

CT7063 - PROVISION OF FIRE SLASHING SERVICES

Report Author: Manager Resilient Environment
Responsible Officer: Director Planning & Sustainable Futures
Ward(s) affected: (All Wards);

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, the tendered prices, and the evaluation of the tenders received against the published evaluation criteria.

Any disclosure of the information included within the confidential attachment to this report could be prejudicial to the interests of the Council or other parties. If discussion of this information is required, the Council is recommended to resolve that the item be 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*.

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

SUMMARY

This report summarises the evaluation process, seeks Council approval to progress contract approval for the provision of Fire Slashing Services. The project is for annual fire slashing of Council owned and/or managed roadsides, fire access tracks, unused road reserves, general reserves and other land.

The objective is to:

- manage fire risk to road users and the surrounding landscape;
- ensure sight lines and road clearance envelopes are managed in accordance with Council objectives; and
- ensure fire risk is managed within reserves and other areas.

Sensitive Bushland Reserves are excluded from this project.

The initial contract term is for three years, with the option to extend the contract for a minimum period of one month and a maximum of 36 months.

RECOMMENDATION

That

1. ***Council awards the tender for CT7063 Provision of Fire Slashing Services for an initial three-year contract term, with a combined first year lump sum price of \$995,599.00 exclusive of GST and a total estimated lump sum price for the full contract term of six (6) years of \$6,639,040.92 exclusive of GST (\$7,302,945.01 inclusive of GST and all extension options) to the following:***
 - (a) ***Group 1, Area 1: I & P Yeoman Slashing Pty Ltd***
 - (b) ***Group 1 Areas 2 & 5: Fern Earthmoving Pty Ltd***
 - (c) ***Group 1 Areas 3 & 4 and Group 2: Bells Civil Excavations Pty Ltd***
2. ***The Director of Planning and Sustainable Futures be delegated authority to sign the contract documents.***
3. ***The Director of Planning and Sustainable Futures be delegated authority to extend the contract term by a minimum of one month to a maximum of 36 months for each contract on the terms set out in the original contract.***
4. ***The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under Section 3(1) (g)(i), (g)(ii) of the Local Government Act 2020.***

RELATED COUNCIL DECISIONS

The previous Fire Slashing Service Tender was approved in 2017.

DISCUSSION

Purpose and Background

To seek Council approval to enter into contracts for the Provision of Fire Slashing Services under contract CT7063 with the recommended tenderers in this report.

The Yarra Ranges Fire Slashing Services program is an annual fire management program for Council managed roadsides and reserves. The program includes mowing of grass in reserves and roadsides between October and January each year to reduce potential fuel for bushfires. This program is complex and has been developed over many years. Given the high fire risk and limited access in many areas of the Shire, the program delivers best practice to address risk associated with 'point of ignition' and 'potential for spread' of bushfire to the landscape.

The delivery efficiencies of the program have been considered in terms of traffic management with the required works under this contract planned and managed by

the contractor. They are also costed by the contractor to efficiently meet timelines as the traffic management crew travel with the contractor at a brisk pace.

The program has been divided into Groups 1 and 2 delivery methods, group one is essentially mechanical / large machinery operations while group 2 utilises manual treatments for difficult to access locations. This enables the contractors to apply for the different contracts separately, as the contractors are resourced to different types of work. The contract has also been divided into Areas; 1 – 5 as given the physical size of the municipality one contractor is unable to reach all areas. This division also enables equity and fairness to contractors along with spreading risk. The areas approximately represented as:

- Area 1 Valley;
- Area 2 Urban and Peri-urban (Seville to Lilydale);
- Area 3 Upper Valley;
- Area 4 Lower Hills; and
- Area 5 Hills

Group 1 roads within each area have been categorised into the following priority slash categories.

Slash Category	Description
Strategic (S)	Roadsides identified in consultation with the Country Fire Authority (CFA) as essential for slashing during the Contract Term.
Amenity (A)	Roadsides requiring slashing primarily to maintain sight lines for driver or pedestrian safety, other aesthetic reasons and reduce fire risk.
Fire Access (FA)	Unused road reserves, tracks or access points requiring slashing that serve as fire access tracks or access points to fire fighting water tanks and have been identified in consultation with the CFA as essential for slashing during the Contract Term.
Batters (B)	Areas that require slashing of the batter only in order to ensure roadside vegetation does not impede the road clearance envelope and reduce fire risk.

