



# NOTICE OF MEETING

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- Meeting:** Special General Meeting
- Date:** Monday, 23<sup>rd</sup> October 2023
- Location:** Council Chambers, Georgetown
- Commencing:** 2:00pm
- Councillors:** Crs B Hughes, L Royes, A Gallagher, C Barnes and J Haase

Agenda Attached

Ken Timms PSM  
CHIEF EXECUTIVE OFFICER

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**CONFIDENTIAL**

## Local Government Act 2009

The principles (s4(2)) of the Act are:

- Transparent and effective processes, and decision-making in the public interest
- Sustainable development and management of assets and infrastructure, and delivery of effective services
- Democratic representation, social inclusion and meaningful community engagement
- Good governance of, and by, local government
- Ethical and legal behavior of councillors and local government employees

## S.275 – Local Government Regulation 2012

### 275 Closed meetings

- (1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss –
  - (a) the appointment, dismissal or discipline of employees; or
  - (b) industrial matters affecting employees; or
  - (c) the local government's budget; or
  - (d) rating concessions; or
  - (e) contracts proposed to be made by it; or
  - (f) starting or defending legal proceedings involving it; or
  - (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
  - (h) other business for which a public discussion would be likely to prejudice the interests of the local government of someone else, or enable a person to gain a financial advantage.
- (2) A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.
- (3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting.

## AGENDA

1. OPENING OF THE MEETING AND SIGNING OF THE ATTENDANCE BOOK
2. APOLOGIES
3. SPECIAL MEETING REPORT
5. CONCLUSION

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**3. SPECIAL MEETING OPEN SESSION REPORTS**

<b>1</b>		
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# RECOMMENDATION REPORT - ESC



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**DATE** 17/10/2023

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**RFX TITLE** Northern and Central Queensland Monsoon and Flooding, 20 December 2022 - 30 April 2023

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**RFX NO.** ESC2023-002- Zone 3

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## EXECUTIVE SUMMARY

The Northern and Central Queensland Monsoon and Flooding project was offered to the market via LG Tender box as an open tender.

The sourcing exercise was open to the market from 4/09/2023 and closed on 29/09/2023 and received a total of 6 responses with 2 being non-compliant response.

2 submissions sent were file corrupted and direct request for the tenders to resend submission were received.

The Evaluation Panel have determined that the best option for Council on this occasion, is to award the contract to Enter the name and ABN of the winning respondent **of address, for the amount of \$ (exclusive of GST).**

The Evaluation Panel are making this recommendation based on; commencement and completion dates achievable, provided works for ESC in past successfully, local contractor, value for money, knowledge of the region and quality of delivery. The evaluation team met twice, once for pre-tender information and the second time to evaluate clarification responses and make a combined informed decision. Unfortunately, the team are not able to determine a successful recommendation. Ward comments based around delivery of project and value for money. The team suggest Obriens Grader hire for the zone 3 works however are unable to recommend comprehensively.

## BACKGROUND INFORMATION

This project was initiated to address flood damaged roads within the Etheridge Shire Network.

Funding for this project had been secured under DRFA joint Commonwealth and State government funding, providing financial assistance to help communities recover from eligible disasters.

Vendor	Reason for Inclusion
Durack Civil	Assessment team feel over committed in other regions, tender price within market rates, lower end.  clarification request sent with responses, team feel inadequate response with no clarification around delivery, team feel the responses insufficient.  The team are not recommending the tenderer even based of the value, with risk in delivery understanding not been determined by the tender.



## RECOMMENDATION REPORT - ESC

Gulf Civil P/L	tender within market rates, out of region
Keltone contracting	Tender within market rates out of region
Obriens Grader Hire	Higher tender bid, within market rates, out of region
War NQ	High tender price, however, within market rate, not local.
Koppen Constructions	Extreme high tender, outside of market rates

The pre-determined criteria by which the project was to be evaluated were weighted as follows;

Criteria	Weighting	Reasoning
Price/Value for Money	30%	With in Market Rates of QRA Submission
Local Preference	10%	As per Local Preference Policy
Demonstrated Experience	20%	knowledge of ESC region, crew delivery and program
Vendor Resources	10%	Plant and Crew availability, rosters of team delivery
Key Personnel	20%	Staff roster, PM on site foreman availability on site for inspections
Pretender Meeting	10%	Briefing of council requirements and local policy awareness, road order delivery

The specification for this project was developed by Brett Fulloon who is the Project Contracts Manager and Superintendent representative and was approved by Ken Timms CEO Etheridge Shire Council.

### **SITE MEETINGS, QUERIES AND CONSIDERATIONS**

The invitation to the market was issued on the 4/09/2023

A site meeting was;

- mandatory Not Applicable

During the response period, the following queries were raised, and corresponding responses provided by ESC;

Date	Vendor (if known)	Query	Response

#### **Etheridge Shire Council**

PO Box 12 | St George Street | Georgetown Q 4871

Phone: 4079 9090 Fax: 07 4062 1285

<https://www.etheridge.qld.gov.au>



# RECOMMENDATION REPORT - ESC

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The RFx closed on the 29/09/2023.

A total of 6 responses were received. No late submissions received.

