

15.1 Confidential - Contract award Weed Management Program – Tender # 12010

This report is seeking Council approval to award the contract for Weed Management Program implementation.

This is information seeking Council direction.

General Manager: Bruce Williams, Director City Operations
Report Author: Ian Seccafien, Parks Technical Officer
Contact Number: 8301 7235
Attachments: 1. Tender Evaluation Summary (2 pages)

1 Executive summary

1.1 Topic

This report is seeking Council approval to award the contract for Weed Management Program implementation.

1.2 Context

The tender and evaluation processes are complete and subject to Council approval, award of this contract will allow on ground works to commence by July 2012 and be completed by June 2015.

Tenders were invited through an open tender process and assessed through our Tender Management System (TMS) as tender 12010.

The contract value for the Weed Management Program is outside the Chief Executive Officer's delegated authority (\$500,000) and therefore requires a decision of Council to approve the contract.

It is suggested that Council consider this item in Confidence. Section 90(3)(k) of the *Local Government Act 1999* is suggested as the most appropriate to use for this purpose.

This item is presented as a confidential item as it presents commercial tenders for the carrying out of works for Council's consideration and award. Our procurement policy and process focuses on ensuring the confidentiality of all information in the course of tendering is preserved.

1.3 Financial implications

The Weed Management Program implementation has a total budget of approximately \$532,000 per annum funded through existing operational budgets.

1.4 Suggested outcome

That Council approves the award of the contract to Urban Virons Group P/L as recommended by the tender assessment team.

2 Recommendation(s)

1. That

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at the meeting in order to consider in confidence this item.**
- b. Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting on the following grounds:**

Section 90(3)(k) tenders for the supply of goods, the provision of services or the carrying out of works

The Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of the information at the meeting may:

- prejudice the commercial position of the companies that supplied the information; or**
- confer a commercial advantage on a third party; or**
- prejudice any ongoing negotiations with the preferred supplier potentially causing damage to the interests of the Council.**

- c. accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.**

2. That Council award the tender proposed by Urban Virons Group P/L, tender number 12010 as:

- it passed mandatory criteria;**
- it presented a commercially acceptable offer.**

3. That the offer proposed by Urban Virons Group P/L at a cost of \$1,124,193.99 (Including GST) for a period of 3 years is accepted.

4. That Council delegate authority to the Chief Executive Officer to sign all required documentation to finalise the contract (and authorise all expenditure in relation to the contract) with Urban Virons Group P/L for works associated with the Weed Management Contract.

5. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the abovementioned document (or part of such document) including the minutes and the report of the Council relating to discussion of the subject matter of that document with the exception of part 2 of the recommendation and resolution, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(k) until the contract has been awarded and signed.

Key factors

3 Discussion

3.1 Details of tender

In accordance with our Contracts, Tenders and Purchasing Policy and Procedures, an open tender invitation was issued through SA Tenders and Contracts.

3.2 Tenders received

Five tenders were received. The following table summarises the tender submission prices.

Tenderer	Annual Price	Total Price 3 years
Belair Turf Management Pty Ltd	\$451,704.00	\$1,355,112.00
EBS Restoration Pty Ltd	\$1,090,171.50	\$3,386,317.96
Fleurieu Spraying Services	\$120,000.00	\$360,000.00
GLG GreenLife Group	\$866,046.06	\$2,598,138.18
Urban Virons Group Pty Ltd	\$374,731.33	\$1,124,193.99

Tenders were assessed in accordance with our procurement procedures.

3.3 Tender Management System (TMS)

All tender prices were entered into the TMS database program. The database calculates (using the Australian Consulting Engineers Association calculation) the price score based on the median price.

All evaluation scores (other than price) are determined by the evaluation panel based on the weighted criteria nominated for this tender.

3.3.1 Criteria assessment

The tender evaluation panel scored the tenders in accordance with the agreed selection criteria. This criteria was provided to tenderers as part of our tender documentation.

The tender attracted submissions from a suitable range of contractors representing a broad cross section of the market.

Whilst Fleurieu Spraying Service offered the lowest price to complete the Weed Spraying Program, their tender submission demonstrated a lack of necessary methodology, expertise and resources required to satisfactorily deliver this program as reflected in the scoring.

The recommended tenderer provided detailed information on methodology and expertise as well as having sufficient resources and a demonstrated ability to carry out the program. Information we were looking for included detailed knowledge of the council area, comprehensive understanding of work to be undertaken, detailed proposed program for when works will occur, willingness to embrace new technologies, work within existing council systems and reporting, extensive previous experience in weed control in local government and appropriate staff and resources to undertake the works.

The tender price is within the operational budget and the evaluation panel is confident they have costed the works appropriately and can satisfactorily complete the program. The tender evaluation panel assessment identified Urban Virons Group P/L to have the highest weighted score and recommends them as the preferred contractor to undertake this project.