

Request for Tender



RFT Reference

LVRC-24-057

Project Title

Sale of Buildings at North Street, Gatton for Removal

Closing Date and Time:

Offers must be submitted by

2pm, Friday 25 October 2024, AEST.



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1. INTRODUCTION

This Request for Tender (RFT) is to engage the market on behalf of Lockyer Valley Regional Council (Council) who is seeking offers for the purchase of two (2) buildings from Council managed land situated at 11 North Street, Gatton described as Lot 50 on Crown Plan CC807887. The land is accessible by Clarkes Road, Gatton. The buildings each contain three (3) two-bedroom units.

The purchaser is required to remove the buildings from the land within six (6) months of purchase, and leave the land clear, tidy and in a condition that is suitable for yard maintenance i.e. mowing, at their own cost. The scope of works expected to complete this is set out in Section 5 Service and Technical Requirements.

2. BACKGROUND

The buildings identified in this RFT are currently vacant and surplus to Council's needs. The buildings are owned by Council and situated on reserve land dedicated for local government purposes (i.e. aged persons homes) under Council's trusteeship. The tenure of the land restricts how they may be used and increases the level of building compliance that must be achieved by Council before further community housing use can occur.

After extensive investigation, Council has determined that it is uneconomical to bring them into compliance for future community housing use on this site. However, Council has identified that the buildings may be of interest to a third party for purchase, removal and relocation to private land where similar tenure restrictions may not exist. Town planning and building approvals may be required for the installation of the buildings on private land.

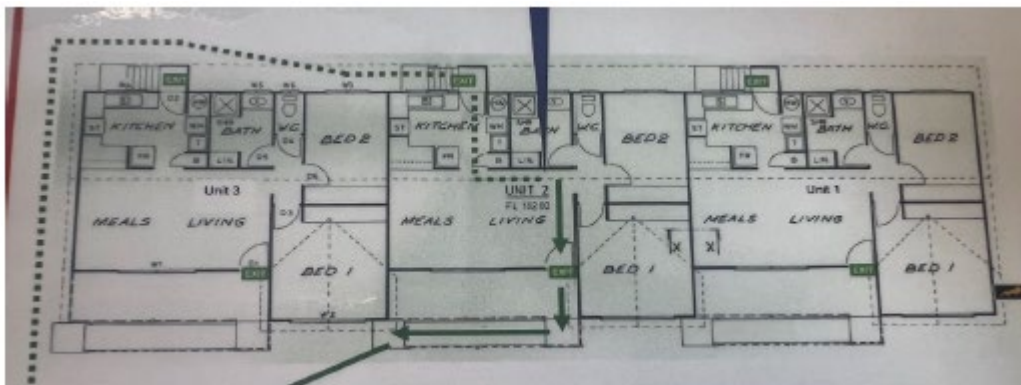
The buildings are shown below:



Exterior of Building comprising units 1, 2 and 3:



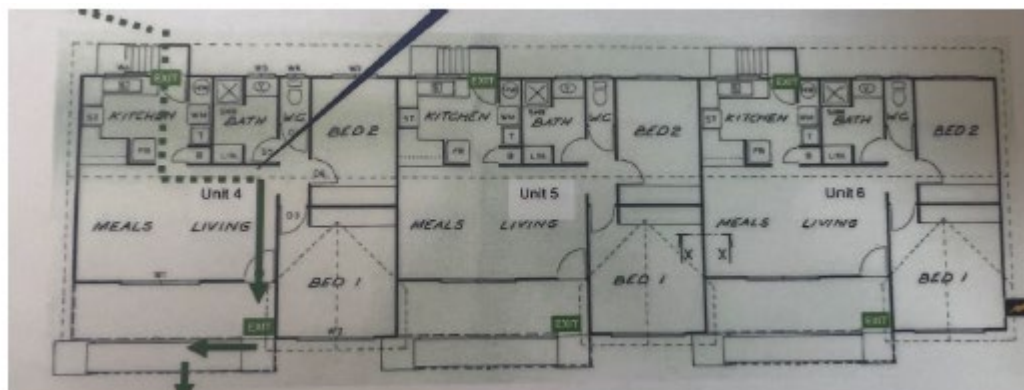
Layout of Building comprising units 1, 2 and 3 shown below:



Exterior of Building comprising units 4, 5 and 6:



Layout of Building comprising units 4, 5 and 6



3. OBJECTIVE

Council is seeking offers for the purchase and removal of the buildings. Council's preference is that both buildings be purchased by and removed by the same party.