## EVALUATION

### **Panel Member Selection and Conflict of Interest**

During the scoping stage of the project, a panel of experienced personnel was determined to assess the responses against the nominated selection criteria. The panel members to conduct the independent assessments were;

David Watkins - Shepherd Service Project Manager

Josh Sinapius - Etheridge Shire Foreman

Muxith Habib - Etheridge Shire Engineer

Brett Fulloon - Shepherd Service /ESC Superintendent representative

These individuals were selected on the basis of their knowledge of the project requirements.

Upon closing of the tender submission period, the evaluation panel members were informed of the respondent names and provided the opportunity to state any conflicts of interest, that would impact their impartiality in the assessment.

No actual, potential or perceived conflicts of interest were identified by any of the evaluation panel members.

The evaluation panel members each assessed the proposals from the Respondents independently of each other, and later convened on the 10/10/2023 to conduct a moderation session to review any anomalies in the independent evaluations and again on the 17/10/2023 arrive at a consensus of recommendation.

### **Submission Clarifications**

During the evaluation process, the following issues were highlighted in the responses;  
Copies can be provided at request.

### **Submissions Received**

The following table summarises the moderated evaluation of the final responses; **Note:** market rates is based on submitted evaluation to QRA.



## RECOMMENDATION REPORT - ESC

Vendor	Overall Score	Overall Ranking	Justification
Durack Civil	72		within market rates, company has existing projects across Qld - assessment reveals may not be able to complete on time, potentially insufficient plant availability (lacks evidence) response to clarifications insufficient provided.
Gulf Civil P/L	74.35		Within market rate, Local contractor within Etheridge Shire, within market rates, worked with ESC in prior events. Submission provided non-conforming tender to include gravel supply makes for better value for money.
Keltone Constructions	68.44		Within market rates outside of region
Obriens grader hire	76.71		Within market rates, neighbouring shire, proven works for ESC past delivery
War NQ	57.14		Inside of market rates, in neighbouring region, good contractor Higher than lowest tender
Koppens construction	59.715		Extreme high tender, out of region no proven record with ESC

The evaluation panel have based these rankings on the following moderated evaluation data.

Mandatory Compliance (Tender Conditions, Response Requirements, Insurance, Certifications, etc)		
Vendor	Compliant	Comments / Departures
Durack Civil	Yes	Information provided, some out of date and from other regions/projects
Gulf Civil P/L	Yes	Sufficient to conform-requires updating
Keltone Constructions	Yes	Sufficient to conform- requires updating
Obriens Garder Hire	Yes	Sufficient to conform- requires updating
War NQ	Yes	Information provided, some out of date and from other regions/projects



# RECOMMENDATION REPORT - ESC



Koppens Construction	yes	Information provided, some out of date and from other regions/projects
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## Weighted Criteria Evaluations

The following tables summarise the moderated evaluation of the weighted criteria;

Price				
Vendor	Price (Ex GST)	Score	Ranking	Justification (note any exclusions or qualifications)
Durack Civil	\$7,473,935.28	72		Conforming- clarifications requested
Gulf Civil P/L	\$8,557,096.06	74.35		conforming
Gulf Civil P/L Alternative Tender	\$7,976,561.25			Non-conforming- reduced to support gravel haulage contract
Keltone Constructions	\$8,341,420.42	68.44		conforming
Obriens Grader Hire	\$8,253,055.15	76.71		conforming
War NQ	\$8,371,185.73	57.14		conforming
Koppen Constructions	\$19,200,359.17	59.715		conforming



# RECOMMENDATION REPORT - ESC

Local Preference (as based on the ESC Local Preference Policy)			
Vendor	Score	Ranking	Justification
Durack Civil	6.5		
Gulf Civil P/l	6.5		
Keltone construction	5		
Obriens grader hire	7		
War NQ	5.5		
Koppens constructions	5.5		

Safety/ key personnel			
Vendor	Score	Ranking	Justification
Durack Civil	5.75		Clarification for personnel understated
Gulf Civil P/l	7		Proven safety
Keltone Construction	6.5		Insufficient evidence
Obriens grader hire	7.45		Non-conforming
War NQ	6		Proven safety
Koppen constructions	7.625		Proven safety

Demonstrated Experience			
Vendor	Score	Ranking	Justification
Durack Civil	7.5		demonstrated completion of works in other regions
Gulf Civil P/L	7.5		demonstrated completion of works in region
Keltone Construction	6		demonstrated completion of works in Esc and other regions



## RECOMMENDATION REPORT - ESC

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Obrein Grader Hire	6.75		Non-conforming demonstrated completion of works
War NQ	2.75		demonstrated completion of works in other regions
Koppen construction	8.25		demonstrated completion of works in other regions

Vendor Resources/Delivery			
Vendor	Score	Ranking	Justification
Durack Civil	5.75		Clarification of delivery understated for works with in ESC region
Gulf Civil P/L	7.5		Proven plant history/ personnel resource issues
Keltone construction	6.5		Proven plant history
Obriens Grader Hire	7.75		Proven history of completion / concern of financial capacity -not shown in submission
War NQ	3.5		Proven plant history, and completion in other regions
Koppen Construction	4.5		Proven plant history and completion of in other regions

### Special Considerations

Gulf Civil P/L submission for both ESC2303-002 and ESC-Q-2023-005, reduced value for money for Zone 3 tender and Zone 3 gravel supply and haulage was best value in review by panel.

