

9.5 RFT 2022/105 Mudgee Solar Farm HV Install

REPORT BY THE CHIEF FINANCIAL OFFICER
TO 19 APRIL 2023 ORDINARY MEETING
GOV400103, COR400596

RECOMMENDATION

That Council:

1. **receive the report by the Chief Financial Officer on the RFT 2022/105 Mudgee Solar Farm HV Install;**
2. **decline to accept any of the tenders with respect to RFT 2022/105 Mudgee Solar Farm HV Install in accordance with Clause 178 of the Local Government (General) Regulation 2021 – Part 7 Tendering;**
3. **authorise the Director Community to enter into negotiations with D & C Powerline Constructions Pty Ltd in accordance with Clause 178(3)(e) of the Local Government (General) Regulation 2021;**
4. **note that the reason Council should decline all tenders and enter into negotiations is that Council will need to clarify and negotiate contract terms offered by the preferred tenderer/s;**
5. **decline to call fresh tenders at this stage assuming that a satisfactory outcome can be negotiated;**
6. **delegate authority to the General Manager to accept a negotiated contract value aligning with the current budget; and**
7. **delegate authority to the Manager, Procurement and Fleet or their nominated Council representative to notify tenderers of their submission outcome.**

Executive summary

Tender submissions were received for the provision of Mudgee Solar Farm HV Install. Three tender submissions were received with two tenders exceeding the allocated budget. It is recommended to Council that the Director Community be authorised to negotiate with the tender within the allocated budget, D & C Powerline Constructions Pty Ltd. Should negotiations with the preferred tenderer fail, it is recommended that the Director Community enter negotiations with any of the other tenderers.

Disclosure of Interest

Nil

Detailed report

Tender submissions were requested for the delivery of the HV install for the Mudgee Solar Farm (5MWp) by the Chief Financial Officer.

The tender was conducted via VendorPanel through an open market place.

Tender Invitation and Process

Council opened the tender request on 23rd December 2022 and closed at 4:00pm on 17th February 2023.

The above tender was advertised in the following:

- VendorPanel
- Sydney daily newspaper (Local Government section)
- Mid-Western Regional Council website

One mandatory briefing session was held on 18th January 2023 at 33 Blain Road.

Tenders were evaluated on the following criteria and weightings:

- Task Appreciation – demonstrated understanding of the works required
- Experience of the organisation in the design, supply and installation/construction
- Experience and availability of nominated team members responsible for delivery onsite
- Project delivery schedule – realistic, within MWRC timelines
- Quality of proposed materials and equipment
- Price

A tender assessment panel was formed comprising of representatives from the relevant departments within Council, Members of the tender evaluation panel (TEP) comprised of:

- Chairperson Procurement Officer
- Panel Member 1 Manager Major Projects
- Panel Member 2 DeltaQ Representative
- Panel Member 3 Chief Financial Officer

Tender Submissions

There were three submissions received from the following organisations:

1. D & C Powerline Constructions Pty Ltd
2. JLE Electrical
3. Specialized Electrical Pty Ltd

All tenderers were deemed conforming.

Tender Evaluations

The relevant ranking of tender as determined from the total weighted score is provided in the confidential attachment – RFT 2022-105 – HV Install Evaluation.

It is noted that two out of the three submission were in excess of the available budget.

Community Plan implications

Theme Good Government

Goal	An effective and efficient organisation
Strategy	Pursue efficiencies and ongoing business improvement

Strategic implications

Council Strategies

Operational Plan

Council Policies

Sustainable Procurement & Contracts Policy

Legislation

Local Government Act 1993

Local Government (General) Regulation 2021

Financial implications

A budget is in place for this project and, at this stage, no additional funds are requested. The aim of this report is to seek a solution where the project can be delivered within the existing budget.

Associated Risks

The tender panel has assessed that the tenderers would be capable of delivering the works. The submitted price by D & C Powerline Constructions Pty Ltd was substantially lower than that provided by the two other tenderers and so it was deemed appropriate to recommend to Council that the Director Community be authorised to enter into negotiations with D & C Powerline Constructions Pty Ltd, or failing that an alternate tenderer.

The recommended resolution does not request additional budget from Council. As such, Council officers will need to bring a further report to Council should it not be possible to negotiate a contract sum that is within the allocated budget.

All tender evaluation panel members indicated that they did not have any conflicts of interest.

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

28 March 2023

Attachments: 1. RFT 2022-105 - HV Install Evaluation. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER