



ORDINARY COUNCIL MEETING
SUPPLEMENTARY AGENDA

25 JANUARY 2017

at 6.00PM

COPACC

ORDINARY COUNCIL MEETING
CONTRACT 1623 - WYE RIVER-SEPARATION CREEK - SUPPLY AND
INSTALL RETAINING WALLS
OM172501-9

LOCATION / ADDRESS	Wye River – Separation Creek	GENERAL MANAGER	Ingrid Bishop
OFFICER	Andrew Kavanagh	DEPARTMENT	Infrastructure & Leisure Services
TRIM FILE	F16/6678	CONFIDENTIAL	No
ATTACHMENTS	Nil		
PURPOSE	To award Contract 1623 – Wye River-Separation Creek – Supply and Install Retaining Walls for which tenders have been received.		

1. DECLARATION OF INTERESTS

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

2. BACKGROUND

Following the Wye River and Separation Creek bushfires, virtually all retaining walls constructed in timber were found to be destroyed or substantially damaged. Retaining walls were either located wholly on private property, or partially on private property and partially on road reserves.

In response to the loss of retaining walls, an assessment of the risk of failure was conducted by Grocon (with geotechnical advice from consultants) on behalf Emergency Management Victoria (EMV). Lost and damaged retaining walls were categorised as very high, high, medium or low risk. The very high risk walls were generally of large dimensions and required full structural designs prior to replacement.

The replacement of all the very high risk walls has been undertaken by Grocon and this work is nearing completion.

The replacement of the identified medium and low risk walls is the responsibility of Council. Funding of \$1,373,000 has been provided by the Victorian Government for construction and project management.

A total of 34 retaining walls are to be repaired or replaced as part of this work. Generally they form part of a driveway or off-street parking area for private properties. The responsibility for these walls would normally rest with the property owner, but in this case the need to rehabilitate the road network and ensure access to properties as quickly as possible has prompted the Victorian Government to fund the work. An additional benefit is that the structural integrity and appearance of the walls will be consistent across the two townships and will be constructed of fire resistant materials.

Upon completion of the replacement work, the responsibility for ongoing maintenance of crossings and retaining structures will revert to the property owner.

The high rainfall of Winter and Spring 2016 has heightened the need for these walls to be replaced as soon as possible and for works to be completed prior to the onset of Winter 2017.

Tenders were invited on 9 December 2016 and closed on 18 January 2017. Tenders were requested to submit schedule of rates for the repair or replacement of the retaining walls.

Tenders were received from three contractors:

Tenders were evaluated and a recommendation made in accordance with Council's Procurement Policy and Tenders/Quotations and Purchasing Procedure.

All tenders were evaluated and scored using the following selection criteria:

Criteria	Weighting
Tendered price	50
Experience, track record, business management	15
Resources and Capacity	15
Works methodology	15
Economic Contribution to the Colac Otway Region	5

The Tender Evaluation Panel consisted of the following members:

Stephen Wright – Acting Manager, Bushfire Recovery Infrastructure
Tony Krestas – Engineer Infrastructure, Bushfire Recovery
Andrew Kavanagh – Contract Governance Coordinator

Tenderers were also required to demonstrate that they could satisfy Colac Otway Shire Council's requirements for occupational health and safety.

The submission by **Leprechaun Landscapes** was assessed by the tender evaluation panel as the best tender. It is the lowest priced and scored highest on the selection criteria and is recommended for acceptance by Council.

Leprechaun Landscapes is a Leopold-based business that has been in operation for the last 34 years. Its most recent and relevant project is the replacement of high-risk retaining walls for Grocon as part of the Wye River-Separation Creek bushfire recovery.

Having Leprechaun Landscapes as the sole contractor is also the most cost effective option available to Council based on tendered prices. Leprechaun Landscapes has committed to completing the works prior to the nominated practical completion date of 30 June 2017.

3. COUNCIL PLAN / OTHER STRATEGIES / POLICY

Good Governance

Means we care about and are responsive to the community, encourage democratic participation and involve people in decisions that affect them. We strive for excellence in financial management and council services, and always look for better ways to do things.

Our Goal:

Ensure transparency of governance practices, the capability of our organisation and effective resource management.

4. ISSUES / OPTIONS

It is considered essential to award the contract and proceed with the retaining wall replacement works to improve safe access and appearance of the townships of Wye River and Separation Creek.

5. PROPOSAL

It is proposed to engage the recommended contractor to complete the project works.

The Tender Evaluation Panel selected Leprechaun Landscaping as the preferred tenderer, having submitted a competitive tender and scored highest on the selection criteria.

6. FINANCIAL AND OTHER RESOURCE IMPLICATIONS

It is proposed to engage the recommended contractor to complete the project works.

The Tender Evaluation Panel selected Leprechaun Landscaping as the preferred tenderer, having submitted a competitive tender and scored highest on the selection criteria.

The estimated value of the works based on the schedule of rates of Leprechaun Landscapes is \$1,006,433. The budget for the project is \$1,373,000. A further allowance of \$187,500 has been made for the replacement of additional walls that are not yet within Council's program of works but that may be identified as requiring replacement or repair with the changing post-bushfire landscape conditions.

7. RISK MANAGEMENT & COMPLIANCE ISSUES

The preferred tenderer, Leprechaun Landscapes, has a sound track record of management of risks and completion of contracts to specification and on time. Council should be confident that contracting with this contractor will manage exposure to occupational health and safety issues and any non-compliance issues with the contract.

Leprechaun Landscapes has demonstrated an effective, suitable occupational health and safety system.

8. ENVIRONMENTAL AND CLIMATE CHANGE CONSIDERATIONS

The Contractor is required under the contract to provide a suitable, approved environmental plan which will actively prevent incidents and occurrences.

9. COMMUNITY ENGAGEMENT

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of July 2013, which details five levels of engagement – inform, consult, involve, collaborate and empower.

The method selected would be to inform. The tender was advertised in the Colac Herald on Friday 9 December 2016 and the Geelong Advertiser on Saturday 10 December 2016. The tender was also advertised on the Council's website and via TenderSearch.

Property owners with damaged walls will be contacted individually prior to work commencing to provide consent for the works and resolve detailed site requirements. An optional choice of wall colour between grey and sandstone has been offered for the completed high and very high risk walls and will also be available for the walls in this contract.

Significant consultation over 6 months has occurred with the community regarding retaining walls. Advice to the general community on progress of the work will continue to be provided through the WyeSep Connect website.

10. IMPLEMENTATION

Upon Council's approval, the Contract will be awarded and works will be programmed to commence. Leprechaun Landscapes proposes to commence the process of procuring materials immediately with site works commencing in early March 2017. It will complete all works by the nominated practical completion date of 30 June 2017.

11. CONCLUSION

The tender by Leprechaun Landscapes is recommended by the Tender Evaluation Panel and offers the best value to Council.

12. RECOMMENDATION

Recommendation

That Council:

- 1. Awards Contract 1623 for Wye River-Separation Creek – Supply and Install Retaining Walls to Leprechaun Landscapes based on its Schedule of Rates tender at a cost of \$1,006,433 (ex GST).**
- 2. Delegates to the Chief Executive Officer authority to sign and place under Council seal the contract documents following award of Contract 1623.**
- 3. Delegates to the Chief Executive Officer authority to fully administer the Contract according to its terms and conditions.**

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