The successful Tenderer will be responsible for:

- the purchase of the buildings from Council with payment due within fourteen (14) days of the issue of a tax invoice by Council; and
- arranging for the buildings removal and site clean-up works as outlined in Section 5 of this RFT by an appropriately licensed and qualified contractor at the Tenderer's expense.

All relevant approvals are to be obtained by the successful Tenderer and provided to Council prior to any works on site commencing.

Building demolition works are **NOT** to occur on site. Once the buildings are removed, the successful Tenderer is to leave the site in a clear, tidy and in a condition that is suitable for yard maintenance i.e. mowing. Tenderer should indicate whether they are appropriately licensed and qualified to perform the works outlined in Section 5 themselves, or whether they intend to engage appropriately licensed and qualified contractors for this purpose. The successful Tenderer will ultimately be responsible to Council for the proper and safe performance of this work to the satisfaction of Council.

4. DOCUMENTS SPECIFIC TO THIS RFT

- LVRC-24-057 - Request for Tender
- LVRC-24-057 - Response Schedules
- LVRC-24-057 - Sale Agreement - Draft

5. SERVICE AND TECHNICAL REQUIREMENTS

5.1 Deliverables

The successful Tenderer will purchase the buildings from Council. The purchase will be conditional upon the successful Tenderer being responsible for engaging appropriately licensed and qualified contractors (if required) to achieve the following deliverables:

- **Approval Requirements**, refer to section 5.2.1
- **Pre-Start Meeting and Work Health and Safety Requirements**, refer to section 5.2.2
- **Site Establishment**, refer to section 5.2.3
- **Removal Works and Asbestos Removal Works (if asbestos is found)**, refer to section 5.2.4
- **Site Clearing**, refer to section 5.2.5

To complete each of these components, the successful Tenderer will ensure that it and its contractors meet the requirements of each milestone set out in subsection 5.2 below.

5.2 Technical Detail of the abovementioned deliverables

5.2.1 Approval Requirements

The successful Tenderer will:

- 5.2.1.1 Submit a concurrent agency referral application for a removal/demolition bond to Council.
- 5.2.1.2 Submit a building application to Council for the building removal.
- 5.2.1.3 Obtain all other licences and approvals for transport of removed buildings, including with Queensland Police Service and Department of Transport and Main Roads.
- 5.2.1.4 Obtain all necessary planning, building and plumbing permits for installation of the buildings on the Tenderer's land.
- 5.2.1.5 Perform all works in compliance with all approval and licence requirements.

5.2.2 Pre-Start Meeting and Work Health and Safety Requirements

The successful Tenderer will:

- 5.2.2.1 Submit a signed copy of its building removal contract to Council for review prior to attending the pre-start meeting.
- 5.2.2.2 Submit to Council their site and project specific WHS Management Plan, Safe Work Method Statement and Risk Assessment for Council review, prior to attending the pre-start meeting.
- 5.2.2.3 Submit all licences and qualifications of employees and contractors attending site and provide a methodology on how the contractors will undertake the works safely.
- 5.2.2.4 Ensure the nominated supervisor for the project attends the pre-start meeting with Council for a site induction.
- 5.2.2.5 Submit a works schedule to Council and await confirmation for proposed dates and times.
- 5.2.2.6 Submit the Form 65 to Work Health and Safety QLD for registering asbestos removal works (if asbestos is found).

The nominated supervisor is to:

- Ensure all other employees and contractors are inducted on site prior to works.
- Ensure all employees and contractors hold the appropriate certificates and licences.
- Ensure all necessary permits, approvals and licences are obtained.
- All documentation relating to site inductions, certificates, permits, approvals and licences to be provided to Council prior to commencing work on site.

5.2.3 Site Establishment

The successful Tenderer will:

- 5.2.3.1 Undertake their own due diligence in relation to any potential asbestos that may be in the buildings or on site.
- 5.2.3.2 Undertake their own due diligence in relation to any potential land stability or erosion risks and implement appropriate management controls.
- 5.2.3.3 Ensure all contractors and/or sub-contractors are wearing the correct personal protective equipment relevant to the tasks they are undertaking.

- 5.2.3.4 Provide their own exclusion zone around the work area.
- 5.2.3.5 Liaise with Council to confirm that community engagement has been provided to relevant stakeholders (if required by Council).