### Independent Evaluations

The moderated evaluation is based on the following evaluations provided by the individual evaluation panel members;

Insert screen shots.
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# RECOMMENDATION REPORT - ESC



Scorecard for \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**EVALUATION SCORECARD**

**INSTRUCTIONS:**  
Please ensure all fields are completed including selection criteria for each respondent. Please ensure commentary is added where required - see Additional Comments tab to document reasoning. Please return both this completed Evaluation Scorecard (Workbook in full) AND a PDF copy of this scorecard sheet only - SIGNED and DATED. If you have any questions, please contact the C & P Team.

RFx Name: Northern and central Queensland monsoon and Fooding January 2023  
ESC.0033.2223G.REC

RFx No.: ESC2023-002

Insert score out of 10 in Blue sections - weighted score and totals will automatically fill in		Tenderer 1		Tenderer 2		Tenderer 3		Tenderer 4		Tenderer 5		Tenderer 6		Tenderer 7		Tenderer 8		Tenderer 9		Tenderer 10	
		Durack Civil		Gulf Civil		kelTone		Obirens Grader Hire		War NQ		Koppens Consturction									
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)																					
		Yes		Yes		Yes		Yes		Yes											
Selection Criteria	Weighting	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
LOCAL PREFERENCE POLICY	10%	IN A NEIGHBOURING COUNCIL	7.00	IN A NEIGHBOURING COUNCIL	7.00	OTHER OLD REGION	5.00	IN A NEIGHBOURING COUNCIL	7.00	OTHER OLD REGION	5.00	IN A NEIGHBOURING COUNCIL	7.00								
VALUE FOR MONEY	30%	10.00	30.00	6.73	20.20	8.56	25.68	9.06	27.17	6.93	20.79	3.59	11.05								
KEY PERSONNEL	30%	10	30.00	10	30.00	10	30.00	10	30.00	10	30.00	10	30.00								
DELIVERY TIMEFRAME	10%	6	6.00	10	10.00	5	5.00	5	5.00			6	6.00								
EXPERIENCE	20%	10	20.00	10	20.00	6	12.00	6	12.00	0	0.00	10	20.00								
<b>Totals</b>	<b>100%</b>		<b>95.00</b>		<b>93.20</b>		<b>81.88</b>		<b>84.17</b>		<b>61.78</b>		<b>74.68</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

**SCORING SCALE**

10 = Outstanding offer, greatly exceeds criterion  
8 = Very good offer, exceeds criterion  
6 = Good offer, no deficiencies, meets criterion  
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2 = Marginal offer, some deficiencies, partly meets criterion  
0 = Inadequate offer, many deficiencies, does not meet criterion

**Locality Scoring Guide**

10 = Within Etheridge Shire  
7 = Shires bordering Etheridge  
5 = Elsewhere in Queensland  
3 = Other States

Experience = carry out works in flood recovery    Capability = plant resources and program

Scorecard for **Brett Fulloon**

Signature \_\_\_\_\_ Date **6/10/2023**

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ESC.0033.2223G.REC

RFx No.: ESC2023-002

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		Durack Civil		Gulf Civil		kelTone		Obirens Grader Hire		War NQ		Koppens Consturction									
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)																					
		Yes		Yes		Yes		Yes		Yes		Yes									
Selection Criteria	Weighting	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
LOCAL PREFERENCE POLICY	10%	IN A NEIGHBOURING COUNCIL	7.00	IN A NEIGHBOURING COUNCIL	7.00	OTHER OLD REGION	5.00	IN A NEIGHBOURING COUNCIL	7.00	IN A NEIGHBOURING COUNCIL	7.00	OTHER OLD REGION	5.00								
VALUE FOR MONEY	30%	9.00	27.00	9.50	28.50	9.00	27.00	9.00	27.00	9.00	27.00	5.00	15.00								
KEY PERSONNEL	30%	5	15.00	7	21.00	7	21.00	6.5	19.50	6	18.00	6.5	19.50								
DELIVERY TIMEFRAME	10%	5	5.00	7.5	7.50	7	7.00	7	7.00	7	7.00	7	7.00								
EXPERIENCE	20%	7	14.00	7.5	15.00	7	14.00	7	14.00	7	14.00	7	14.00								
<b>Totals</b>	<b>100%</b>		<b>68.00</b>		<b>79.00</b>		<b>74.00</b>		<b>74.50</b>		<b>73.00</b>		<b>60.50</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

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10 = Within Etheridge Shire  
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# RECOMMENDATION REPORT - ESC