Group 1 Slashing treatments are summarised in the following table

Slashing Treatment	Description & Requirements
Fence to Fence (F2F)	<ul style="list-style-type: none"> • Where accessible, all exotic grasses shall be cut leaving any indigenous grasses, shrubs and trees, including regenerating species, in areas other than batters and table drains.

Slashing Treatment	Description & Requirements
Road Conservation Area (RCA)	<ul style="list-style-type: none"> • Applicable in areas of high conservation value or in areas that this is the only practical approach given existing tree cover or geography of the land. • In areas displaying the 'Community Roadside Project', 'Roadside Conservation Area', 'Significant Vegetation' or 'No Disturbance / No Mowing' signs, the Contractor shall slash exotic grasses and any regenerating vegetation only in the table drains, batters and the small area above batters (refer to the diagram) between the signs. • The Contractor shall not slash the indigenous vegetation behind or between the signs. • Some but not all sites will be sign posted indicating the existence of significant vegetation. • Where accessible, all exotic grasses shall be cut leaving any indigenous grasses, shrubs and trees, including regenerating species, in areas other than table drains, batters and the small area above the batter. Please refer to the diagram.
Batter (B)	<ul style="list-style-type: none"> • Applicable in areas of high conservation value or in areas where this is the only practical approach given existing tree cover or terrain. • The normal cutting regime shall involve cutting all table drains and batters including regenerating shrub and tree species (excluding ferns and tree ferns).

Group 1 Slashing and cutting times

Slash Category / Slashing Treatment	Slashing & Cutting Times
Amenity (A)	Between 1 October and 31 December.
Batter (B)	Between 1 October and 31 January.
Fire Access (FA) & Strategic (S)	Between 20 October and 31 December.
All slash categories – Amenity (A), Batter (B), Fire Access (FA) and Strategic (S).	May be completed concurrently if all above-mentioned timelines can be met.

Group 2 sites are difficult to access and as such are programmed on a site-by-site basis, with consideration to site conditions.

The primary aim of this program is the management of roadside grass fuel loads to meet CFA act requirements. Grass vision obstructions are also treated to meet road safety obligations. Amenity outcomes are only delivered incidentally or if works are able to be undertaken without additional cost.

Options considered

This tender process has been carried out in accordance with the requirements of Council's procurement policy,

The procurement route for this tender was a single stage competitive open tender. An advertisement calling for tenders was placed in The Age newspaper on Saturday 26 November 2022. Tenders closed on 22 February 2023 and four submissions were received.

In the interest of seeking high value for money outcomes for Council, tenderers were given the opportunity to provide pricing for all Groups and Areas individually. This process is effective for Council and tenderers, as this provided multiple options for the allocations due to potential capacity constraints, whilst mitigating the risk of reliance on a sole contractor to deliver critical services to the Council. The benefit to tenderers is a greater opportunity of being awarded works with Council due to the option of pricing multiple areas.

Tenders were assessed for conformity with the tender documents and no tenders were eliminated from further evaluation due to non-conformances. The Evaluation Panel scored tenders against pre-established evaluation criteria. A summary of the mandatory requirements and evaluation criteria is as follows:

Mandatory Requirements:

- Is an acceptable legal entity;
- Has met the insurance requirements;
- Will be compliant with Rapid Global prior to Contract Award;
- Tender has been received in full prior to tender closing time; and
- Lodged in electronic form using Council's e-tendering portal.

Evaluation Criteria	Weighting
Lump Sum Price	30%
Capability & Capacity <ul style="list-style-type: none">• Current & Completed Projects• Key Personnel & External Resources	30%
Sustainability <ul style="list-style-type: none">• Local Sustainability / Community benefit• Social Sustainability• Quality & Environmental	10%
Timeframes <ul style="list-style-type: none">• Programme	30%

Tender Briefing Session

A non-mandatory tender briefing session was held on 2 February 2023 at the Yarra Ranges Council Civic Centre where Council Officers provided further insight into the requirements of the services. Attendance, notes, questions, and answers were captured and issued via addendum shortly after to ensure all tenderers could access the same information.