5.2.4 Removal Works and Asbestos Removal Works

The successful Tenderer will:

- 5.2.4.1 Properly remove and dispose of asbestos.
- 5.2.4.2 Issue an Asbestos Clearance Certificate.
- 5.2.4.3 Remove the buildings.
- 5.2.4.4 Demolish and remove any concrete slabs, retaining walls and pavers.
- 5.2.4.5 Disconnect and cap all services.

5.2.5 Site Clearing

The successful Tenderer will:

- 5.2.5.1 Clear and tidy the site to ensure it is easily able to be mowed.
- 5.2.5.2 Properly remove all waste from the site
- 5.2.5.3 Arrange and attend a final inspection by Council on completion of the works.

6. RESOURCES

All resources required to achieve these deliverables will need to be provided by the successful Tenderer and its contractors e.g. machinery, plant and equipment.

7. WORK, HEALTH AND SAFETY

7.1 Legislative compliance

The successful Tenderer must comply with and ensure that its contractors, employees, subcontractors and agents comply with any acts, regulations, local laws and by-laws, codes of practice, Australian Standards and the Council's Workplace Health and Safety (WHS) policy and procedures which are in any way applicable to the performance of the works outlined in Section 5 of this RFT.

Note: this provision simply recites obligations that are independently imposed upon the party by force of law, particularly the operation of the relevant general duties provisions of the governing WHS statute.

If the successful Tenderer believes it, or any of its contractors, may be in breach during the term of the Contract, they will inform Council immediately.

If the successful Tenderer does not make Council aware of any breach, Council reserves the right to terminate the contract.

7.2 Personal Protective Equipment (PPE)

All personnel working on Council land in an outside environment including the successful Tenderer and its contractors are required to wear appropriate personal protective equipment (PPE).

7.3 Work Health and Safety Management Plan

Prior to commencing the works, the successful Tenderer must submit to Council a project specific [Work Health and Safety Management Plan \(WHSMP\)](#). Council will review the plan and formal approval to commence the works will be provided subject to acceptance of this plan.

The WHSMP should outline how the successful Tenderer and its contractors will manage Work Health and Safety factors for the term of the works. The WHSMP must cover specific WHS issues relevant to the work and document the systems and methods that will be used to effectively manage the risks.

The WHSMP should contain the following elements:

- A description of the works.
- A WHS structure and system for the works to be performed.
- Induction and safety training procedures for the Tenderer's/contractor's employees.
- Safe work practices and procedures for the work to be performed.
- A risk assessment for the work to be performed.
- A workplace inspection schedule for the duration of the works.
- WHS consultative processes to be followed for the duration of the works.
- Emergency procedures to be followed during the works period.
- Incident recording and investigation procedures to be in place during the works period.
- Health and safety performance monitoring arrangements to be implemented during the works.

The successful Tenderer will ensure allowance for edge protection, elevating work platforms and/or fall protection measures in accordance with the Work Health and Safety Management Plan and [Safe Work Method Statements \(SWMS\)](#) for working at heights greater than 2 metres (if required).

7.4 Risk Assessment

The successful Tenderer and its contractors must prepare and submit a risk assessment prior to commencing the works.

The risk assessment form must be used to record the risk assessment and risk control methods to be employed by the successful Tenderer and its contractors. The completed risk assessment must be submitted to Council for review and approval prior to commencement of works.

7.5 WHS Performance Reporting

The successful Tenderer must, when requested by Council, provide evidence of ongoing performance of the WHS management system. Without limiting the requirements of this obligation, the successful Tenderer or its contractor must provide the following information in the form of a WHS performance report:

- The number of lost time injuries.
- The working days lost due to injury.
- The current status of any injured personnel, damaged property or environmental damage or pollution.
- The status of the implementation and outcomes of corrective actions undertaken as a result of WHS inspections and risk assessments.

- The status of WHS management system audits undertaken.

The successful Tenderer shall, when requested by Council, provide reports on WHS inspections, audits or assessments undertaken during the course of the works.

7.6 WHS Management Systems

The successful Tenderer must, when requested by Council, submit a complete copy of the WHS management system documentation which must include as a minimum requirement:

- WHS policy and objectives.
- Organisational structure and responsibilities.
- Safe work practices and procedures.
- WHS training and induction.
- WHS auditing and inspection procedures.
- WHS consultation procedures.
- WHS performance monitoring.

7.7 WHS Management System Questionnaire

Tenderers will complete the Tenderer WHS Management System Questionnaire and submit it to Council. Where possible, this should be done as part of their tender submission.

Tenderers who do not complete the questionnaire as part of their tender submission may be shortlisted but will be ineligible for selection if the questionnaire is not completed and submitted as part of the additional criteria requirements if a request is made of the Tenderer by Council.

Tenderers will be required to verify their responses noted in the questionnaire by providing evidence of their, or their contractor's, ability and capacity in relevant matters.

By submission of the tender and questionnaire the Tenderer acknowledges and confirms as accurate all details contained in the questionnaire and any verifying documents.

7.8 Incident notification

The successful Tenderer must notify Council as soon as reasonably practicable but within 24 hours of any accident, injury, property or environmental damage that occurs during the duration of the works. All lost time incidents must be immediately notified to Council.

If the successful Tenderer believes it, or its contractors, may be in breach during the works period, it will inform the Council Representative immediately.

If the successful Tenderer does not make Council aware of any breach, Council reserves the right (without penalty) to stop the works until the breach has been rectified and make any claim for loss, damage or other reasonable expenses from the successful Tenderer or its contractor.

The successful Tenderer must provide a written report of any such incident within three days, giving complete details of the incident, including results of investigations into its cause, and any recommendations or strategies for prevention in the future. This requirement is in addition to, and independent of, any incident notification duty required by law.

8. ENVIRONMENTAL SUSTAINABILITY

The successful Tenderer must comply with and ensure that its contractors, employees, subcontractors and agents comply with any acts, regulations, local laws and by-laws, codes of practice, Australian Standards and all Environmental policies and procedures which are in any way applicable to the performance of the works.

9. KEY PERFORMANCE INDICATORS

The below tables the key performance indicators for the term of this Contract.

Key Performance Indicators			
Category	Sub-category	Requirement	Benchmark
Mandatory	Licences	Licences must remain valid for the term of the contract and renewals provided to Council	100%
Mandatory	Insurance	Insurance must remain valid for the term of the contract and renewals provided to Council	100%
Mandatory	Legislation conformance	Queensland Work Health and Safety Regulations 2011, Demolition Work Code of Practice 2018; How to Safely Remove Asbestos Code of Practice 2018; Environmental Management Act 1994.	100%
Performance	Reporting	Submission for Council approval of all necessary management plans. Upon completion, the Contractor shall verify that all works are completed and a final inspection conducted with Council.	100%
Criteria	WHS	Attendance at Pre-Start meeting and site induction	100%
Criteria	WHS	Adherence to legislative requirements	100%
Criteria	WHS	Risk assessments	100%
Criteria	WHS	Health and Safety Management Plan	100%
Criteria	WHS	WHS management and reporting	100%
Criteria	Approvals	All approvals in place prior to commencing works and all works undertaken in accordance with all permits and approvals.	100%
Criteria	Scope Specific	All works undertaken in accordance with an approved Program of Works.	100%
Where the abovementioned markers are not met, Council reserves the right to cancel the contract, stop works on site and / or seek services outside of this arrangement, and claim reimbursement from the Tenderer to meet the needs of the project delivery.			

10. MANDATORY REQUIREMENTS

The following tabled requirements of Tender are mandatory, Tenders submitted that do not demonstrate to meet the requirements may not 'Pass' Stage 1 of the assessment as outlined at Section 17, Evaluation Process.

Mandatory Requirements of Tender	
1	Tender must be submitted within the Request for Tender period specified at Section 13 RFT Timeframes.
2	Completion of all questions and Schedules A, B and C in LVRC-24-057 Response Schedule.
3	Councils Sale Agreement Conditions accepted or applicable departures provided. Please note: if departures are not forwarded as part of your response, Council may choose not to enter into departure negotiation upon conditional award.
4	Litigation History – Tenderer must provide details of all litigation including threatened litigation, in which the Tenderer has been involved since 1 July 2016 including details of the nature of the dispute, the other parties involved, the award, judgement or court order, or any settlement (to the extent that disclosure is permitted pursuant of such settlement or court order).
5	Financial capacity of Tenderer – The Tenderer must provide: (a) A list of 3 (three) creditors of the Tenderer after January 2019 providing details of each creditor, and a contact name and telephone number for each creditor; (b) A written authorisation for the Council to obtain a credit check of the Tenderer; Details of where the Tenderer has been the subject of any form of insolvency administration (if relevant).

11. ADDITIONAL CRITERIA

The additional criteria listed below is mandatory, but Council recognises that it may not be practical or possible for those Tenderers who may need to engage contractors to remove the buildings and perform the associated works set out in Section 5 of the RFT to provide evidence of these requirements at the time of tender submission.

Tenders may be submitted by:

- licensed and qualified building removalists who should be able to provide evidence of the additional criteria at the time of submitting their Tender.
- other third parties, who may wish to purchase the buildings but will need to engage appropriately licensed and qualified removalist contractors to remove the buildings and clear the site as required by Section 5 of the RFT. These parties may not be able to provide evidence of the additional criteria at the time of submitting their Tender.

Therefore, once Tenders have been shortlisted and evaluated, if Council's preferred Tenderer has not provided evidence of the additional criteria at the time of submitting their Tender, Council intends to contact its preferred Tenderer and request evidence of the additional criteria set out below to be provided within seven (7) days or such other timeframe as agreed by Council. Upon receipt, the Evaluation Panel will evaluate this information and either:

- complete its evaluation, confirm its selection, and award the Tender; or
- complete its evaluation, identify the next preferred Tenderer based on evaluation scoring to date, and either repeat this process or award the Tender (if the new preferred Tenderer has already provided evidence of the additional criteria to Council's satisfaction).

Where the preferred Tenderer cannot provide evidence of this additional criteria to Council's satisfaction within the time frame provided, the Evaluation Panel reserves the right to approach the next Tenderer in order of evaluation scoring preference to make a similar request and/or award the Tender.

The additional criteria Tenderers must provide evidence of meeting in order to progress through the final stages of the evaluation process are:

- Provision of insurance documentation required (certificates of currency and policy wording) as stated at Response Schedule, Section 2, 2.13 Contract Particulars
- Provision of all applicable licences, including but not limited to:
 - Licence to perform Class A asbestos removal (if required)
 - Licence to perform demolition or removal work
 - General construction induction card (white card)
 - QBCC licence from class Building Open or Building Medium Rise or Builder Low Rise (if required)
- Submission of a project specific WHS Management Plan for review by Council
- Submission of Schedule D and any other WHS information identified in Response Schedule Section 6.1 for review by Council
- Outline the proposed timing for the submission of all applications for relevant approvals, permits and authorisations for the works required by Section 5 of the RFT.

12. SITE VISIT

Attendance at a site visit is optional and is scheduled to take place at:

Where:	Carport of units 4-6
Address:	11 North Street, Gatton, Qld, 4343
When:	Friday, 11 October, 1pm
Contact:	Procurement Team Lockyer Valley Regional Council Phone: 1300 005 872
Registration:	Attendees must register for the site visit no later than 10am Friday, 11 October 2024 by emailing both the name and contact details of proposed attendees to tenders@lvrc.qld.gov.au .
Note:	Attendance will be logged. Please ensure to sign the attendance sheet.
Strict Instructions:	Attendees must wear high visibility clothing and fully enclosed footwear. Sun protection is not a mandatory requirement.
Site Inspection Q&A:	Any questions can be asked either onsite during the scheduled site inspection or submitted via the attendance form.

13. RFT TIMEFRAMES

This section details the proposed schedule of timing for the Request for Tender process.

NB: All below mentioned dates are indicative and subject to change at the discretion of Council.

Task	Action	Date
Tendering Process and timeframes	Tender release date	3 October 2024
	Site visit (optional)	11 October 2024
	Last clarification requests received	18 October 2024
	Closing date of the Tender period	25 October 2024
	Evaluation of submissions and Contractor selection	10 December 2024
	Contract commencement	17 December 2024

14. MILESTONES OF DELIVERABLES / SCHEDULING OF SERVICES

During the term of the contract, the following key dates apply:

Contract Performance	Timing
Purchase of Buildings	Within 14 days of Council issuing a tax invoice for the purchase price
Commencement of works / Pre-Start Meeting	Subject to approvals
Progress/ Site Inspection meetings	Weekly or as agreed with the Council Representative
Building Certification Inspection	For certification purposes, subject to works program
Council final inspection	On completion of works
Estimated completion date	31 May 2025

NB: All abovementioned dates are indicative and subject to change at the discretion of Council as agreed with the successful Tenderer.