Scorecard for **Josh S**

Signature \_\_\_\_\_ Date \_\_\_\_\_

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ESC.0033.2223G.REC

RfX No.: ESC2023-002

Selection Criteria	Weighting	Tenderer 1		Tenderer 2		Tenderer 3		Tenderer 4		Tenderer 5		Tenderer 6		Tenderer 7		Tenderer 8		Tenderer 9		Tenderer 10	
		Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
Insert score out of 10 in Blue sections - weighted score and totals will automatically fill in																					
		Durack Civil		Gulf Civil		keltone		Obirens Grader Hire		War NQ		Koppens Consturction									
		Yes		Yes		Yes		Yes		Yes											
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)																					
LOCAL PREFERENCE POLICY	10%	OTHER OLD REGION	5.00	OTHER OLD REGION	5.00	OTHER OLD REGION	5.00	IN A NEIGHBOURING COUNCIL	7.00	OTHER OLD REGION	5.00	OTHER OLD REGION	5.00								
VALUE FOR MONEY	30%	9.00	27.00	5.00	15.00	7.00	21.00	8.00	24.00	5.00	15.00	1.00	3.00								
KEY PERSONNEL	30%	5	15.00	5	15.00	5	15.00	7	21.00	4	12.00	5	15.00								
DELIVERY TIMEFRAME	10%	5	5.00	5	5.00	5	5.00	5	5.00	5	5.00	5	5.00								
EXPERIENCE	20%	5	10.00	5	10.00	5	10.00	5	10.00	4	8.00	5	10.00								
Totals	100%		62.00		50.00		56.00		76.00		48.00		53.00		0.00		0.00		0.00		0.00

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Scorecard for **David Watkins**

Signature \_\_\_\_\_ Date **11/10/2023**

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		Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
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		Durack Civil		Gulf Civil		keltone		Obirens Grader Hire		War NQ		Koppens Consturction									
		Yes		Yes		Yes		Yes		Yes											
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)																					
LOCAL PREFERENCE POLICY	10%	IN A NEIGHBOURING COUNCIL	7.00	IN A NEIGHBOURING COUNCIL	7.00	OTHER OLD REGION	5.00	IN A NEIGHBOURING COUNCIL	7.00	OTHER OLD REGION	5.00	OTHER OLD REGION	5.00								
VALUE FOR MONEY	30%	10.00	30.00	5.73	17.20	5.95	17.85	9.06	27.17	5.93	17.79	3.59	11.68								
KEY PERSONNEL	30%	2	6.00	5	15.00	4	12.00	5	15.00	4	12.00	5	15.00								
DELIVERY TIMEFRAME	10%	4	4.00	5	5.00	5	5.00	5	5.00	2	2.00	5	5.00								
EXPERIENCE	20%	5	10.00	5	10.00	5	10.00	5	10.00	0	0.00	5	10.00								
Totals	100%		63.00		75.20		61.88		72.17		45.78		50.68		0.00		0.00		0.00		0.00

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# RECOMMENDATION REPORT - ESC



Combined Score Card						
Assessor Name	Muxith Habib	David Watkins	Josh Sinapius	Brett Fulloon	Combined scores	weighted average
<b>Company</b>						
Durack Civil	95	63	62	68	288	72
Gulf Civil P/L	93.2	75.2	50	79	297.4	74.35
Keltone	81.88	61.88	56	74	273.76	68.44
Obriens Grading Hire	84.17	72.17	76	74.5	306.84	76.71
War NQ	61.78	45.78	48	73	228.56	57.14
Koppens Construction	74.68	50.68	53	60.5	238.86	59.715

## RECOMMENDATION

The evaluation panel have conducted a thorough review of the responses provided and therefore recommends that Council:

1. Award the contract of The Northern and Central Queensland Monsoon and Flooding 2023 Zone 3 Package to **Undetermined** for the value of \$ .....excl. GST
2. In accordance with the Engineering and Infrastructure Procurement Plan for the delivery of works for the 2023/2024 financial year, as endorsed by Council Resolution No 23.07.14CEO.
3. Council to consider the following:
  - A. tender submissions delivery outcomes
  - B. value of tenders.
  - C. Provide the Superintendent with successful tenderer.

## DECLARATION

We declare that:

1. The panel followed due process in selection of the preferred tenderer.
2. The tender contributes to Council's corporate and operational outcomes
3. The tender process complies with the legal obligations of the *Local Government Regulations (2012)*, Council policies and procedures and has given due consideration to:
  - The 5 Sound Contracting Principles of the *Local Government Act (2009)* - open and effective competition; value for money; encouragement of the development of competitive local business and industry; environmental protection; ethical behaviour and fair dealing),
  - Ensuring a consistent, accountable and transparent process,
  - Security and confidentiality
  - Identifying and dealing with any procedural matters or concerns (such as late tenders, extensions, negotiations, clarifications, conflicts of interest)

# RECOMMENDATION REPORT - ESC

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4. The evaluation process was free of bias, and any perception of bias. There were no connections between evaluation panel members and any tender submissions. Panel members accepted no gifts and had limited contact with tenderers during the evaluation process.
5. During the evaluation process no conflict of interest was declared on any of the received tender submissions.
6. We are confident that all activities, up to this point, can withstand internal or external scrutiny. Furthermore, we believe that this report provides enough information for Council to make a responsible decision on the matter.

# RECOMMENDATION REPORT - ESC



**ENDORSED BY:**

PRINTED NAME PROJECT MANAGER	SIGNATURE	DATE
Brett Fulloon		18/10/2023
PRINTED NAME MANAGER CONTRACTS AND PROCUREMENT	SIGNATURE	DATE
PRINTED NAME DIRECTOR	SIGNATURE	DATE

**APPROVED UNDER DELEGATION BY:**

<b><u>Up to \$200,000</u></b>		
PRINTED NAME DIRECTOR	SIGNATURE	DATE
<b><u>Over \$200,000</u></b>		
<input checked="" type="checkbox"/> Procurement Plan Evaluation by Councillors completed		
Ken timms		
PRINTED NAME CEO	SIGNATURE	DATE



# RECOMMENDATION REPORT - ESC



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<b>DATE</b>	<b>17/10/2023</b>
<b>RFX TITLE</b>	<b>Northern and Central Queensland Monsoon and Flooding, 20 December 2022 - 30 April 2023</b>
<b>RFX NO.</b>	<b>Zone 3 ESC-Q-2023-005 Gravel Supply</b>

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## **EXECUTIVE SUMMARY**

The Northern and Central Queensland Monsoon and Flooding project was offered to the market via LG Tender box as an open tender.

The sourcing exercise was open to the market from 4/09/2023 and closed on 29/09/2023 and received a total of 5 responses with 1 being non-compliant response.

2 submissions sent were file corrupted and direct request for the tenders to resend submission were received.

The Evaluation Panel have determined that the best option for Council on this occasion, is to award the contract to **Gulf Civil P/I of, Unit 13 & 14, 12 Discovery Drive, NORTH**

**LAKES, QLD 4509 for the amount of \$ 2,770,448.04 (exclusive of GST).**

The Evaluation Panel are making this recommendation based on; commencement completion dates achievable, provided works for ESC in past successfully, local contractor, value for money, knowledge of the region.

## **BACKGROUND INFORMATION**

This project was initiated to address flood damaged roads within the Etheridge Shire Network.

Funding for this project had been secured under DRFA joint Commonwealth and State government funding, providing financial assistance to help communities recover from eligible disasters.

1. Gravel Quantities required for Zone 3 were not sufficient with the 5000t / sales permit site allowable with in zone 3 per financial year.
2. Alternative resources for delivery of the flood package determined that gravel had to be sourced from either commercial points or within other resource of Etheridge Shire.
3. Options included road reserve corridor and haulage form other zones. These alternatives were found to be above allowable limits under QRA guidelines.
4. It was determined after consultation with ESC ELT team and QRA guidance that, gravel from zone 2 site Vanlee 07 (*a sales permit -freehold ERA16 site*) enough gravel could be obtained within the financial year under legislative requirements being met.



## RECOMMENDATION REPORT - ESC

Vendor	Reason for Inclusion
Hawkins Qld	Conform, delivery time frame
Gulf Civil P/l	Conform, delivery time frame
Renick and Sons	Higher tender bid, local, clarification of ability to meet timelines confirmed
We Construct	Extreme High tender price, no evidence of delivery experience within ESC, local
Coleman contracting	Only supply of quote for pushing gravel at pit and load other trucks

The pre-determined criteria by which the project was to be evaluated were weighted as follows;

Criteria	Weighting	Reasoning
Price/Value for Money	30%	With in Market Rates of QRA Submission
Local Preference	10%	As per Local Preference Policy
Demonstrated Experience	20%	knowledge of ESC region, crew delivery and program
Vendor Resources	10%	Plant and Crew availability, rosters of team delivery
Key Personnel	20%	Staff roster, PM on site foreman availability on site for inspections
Pretender Meeting	10%	Briefing of council requirements and local policy awareness, road order delivery

The specification for this project was developed by Brett Fulloon who is the Project Contracts Manager and Superintendent representative and was approved by Ken Timms CEO Etheridge Shire Council.

### **SITE MEETINGS, QUERIES AND CONSIDERATIONS**

The invitation to the market was issued on the 4/09/2023

A site meeting was;

- mandatory Not Applicable

During the response period, the following queries were raised, and corresponding responses provided by ESC;

#### **Etheridge Shire Council**

PO Box 12 | St George Street | Georgetown Q 4871

Phone: 4079 9090 Fax: 07 4062 1285

<https://www.etheridge.qld.gov.au>



# RECOMMENDATION REPORT - ESC

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Date	Vendor (if known)	Query	Response

The RFX closed on the 29/09/2023.

A total of 6 responses were received. No late submissions received.

## EVALUATION

### Panel Member Selection and Conflict of Interest

During the scoping stage of the project, a panel of experienced personnel was determined to assess the responses against the nominated selection criteria. The panel members to conduct the independent assessments were;

David Watkins - Shepherd Service Project Manager

Josh Sinapius - Etheridge Shire Foreman

Muxith Habib - Etheridge Shire Engineer

Brett Fulloon - Shepherd Service /ESC Superintendent representative

These individuals were selected on the basis of their knowledge of the project requirements.

Upon closing of the tender submission period, the evaluation panel members were informed of the respondent names and provided the opportunity to state any conflicts of interest, that would impact their impartiality in the assessment.

No actual, potential or perceived conflicts of interest were identified by any of the evaluation panel members.

The evaluation panel members each assessed the proposals from the Respondents independently of each other, and later convened on the 10/10/2023 to conduct a moderation session to review any anomalies in the independent evaluations and again on the 17/10/2023 arrive at a consensus of recommendation.

### Submission Clarifications

During the evaluation process, the following issues were highlighted in the responses.

Q; can we tender both packages on council website

Response: yes, a conforming tender and a nonconforming tender can be submitted.

### Submissions Received

The following table summarises the moderated evaluation of the final responses; **Note:** market rates is based on submitted evaluation to QRA and review of local supply gravel resourcing with ESC.