Recommended option and justification

Following the evaluation process, the evaluation panel were unanimous in their decision to recommend three local contractors carry out the works across the respective groups and areas; I & P Yeoman Slashing Pty Ltd, Bells Civil Excavations Pty Ltd, Fern Earthmoving Pty Ltd, with a combined first year lump sum price of **\$995,599.00** exclusive of GST and a total estimated lump sum price for the full contract term of six (6) years of \$6,639,040.92 exclusive of GST (\$7,302,945.01 inclusive of GST and all extension options) as per the following table.

Area	Recommended Tenderer
Group 1 Area 1	I & P Yeoman Slashing Pty Ltd
Group 1 Area 2	Fern Earthmoving Pty Ltd
Group 1 Area 3	Bells Civil Excavations Pty Ltd
Group 1 Area 4	Bells Civil Excavations Pty Ltd
Group 1 Area 5	Fern Earthmoving Pty Ltd
Group 2	Bells Civil Excavations Pty Ltd

A detailed breakdown of the evaluation process is provided within the Confidential Attachment 1 to this report.

The Fire Slashing Services under this contract are to commence from October 2023, through to the end of January for each year of the contract.

FINANCIAL ANALYSIS

The combined first year lump sum price for the proposed contract is \$995,599.00 exclusive of GST.

The full contract term of six (6) years is expected to cost \$6,639,040.92 exclusive of GST (\$7,302,945.01 inclusive of GST and all extension options).

Rates are to be adjusted each year of the contract in line with Consumer Price Index and Fuel Index up to the maximum value equivalent to Council's Rate Cap (3.5% for 2023/2024 Financial year).

Refer to Attachment 1 for further detail on the financial analysis.

APPLICABLE PLANS AND POLICIES

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

- Protected & Enhanced Natural Environment; and
 - A healthier environment for future generations
- High Performing Organisation
 - An innovative, responsive organisation that listens and delivers quality, value for money services to our community.

RELEVANT LAW

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

The Fire Slashing Services are in accordance with the *Country Fire Authority Act 1958*. The fire slashing program responds to the outcomes of the 2010 Bushfires Royal Commission and the Victorian Fire Risk Register.

SUSTAINABILITY IMPLICATIONS

Economic Implications

This has been considered as part of the project specification and evaluation process. The recommended successful tenderers are located in Yarra Ranges and all employ staff that live in Yarra Ranges working on the contract.

Social Implications

This has been considered as part of the project specification and evaluation process and relates to the business employing staff that live in Yarra Ranges along with the outcome of the works improving social wellbeing of residents.

Environmental Implications

This has been considered as part of the project specification and evaluation process. The recommended tenderers are required to follow local, state and federal legislation to protect native vegetation.

COMMUNITY ENGAGEMENT

Over previous years, the Fire Slashing Services Program has been comprehensively reviewed with reference to the outcomes of the 2010 Bushfires Royal Commission and the Victorian Fire Risk Register (VFRR). As a result, all roads in the program have been assessed and appropriate slashing treatments applied. The establishment of Neighbourhood Safer Places (NSP) and Fire Refuges also influenced program review. Program assessment tools and rationale was explained

to and endorsed by Regional Officers and Vegetation Management Officers from the Country Fire Authority (CFA) Region Offices in Yarra Ranges.

Information as to when specific roads are to be slashed each year can be found on Council's public website.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

No collaboration with other Councils, Governments or statutory bodies was sought as the program is locally specific.

RISK ASSESSMENT

This has been considered as part of the project design, contract terms and conditions and evaluation process.

There are three main risks to Council: protection of assets, reputational risk and most importantly community safety.

This program is required under the CFA Act and the program mitigates risk through the management of roadsides ensuring potential fuel loads for bushfires (i.e., grass) are at appropriate levels to allow for the protection of assets and life.

This program mitigates community safety through rural roadside fuel load management during times of high fire risk, appropriate fire break widths across the landscape, CFA access, and safe travel of the community.

The program is delivered to coincide with grass curing and before fire risk becomes critical, mitigating reputational risk.

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. Provision of Fire Slashing Service Evaluation Report