;
- \$2.5M Growing Suburbs Fund (DELWP);
- \$2.5M Regional Growth Fund;
- \$1.0M Eastern Metropolitan Partnership (DELWP). The Eastern Metropolitan (for Stage 1A only).

The tender price is within project budget and Quantity Surveyor estimate.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan:

- **Connected and Healthy Communities:** Communities are safe, resilient, healthy, inclusive and socially well connected. Quality services are accessible to everyone.
- **Quality Infrastructure and Liveable Places:** Quality facilities and infrastructure meets current and future needs. Places are well planned and are hubs of activity that foster wellbeing, creativity and innovation.
- **Vibrant Economy, Agriculture and Tourism:** Our tourism, agriculture, health, manufacturing and other industries are leading and dynamic. Strong investment and attraction underpin sustainable economic growth and job creation.

A Council Major Initiative for 2021-2025 is to become a world class trails and eco-tourism destination through project development, delivery, advocacy and partnerships, including the delivery of the Ridges and Rivers projects. The desired community outcome is a trail network that provides locals with improved connections and recreation options to help improve health outcomes and active transport alternatives. It will also create a tourism destination to support economic growth. Council will achieve this by delivering projects including the Warburton Mountain Bike Destination, Yarra Valley Trail, ngurrak barring/RidgeWalk, Olinda Creek Trail, Brushy Creek Trail upgrade, Nelson Road Shared User Path and Millgrove River Trail. Continuing funding advocacy for other trails.

RELEVANT LAW

This report seeks Council approval to award a contract that complies with Section 108 of the Local Government Act 2020.

SUSTAINABILITY IMPLICATIONS

Local and social sustainability was considered as part of the evaluation process. The preferred tenderer has four staff who live within Yarra Ranges and the tenderer has indicated that 25% of their construction materials will be sourced from within Yarra Ranges. Their civil subcontractor is based within Yarra Ranges.

COMMUNITY ENGAGEMENT

An overview of the Yarra Valley Trail project, background reports, project updates and frequently asked questions are publicly available on the Ride Yarra Ranges / Yarra Valley Trail website.

The tender requires the successful contractor to prepare a Communications Plan, as per the Planning Permit Condition, between the Contractor, Council, VicTrack and the Adjoining Owner covering the conduct of construction, including:

- Sequencing of the works to allow underpass access for the adjoining landowner's stock between the eastern and western parcels of land comprising the Adjoining Land.
- Consultation with and on-going notice of works as they progress, with the Adjoining Landowner to the satisfaction of Council.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

No collaboration with other Councils, Governments or statutory bodies was sought.

RISK ASSESSMENT

An overall Yarra Valley Trail Risk Register has been kept updated since the beginning of the project.

The CT7360 tender documents included:

- An OH&S Hazard Identification Report (Identified risks including demolition of railway infrastructure, underground services, traffic management, working at heights, working over water, hazardous substances, stock management).
- Environmental Management Plan (VicTrack Guideline).
- Draft Flood Response Plan (Melbourne Water requirement to be finalised on completion of project).

The successful tenderer is required to complete a Construction & Environmental Management Plan to be approved by Council, Melbourne Water and VicTrack prior to commencing any on-site works.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. CT7360 Yarra Valley Trail Stage 1B.1 Tender Evaluation