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## RECOMMENDATION REPORT - ESC

It was determined that the package \$ would be valued around \$2.5 million to \$3.0 million.

Vendor	Overall Score	Overall Ranking	Justification
Hawkins Qld	66.575		High of market rates, outside of region.
Gulf Civil P/L	72.25		Within market rate, Local contractor within Etheridge Shire, within market rates, worked with ESC in prior events. Submission provided non-conforming tender to include zone 3 construction works makes for better value for money.
Renick and Sons	73.145		Higher than market rates, outside of region
We construct	27.5		Excessive of market rates, within shire
Coleman Contracting	39.625		Inside of market rates (per cubic meter rate), local contractor good contractor, Supply of dozer and loading trucks at site only

The evaluation panel have based these rankings on the following moderated evaluation data.

Mandatory Compliance (Tender Conditions, Response Requirements, Insurance, Certifications, etc)		
Vendor	Compliant	Comments / Departures
Hawkins Qld	Yes	Information provided, some out of date and from other regions/projects
Gulf Civil P/L	Yes	Sufficient to conform-requires updating
Renick and Sons	Yes	Sufficient to conform- requires updating
We Construct	Yes	Non conforming – insufficient evidence
Coleman contracting	Yes	Information provided, some out of date and from other regions/projects

# RECOMMENDATION REPORT - ESC



## Weighted Criteria Evaluations

The following tables summarise the moderated evaluation of the weighted criteria;

Price				
Vendor	Price (Ex GST)	Score	Ranking	Justification (note any exclusions or qualifications)
Hawkins Qld	\$5,097,855.52	66.575		conforming
Gulf Civil P/L	\$2,770,448.04	72.25		conforming
Renick and Sons	\$5,012,728.20	73.145		Conforming / committed zone 2
We construct	\$10,550,500.65	27.5		Non-conforming
Coleman Contracting	\$238,500.00	39.625		Non-conforming/current Rehabilitation works within ESC

Local Preference (as based on the ESC Local Preference Policy)			
Vendor	Score	Ranking	Justification
Hawkins Qld	6.3575		
Gulf Civil P/l	6.5		
Renick and Sons	9.25		
We Construct	6.75		
Coleman contracting	7.5		

## Safety/ key personnel



# RECOMMENDATION REPORT - ESC

Vendor	Score	Ranking	Justification
Hawkins Qld	5.75		Clarification for personnel understated
Gulf Civil P/l	7		Proven safety
Renick and Sons	6.5		Insufficient evidence
We Construct	7.45		Non-conforming
Coleman Contracting	6		Proven safety

Demonstrated Experience			
Vendor	Score	Ranking	Justification
Hawkins Qld	8		demonstrated completion of works in other regions
Gulf Civil P/L	7.25		demonstrated completion of works in region
Renick and Sons	8.25		demonstrated completion of works in ESC and other regions
We construct	2.75		Non-conforming demonstrated completion of works
Coleman Contracting	3.75		demonstrated completion of works in other regions

Vendor Resources/Delivery			
Vendor	Score	Ranking	Justification
Hawkins Qld	6.5		Clarification of delivery understated for works with in ESC region
Gulf Civil P/l	7.25		Proven plant history/ personnel resource issues
Renick and Sons	8.25		Proven plant history
We construct	2.75		Proven history of completion / concern of financial capacity -not shown in submission
Coleman Contracting	3.75		Proven plant history, and completion in other regions

# RECOMMENDATION REPORT - ESC




## Special Considerations

Gulf Civil P/L submission for both ESC2303-002 and ESC-Q-2023-005, reduced value for money for Zone 3 tender and Zone 3 gravel supply and haulage was best value in review by panel.

## Independent Evaluations

The moderated evaluation is based on the following evaluations provided by the individual evaluation panel members;

Insert screen shots.



Scorecard for	David Watlins
Signature	<i>[Signature]</i>
Date	12/10/2023

### EVALUATION SCORECARD

**INSTRUCTIONS:**  
Please ensure all fields are completed including selection criteria for each respondent. Please ensure commentary is added where required - see Additional Comments tab to document reasoning. Please return both this completed Evaluation Scorecard Wordbook in full AND a PDF copy of this scorecard sheet only - SIGNED and DATED. If you have any questions, please contact the C & P Team.

RFx Name	Zone 3 Gravel Push for QRA 2023 Rehabilitation works
RFx No.	ESC-Q-2023-005

Insert score out of 10 in Blue sections - weighted score and totals will automatically fill in		Tenderer 1		Tenderer 2		Tenderer 3		Tenderer 4		Tenderer 5		Tenderer 6		Tenderer 7		Tenderer 8		Tenderer 9		Tenderer 10	
		Hawkins Qld		Gulf Civil		Renick and Sons		We Construct		Colman Contracting											
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)		Yes		Yes		Yes		No		No											
Selection Criteria	Weighting	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
LOCAL PREFERENCE POLICY	10%	IN A NEIGHBOURING COUNCIL	7.00	IN A NEIGHBOURING COUNCIL	7.00	IN A NEIGHBOURING COUNCIL	7.00	WITHIN ISAAC	10.00	WITHIN ISAAC	10.00										
VALUE FOR MONEY	30%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00										
KEY PERSONNEL	30%	2	0.00	0	0.00	0	0.00	0	0.00	2	0.00										
DELIVERY TIMEFRAME	10%	2	2.00	0	0.00	0	0.00	0	0.00	0	0.00										
EXPERIENCE	20%	0	0.00	0	0.00	0	0.00	0	0.00	2	0.00										
<b>Totals</b>	<b>100%</b>		<b>49.00</b>		<b>79.00</b>		<b>73.00</b>		<b>10.00</b>		<b>20.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

