

Attachment 10.1

**Tender Endorsement and Contract Award for the new Aberfoyle
Community Centre**

9 pages

**CITY OF ONKAPARINGA
SCHEDULE OF TENDERS**

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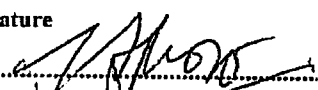
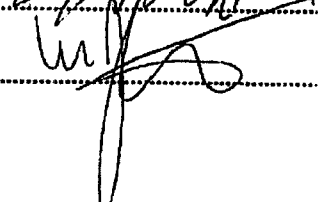
ABERFOYLE PARK COMMUNITY CENTRE

Received pursuant to Public Call for Tenders dated **05-Mar-07**

Tender No: **07002**

Tenderer	Amount
Coombs & Barei Constructions Pty Ltd (1)	\$2,179,959.10
Mossop Group Pty Ltd (2)	\$2,124,133.00
A J Chappell Pty Ltd (3)	\$2,129,206.00
Cox Constructions Pty Ltd (4)	\$2,028,895.00
Partek Industries Pty Ltd (5)	\$2,139,636.40

Persons present at the box opening:

Person	Position	Signature
Mr Luciano Sboro	Administrative Support Officer Civic Complex	
Mr Mike Gostlow	Team Leader Financial Governance&Internal Control	

CITY OF ONKAPARINGA

LIST OF TENDERS

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Tender No: 07002


Title: ABERFOYLE PARK COMMUNITY CENTRE

The below tenders have been scheduled in order of opening and the order of tendering cannot be established prior to detailed tender assessment.

Tenderers are advised not to enter into any commitments in respect of the works unless formally advised of acceptance.

The following tenders have been received against the above mentioned tender:-

Tender	Address	Location	PCode
Coombs & Barei Constructions Pty Ltd (1)	188 Greenhill Road	PARKSIDE SA	5063
Mossop Group Pty Ltd (2)	18 Kateena Street	REGENCY PARK SA	5010
A J Chappell Pty Ltd (3)	122 Muller Road	GREENACRES SA	5086
Cox Constructions Pty Ltd (4)	7 Thames Avenue	KLEMZIG SA	5087
Partek Industries Pty Ltd (5)	169-177 South Road	MILE END SA	5031

.....  Date 5/03/2007

Tender Receiving Officer

Tender Price Points

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	Tender	Amount	Including Penalty of	Points (As Calc)	Points (0 to 10)
07002	ABERFOYLE PARK COMMUNITY CENTRE				
	A J Chappell Pty Ltd (3)	\$2,129,206.00	\$0.00	5.000	5.000
	Coombs & Barei Constructions Pty Ltd (1)	\$2,179,959.10	\$0.00	4.762	4.762
	Cox Constructions Pty Ltd (4)	\$2,028,895.00	\$0.00	5.471	5.471
	Mossop Group Pty Ltd (2)	\$2,124,133.00	\$0.00	5.024	5.024
	Partek Industries Pty Ltd (5)	\$2,139,636.40	\$0.00	4.951	4.951
	Median:	\$2,129,206.00			

Tender Evaluation by Criteria

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Tender No: 07002 ST
Tender Name: ABERFOYLE PARK COMMUNITY CENTRE

Criterion: Value for money.	Score	Weighted	
Weight: 30.0%	(Out Of 10)		Score
A J Chappell Pty Ltd (3)	5.024	/	15.0%
Coombs & Barei Constructions Pty Ltd (1)	4.787	/	14.3%
Cox Constructions Pty Ltd (4)	5.494	/	16.4%
Partek Industries Pty Ltd (5)	4.976		14.9%
Average:	5.070		15.1%
Criterion: Demonstrated ability.	Score	Weighted	
Weight: 10.0%	(Out Of 10)		Score
A J Chappell Pty Ltd (3)	6,7,5,6,5	/	0.0%
Coombs & Barei Constructions Pty Ltd (1)	6,7,5,6	/	0.0%
Cox Constructions Pty Ltd (4)	6,7,6,5	/	0.0%
Partek Industries Pty Ltd (5)	6,7,5,5,5	/	0.0%
Average:	6.0		0.0%
Criterion: Personnel.	Score	Weighted	
Weight: 10.0%	(Out Of 10)		Score
A J Chappell Pty Ltd (3)	6,7,5,7,5	/	0.0%
Coombs & Barei Constructions Pty Ltd (1)	7,7,5,6	/	0.0%
Cox Constructions Pty Ltd (4)	5,7,5,6	/	0.0%
Partek Industries Pty Ltd (5)	5,6,5,7	/	0.0%
Average:	6.031		0.0%
Criterion: Previous Experience with similar work.	Score	Weighted	
Weight: 8.0%	(Out Of 10)		Score
A J Chappell Pty Ltd (3)	5,6,5,5	/	0.0%
Coombs & Barei Constructions Pty Ltd (1)	6,6,6,5	/	0.0%
Cox Constructions Pty Ltd (4)	6,6,7,6,5	/	0.0%
Partek Industries Pty Ltd (5)	6,6,6,5		0.0%
Average:	5.781		0.0%
Criterion: Methodology Or Approach.	Score	Weighted	
Weight: 7.0%	(Out Of 10)		Score
A J Chappell Pty Ltd (3)	5,6,5,3	/	0.0%
Coombs & Barei Constructions Pty Ltd (1)	5,6,5,3	/	0.0%
Cox Constructions Pty Ltd (4)	6,6,6,5		0.0%
Partek Industries Pty Ltd (5)	5,6,5,6	/	0.0%
Average:	5.188		0.0%
Criterion: Outlined Construction Program.	Score	Weighted	
Weight: 7.0%	(Out Of 10)		Score