15. PRICING

Tenderers will complete the Response Schedule including section 6.5 Price.

Tenderers are to nominate the purchase price (as a lump sum) the Tenderer is willing to pay Council for purchase of the buildings.

If successful, the Tenderer will be responsible for all costs associated with the removal of the buildings and associated works as set out in Section 5 of the RFT.

16. INVOICING AND PAYMENT

Council will, upon award and execution of the Sale Agreement, submit a tax invoice to the successful Tenderer for the price the Tenderer has agreed to pay to purchase the buildings. The Tenderer shall make payment to Council of the tax invoice within fourteen (14) days.

If the purchase price remains outstanding by the due date, Council has the right to withdraw its award and award to another Tenderer.

17. EVALUATION PROCESS

The following Evaluation Process table outlines the overarching process that will be used to determine the quality of each Tender received in response to RFT, with consideration to its alignment to Council’s objectives and the broader needs of the community.

Questions that come under each of the criteria are provided within the Response Schedule document.

Council reserves the right to request clarifications of Tenders submitted, and evidence of the additional criteria, during the evaluation process.

The staged evaluation process is as follows:

Evaluation Process		
Stage 1: Mandatories	Mandatory Requirements confirmed as met or not met.	As stated in Section 10 Mandatory Requirements. Offers not meeting all mandatory requirements may not progress to Stage 2
Stage 2: Shortlisting	Shortlisting of Tenders using the Technical Capability and Strategy of Delivery Criterion	Questions for the Technical Capability and Strategy of Delivery criterion are provided within the Response Schedules.
Stage 3: Evaluation Criteria	Assessment and scoring of responses to the criteria questions.	Questions for each of the evaluation criteria are provided within the Response Schedules.
Stage 4: Additional Criteria	Evaluation of Additional Criteria	If evidence of the additional criteria listed in RFT Section 11 has not been provided at the time of Tender submission, a request will be sent for the additional criteria to be provided within seven (7) days or such other timeframe as agreed by Council.
Stage 5: Overall Value	Value for money assessment	This is the overall weighting achieved by the Offeror and ranking assigned once the Qualitative Phase (Stages 3 and 4) is completed.

18. OPERATING ENVIRONMENT

The Lockyer Valley Regional Council (Council) is the local governing body for the Lockyer Valley, which consists of a vibrant 2,272 km2 nestled between Brisbane and Toowoomba in one of Australia’s major food producing areas.

The local community and visitors enjoy many historical sites and townships such as Forest Hill, Helidon, Grantham, Withcott, Murphy’s Creek and Plainland.

A key challenge for the region is managing the expected population growth and keeping workable agricultural activities that have long served the region.

The region's population currently sits at more than 41,000 and is expected to grow to 52,300 by 2031 or by approximately 1.8% per annum.

19. TERMS AND CONDITIONS

Tenders will be in a Word or Excel (unlocked) format and lodged via VendorPanel or in hard copy delivered to Council's Gatton office in a sealed envelope addressed to the Procurement team.

19.1 Conditions of Offer

Lockyer Valley Regional Council has General Conditions of Offer which will be reviewed and understood by the Tenderer prior to submitting and Tender.

Documents can be found by clicking [here](#).

19.2 Conditions of Contract

The awarded Contract will be bound by LVRC-24-057 Sale Agreement, as provided with the Request for Tender.

Tenderers note: The Sale Agreement is provided in draft, to be finalised by Council, to align to the Request for Tender, the accepted response and any additional terms specified and agreed by both parties and acknowledged in the Notice of Acceptance.

20. HOW TO RESPOND

- Tenderers must respond to each of the evaluation criteria questions, in detail, provided within the Response Schedule. Tenderers should not leave any questions unanswered and should instead add comments stating why they cannot provide an answer to the question.
- All questions and clarifications from Tenderers relating to this invitation must be communicated in writing via VendorPanel (preferred) or Tenders@lvrc.qld.gov.au (for Tenderers without access to VendorPanel). All questions and clarifications will be shared with all potential Tenderers.
- Verbal interactions or contacting of Council employees or Councillors, other than the site visit and the Procurement Team, in relation to this Request for Tender will result in a determination of Tenderer non-conformance and its Tender may be removed from the procurement process.
- Tenders must be lodged electronically via VendorPanel (where Tenderer is registered) or in hard copy delivered to Council's Gatton office, 26 Railway Street, Gatton in a sealed envelope addressed to the Procurement team.