**SCORING SCALE**

10 = Outstanding offer, greatly exceeds criterion  
 8 = Very good offer, exceeds criterion  
 6 = Good offer, no deficiencies, meets criterion  
 4 = Fair offer, few deficiencies, almost meets criterion  
 2 = Marginal offer, some deficiencies, partly meets criterion  
 0 = Inadequate offer, many deficiencies, does not meet criterion

**Locality Scoring Guide**

10 = Within Etheridge Shire  
 7 = Shires bordering Etheridge  
 5 = Elsewhere in Queensland  
 3 = Other States

Experience = carry out works in flood recovery    Capability = plant resources and program

# RECOMMENDATION REPORT - ESC



## EVALUATION SCORECARD

**INSTRUCTIONS:**  
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Scorecard for \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

RFx Name: **Zone 3 Gravel Push for QRA 2023 Rehabilitation works**  
RFx No.: **ESC-Q-2023-005**

Insert score out of 10 in Blue sections - weighted score and totals will automatically fill in		Tenderer 1		Tenderer 2		Tenderer 3		Tenderer 4		Tenderer 5		Tenderer 6		Tenderer 7		Tenderer 8		Tenderer 9		Tenderer 10	
		Hawkins Qld		Gulf Civil		Renick and Sons		We Construct		Colman Contracting											
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)				Yes		Yes															
Selection Criteria	Weighting	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
LOCAL PREFERENCE POLICY	10%	IN A NEIGHBOURING COUNCIL	7.00	7.00	OTHER QLD REGION	5.00	5.00	WITHIN ISAAC	10.00	10.00	IN A NEIGHBOURING COUNCIL	7.00	7.00	WITHIN ISAAC	10.00						
VALUE FOR MONEY	30%	7.00	21.00	6.00	18.00	9.00	27.00	5.00	15.00	10.00	30.00										
KEY PERSONNEL	30%	5	15.00	2	6.00	5	15.00	5	15.00	6	18.00										
DELIVERY TIMEFRAME	10%	9	9.00	4	4.00	5	5.00	4	4.00	5	5.00										
EXPERIENCE	20%	5	10.00	4	8.00	5	10.00	4	8.00	5	10.00										
Totals	100%		77.00		41.00		75.00		49.00		76.00		0.00		0.00		0.00		0.00		0.00

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0 = Inadequate offer, many deficiencies, does not meet criterion

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Experience = carry out works in flood recovery Capability = plant resources and program



## EVALUATION SCORECARD

**INSTRUCTIONS:**  
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Scorecard for **Brett Fulloon**  
Signature \_\_\_\_\_ Date **6/10/2023**

RFx Name: **Zone 3 Gravel Push for QRA 2023 Rehabilitation works**  
RFx No.: **ESC-Q-2023-005**

Insert score out of 10 in Blue sections - weighted score and totals will automatically fill in		Tenderer 1		Tenderer 2		Tenderer 3		Tenderer 4		Tenderer 5		Tenderer 6		Tenderer 7		Tenderer 8		Tenderer 9		Tenderer 10	
		Hawkins Qld		Gulf Civil		Renick and Sons		We Construct		Coleman Contracting											
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)		Yes		Yes		Yes		No		No											
Selection Criteria	Weighting	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
LOCAL PREFERENCE POLICY	10%	IN A NEIGHBOURING COUNCIL	7.00	7.00	IN A NEIGHBOURING COUNCIL	7.00	7.00	WITHIN ISAAC	10.00	10.00	WITHIN ISAAC	10.00	10.00								
VALUE FOR MONEY	30%	7.00	21.00	5.00	15.00	4.50	13.50	3.00	9.00	3.50	10.50										
KEY PERSONNEL	30%	5	15.00	6	18.00	6	18.00	5	15.00	7	21.00										
DELIVERY TIMEFRAME	10%	7	7.00	7	7.00	7	7.00	7	7.00	7	7.00										
EXPERIENCE	20%	5	10.00	5	10.00	5	10.00	5	10.00	7	14.00										
Totals	100%		66.00		72.00		64.50		51.00		62.50		0.00		0.00		0.00		0.00		0.00

**SCORING SCALE**  
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6 = Good offer, no deficiencies, meets criterion  
4 = Fair offer, few deficiencies, almost meets criterion  
2 = Marginal offer, some deficiencies, partly meets criterion  
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3 = Other States

Experience = carry out works in flood recovery Capability = plant resources and program