A J Chappell Pty Ltd (3)	7,7,3,6,5	5.875 /	0.0%
Coombs & Barei Constructions Pty Ltd (1)	6,5,4,4	4.75 /	0.0%
Cox Constructions Pty Ltd (4)	7,7,7,6	6.75 /	0.0%
Partek Industries Pty Ltd (5)	8,8,7,3	6.5 /	0.0%
Average:		5.969	0.0%

Criterion: Technical, Managerial, Physical and Financial Resources.

Weight: 7.0%

		Score (Out Of 10)	Weighted Score
A J Chappell Pty Ltd (3)	6,7,6,5	6.0 /	0.0%
Coombs & Barei Constructions Pty Ltd (1)	7,7,6,5	6.25 /	0.0%
Cox Constructions Pty Ltd (4)	7,7,6,7	6.75 /	0.0%
Partek Industries Pty Ltd (5)	6,7,6,6	6.25 /	0.0%
Average:		6.313	0.0%

Criterion: Appreciation of the task.

Weight: 6.0%

		Score (Out Of 10)	Weighted Score
A J Chappell Pty Ltd (3)	5,6,4,5	5.0 /	0.0%
Coombs & Barei Constructions Pty Ltd (1)	6,7,5,7	6.25 /	0.0%
Cox Constructions Pty Ltd (4)	6,7,6,4	5.75 /	0.0%
Partek Industries Pty Ltd (5)	6,8,5,8	6.75 /	0.0%
Average:		5.938	0.0%

Criterion: Conformity with the Tender Documents.

Weight: 6.0%

		Score (Out Of 10)	Weighted Score
A J Chappell Pty Ltd (3)	8,7,3,5,2,5	5.813 /	0.0%
Coombs & Barei Constructions Pty Ltd (1)	5,6,5,4,7,5	5.188 /	0.0%
Cox Constructions Pty Ltd (4)	5,6,5,5,5	5.375 /	0.0%
Partek Industries Pty Ltd (5)	5,8,7,8	7.0 /	0.0%
Average:		5.844	0.0%

Criterion: Current Commitments affecting capacity to perform.

Weight: 6.0%

		Score (Out Of 10)	Weighted Score
A J Chappell Pty Ltd (3)	6,7,5,3,5	5.375 /	0.0%
Coombs & Barei Constructions Pty Ltd (1)	7,5,6,3,5	5.375 /	0.0%
Cox Constructions Pty Ltd (4)	7,7,7,5,8	6.7 /	0.0%
Partek Industries Pty Ltd (5)	8,6,6,5,6	6.4 /	0.0%
Average:		5.963	0.0%

Criterion: Statement of compliance with Code of Practice.

Weight: 3.0%

		Score (Out Of 10)	Weighted Score
A J Chappell Pty Ltd (3)	5,6,4,3	4.5 /	0.0%
Coombs & Barei Constructions Pty Ltd (1)	8,7,5,8	7.0 /	0.0%
Cox Constructions Pty Ltd (4)	5,6,5,4	5.0 /	0.0%
Partek Industries Pty Ltd (5)	6,7,5,6	6.0 /	0.0%
Average:		5.625	0.0%

Council Summary

ATTACHMENT 1
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Register No: 07002 ST

Name: **ABERFOYLE PARK COMMUNITY CENTRE**

The Tenderers were evaluated in order of importance by the following criteria, which were stated in the specifications:


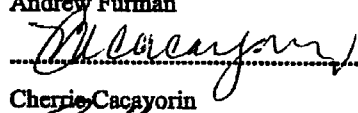
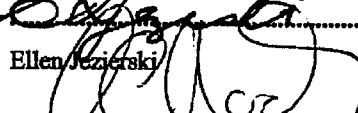
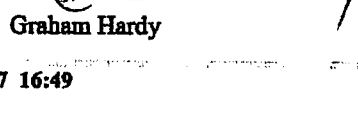
Description	Weight
Value for money.	30.0%
Demonstrated ability.	10.0%
Personnel.	10.0%
Previous Experience with similar work.	8.0%
Outlined Construction Program.	7.0%
Methodology Or Approach.	7.0%
Technical, Managerial, Physical and Financial Resources.	7.0%
Appreciation of the task.	6.0%
Conformity with the Tender Documents.	6.0%
Current Commitments affecting capacity to perform.	6.0%
Statement of compliance with Code of Practice.	3.0%
	100.0%

The evaluated aggregate scores are provided in the table below:

Tenderers	Location	Aggregate Score
Cox Constructions Pty Ltd (4)	KLEMZIG SA	59.0%
Partek Industries Pty Ltd (5)	MILE END SA	57.8%
A J Chappell Pty Ltd (3)	GREENACRES SA	54.5%
Coombs & Barei Constructions Pty Ltd (1)	DULWICH SA	54.4%

The evaluation panel was made up of the following people:

Tender Evaluation Panel	Position	Independent?
Mr Andrew Furman	Projects Officer	Yes
Ms Cherrie Cacayorin	Hardy Milazzo Architects	Yes
Ms Ellen Jezierski	Community Development Officer	Yes
Mr Graham Hardy	Hardy Millazzo Architect	Yes
Mr Rob Bosley	Contracts Manager	Yes
Ms Rosanne Hemsley	Aberfoyle Community Centre	Yes
Mr Stuart Purves	Team Leader Community Centres & Progr	Yes

ASSESSED	 Andrew Furman	Date <u>29.3.07</u> PROJECTS OFFICER
ASSESSED	 Cherrie Cacayorin	Date <u>29.03.07</u> HARDY MILAZZO ARCHITECTS
ASSESSED	 Ellen Jezierski	Date <u>29.03.07</u> COMMUNITY DEVELOPMENT OFFICER
ASSESSED	 Graham Hardy	Date <u>29.03.07</u> HARDY MILLAZZO ARCHITECT

Council Summary

~~CONFIDENTIAL~~

Register No: 07002 ST

Name: **ABERFOYLE PARK COMMUNITY CENTRE**

ASSESSED	.....	Date <u>29/3/07</u>
	Rob Bosley	CONTRACTS MANAGER
ASSESSED	.....	Date <u>29.3.07</u>
	Rosanne Hemsley	ABERFOYLE COMMUNITY CENTRE
ASSESSED	.....	Date <u>29/03/2007</u>
	Stuart Purves	TEAM LEADER COMMUNITY CENTRES & PROGRAMS
RECOMMENDED	.....	Date <u>23/4/2007</u>
	Jeff Tate	CHIEF EXECUTIVE OFFICER
APPROVED	.....	Date.....
	COUNCIL	FULL COUNCIL OF THE CITY OF ONKAPARINGA

**CONFIDENTIAL**
**WALLMANS
LAWYERS**

Our Ref: SLL:adc:51010

Your Ref: G6 03/05-3

20 April 2007

Mr Rob Bosley
The City of Onkaparinga
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NOARLUNGA CENTRE SA 5168

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general@wallmans.com.au
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VIA EMAIL: Robbos@onkaparinga.sa.gov.au

Dear Rob

ABERFOYLE COMMUNITY CENTRE

I note advice that Council is currently in receipt of a tender from Cox Constructions in relation to building work proposed at the Aberfoyle Park Community Centre.

You have sought my advice as to whether the existence of the Seaford Recreation Centre proceedings which involve Cox Constructions as a defendant should impact on Council's decision as to whether to award the tender for the Aberfoyle Park Community Centre to this company.

Whilst Council is involved in litigation with Cox Constructions, I consider that the following matters are relevant:

- The available expert reports indicate that the claim, in so far as it relates to structural issues, is a design issue as opposed to a construction issue.
- The primary dispute as against Cox Constructions relates to the issue of water ingress. The fact that this aspect of the matter has not settled to date, is more a reflection of a dispute between Cox Constructions and the building designers, as opposed a dispute with Council.
- There is some prospect that the water ingress issue may resolve within the next month or so, however of course there can be no guarantees provided in this regard.

I consider that the existence of litigation is but one matter to be considered as part of the general tender proposal along with issues of price, methodology, construction program, current commitments, technical, mechanical, physical and financial resources and quality of work. I am instructed that following a due evaluation process Cox Constructions represented best value across this range of criteria.

PARTNERS

David Semple
Ian Maitland
Peter Hoban
Peter Milte
Chris Wellington
Trevor Edmond
Scott Lumsden
Michael Kellely
Geoff Black
Candida D'Arcy
Melanie Burton

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Andrew Barnes
Margaret Bymes

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Mark Sallis

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Deb Carroll
Della Brinsley
Susan O'Toole
Alison Shaw
Ben Allen
Roberto Clemente
Thea Birss
Natasha Jones

ASSOCIATES

Andrew Fisher
Michael Spencer
Brian Paris
Elissa Riach
Edwina Starck

SOLICITORS

Andrew Fowler-Walker
Tristan Gerke
Debra Khor
Dylan Lowrey
Eliana Ugolini

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The City of Onkaparinga

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20 April 2007

Given that the nature of the litigation relates primarily to design rather than construction I do not consider it to have a significant bearing on the award of the construction contract for the new Aberfoyle Community Centre to Cox Constructions.

Please let me know if you have any queries.

Kind Regards
WALLMANS LAWYERS

Scott Lumsden

SCOTT LUMSDEN

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Email: scott.lumsden@wallmans.com.au

cc: Tercra@onkaparinga.sa.gov.au