# RECOMMENDATION REPORT - ESC



Scorecard for		Date		EVALUATION SCORECARD																	
Signature				<p><b>INSTRUCTIONS:</b> Please ensure all fields are completed including selection criteria for each respondent. Please ensure commentary is added where required - see Additional Comments tab to document reasoning. Please return both this completed Evaluation Scorecard Workbook as per AND a PDF copy of this scorecard sheet only - SIGNED and DATED. If you have any questions, please contact the C &amp; P Team.</p>																	
RFx Name				Zone 3 Gravel Push for QRA 2023 Rehabilitation works																	
RFx No.				ESC-Q-2023-005																	
Insert score out of 10 in Blue sections - weighted score and totals will automatically fill in		Tenderer 1		Tenderer 2		Tenderer 3		Tenderer 4		Tenderer 5		Tenderer 6		Tenderer 7		Tenderer 8		Tenderer 9		Tenderer 10	
		Hawkins Qld		Gulf Civil		Renick and Sons		We Construct		Colman Contracting		#REF!		#REF!		#REF!		#REF!		#REF!	
Mandatory Compliance Criteria Confirmed (Tender Conditions, Response Requirements, Insurance, Certifications, etc)		Yes		Yes		Yes		No		No											
Selection Criteria	Weighting	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
LOCAL PREFERENCE POLICY	10%	WITHIN ISAAC	10.00	IN A NEIGHBOURING COUNCIL	7.00	WITHIN ISAAC	10.00														
VALUE FOR MONEY	36%	5.43	16.30	10.00	30.00	5.53	16.50	0.00	0.00	0.00	0.00										
KEY PERSONNEL	36%	0	24.00	10	30.00	0	24.00														
DELIVERY TIMEFRAME	19%	0	8.00	10	10.00	10	10.00														
EXPERIENCE	26%	0	16.00	10	20.00	10	20.00														
Totals	100%		74.30		97.00		80.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<p>10 = Outstanding offer, greatly exceeds criterion 8 = Very good offer, exceeds criterion 6 = Good offer, no deficiencies, meets criterion</p>				<p><b>SCORING SCALE</b> 4 = Fair offer, few deficiencies, almost meets criterion 2 = Marginal offer, some deficiencies, partly meets criterion 0 = Inadequate offer, many deficiencies, does not meet criterion</p>				<p><b>Locality Scoring Guide</b> 10 = Within Etheridge Shire 7 = Shires bordering Etheridge</p>				<p>5 = Elsewhere in Queensland 3 = Other States</p>									
Experience = carry out works in flood recovery    Capability = plant resources and program																					
Assessor Name	Muxith Habib	David Watkins	Josh Sinapius	Brett Fulloon	Combined scores	weighted average															
Contractor	Hawkins Qld	74.3	49	77	66	266.3	66.575														
	Gulf Civil P/L	97	79	41	72	289	72.25														
	Renick and Sons	80.58	73	75	64	292.58	73.145														
	We Construct	0	10	49	51	110	27.5														
	Coleman Contracting	0	20	76	62.5	158.5	39.625														

## RECOMMENDATION

The evaluation panel have conducted a thorough review of the responses provided and therefore recommends that Council:

1. Award the contract of The Northern and Central Queensland Monsoon and Flooding 2023 Zone 3 Gravel Supply Package ESC-Q-2023-005 to **Gulf Civil P/L** for the value of **\$ 2,770,448.04 excl. GST**
2. In accordance with the Engineering and Infrastructure Procurement Plan for the delivery of works for the 2023/2024 financial year, as endorsed by Council Resolution No 23.07.14CEO.

### Etheridge Shire Council

PO Box 12 | St George Street | Georgetown Q 4871

Phone: 4079 9090    Fax: 07 4062 1285

<https://www.etheridge.qld.gov.au>

# RECOMMENDATION REPORT - ESC

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## DECLARATION


We declare that:

1. The panel followed due process in selection of the preferred tenderer.
2. The tender contributes to Council's corporate and operational outcomes
3. The tender process complies with the legal obligations of the *Local Government Regulations (2012)*, Council policies and procedures and has given due consideration to:
  - The 5 Sound Contracting Principles of the *Local Government Act (2009)* - open and effective competition; value for money; encouragement of the development of competitive local business and industry; environmental protection; ethical behaviour and fair dealing),
  - Ensuring a consistent, accountable and transparent process,
  - Security and confidentiality
  - Identifying and dealing with any procedural matters or concerns (such as late tenders, extensions, negotiations, clarifications, conflicts of interest)
4. The evaluation process was free of bias, and any perception of bias. There were no connections between evaluation panel members and any tender submissions. Panel members accepted no gifts and had limited contact with tenderers during the evaluation process.
5. During the evaluation process no conflict of interest was declared on any of the received tender submissions.
6. We are confident that all activities, up to this point, can withstand internal or external scrutiny. Furthermore, we believe that this report provides enough information for Council to make a responsible decision on the matter.

# RECOMMENDATION REPORT - ESC



## ENDORSED BY:

PRINTED NAME PROJECT MANAGER	SIGNATURE	DATE
Brett Fulloon		18/10/2023
PRINTED NAME Manager Contracts Superintendent Representative	SIGNATURE	DATE
PRINTED NAME DIRECTOR	SIGNATURE	DATE

## APPROVED UNDER DELEGATION BY:

<b><u>Up to \$200,000</u></b>		
PRINTED NAME DIRECTOR	SIGNATURE	DATE
<b><u>Over \$200,000</u></b>		
<input checked="" type="checkbox"/> Procurement Plan Evaluation by Councillors completed		
Ken timms		
PRINTED NAME CEO	SIGNATURE	DATE