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| **Request for Tender (RFT) #** | **LVRC-24-057** |

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| --- | --- |
| **RFT Title** | **Sale of Buildings at North Street, Gatton for Removal** |

|  |  |
| --- | --- |
| **Closing Date and Time** | Tenders must be submitted by  **2pm, Friday 25 October 2024, AEST.** |

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**schedule a – response schedule**

1. **TENDERER DETAILS**

Tenderers will complete all the following applicable sections:

|  |  |
| --- | --- |
| **Full Name/s of Trading Entity** |  |
| **Trading particulars**  *(for example, Sole trader/ partner etc)* |  |
| **ABN of Trading Entity** |  |
| **ACN of Trading Entity** |  |
| **Phone Number of Trading Entity** |  |
| **Street / Office address of Trading Entity** |  |
| **Postal Address of Trading Entity**  *(For Service of Notices)* |  |
| **Authorised Representative of the Trading Entity** |  |
| **Email Address of Trading Entity/ Representative** |  |
| **Phone Number of Trading Entity/ Representative** |  |
| **This Tender must remain valid for a period of** | 120 days |
| The Respondent Tenders to supply the servicesdetailed in:   1. the Request for Tender (RFT); 2. its Respondents Tender form; and, 3. any addenda issued after the date of issue of the RFT.   Should addenda be issued during the tendering period, the Respondent will acknowledge receipt by utilising the table set out below:   |  |  |  | | --- | --- | --- | | ADDENDUM NO. | ADDENDUM DATE | SUBJECT OF ADDENDUM | |  |  |  | |  |  |  | | |

1. **CONTRACT PARTICULARS**

The following particulars will apply for the term of the contract.

Tenderers will declare any departures from the terms and conditions of Offer and Sale Agreement  
and the following particulars at section 6.

|  |  |  |
| --- | --- | --- |
| 2.1 | Contract Type | One-off sale |
| 2.2 | Procurement Method | Request for Tender |
| 2.3 | Contract Period | One (1) off supply |
| 2.4 | Contract Extension Options | Nil |
| 2.5 | Price Basis | Lump Sum at section 6.5  Tenderers are to submit a purchase price for the unit buildings.  The successful Tenderer will be required to assume all costs associated with removal of the buildings, disconnection of services, and leaving the land clear and level. |
| 2.6 | Price Variation | Price will be fixed for the duration of the contract. |
| 2.7 | Tender Validity | 120 days |
| 2.8 | Conditions of Tendering | [Council General Conditions of Offer](https://www.lockyervalley.qld.gov.au/repository/libraries/id:2eccbxg5l17q9su8pzhy/hierarchy/our-council/tenders-and-public-notices/documents/tenders/LVRC%20General%20Conditions%20of%20Offer.pdf) |
| 2.9 | Conditions of Contract | LVRC-24-057 Sale Agreement |
| 2.10 | Council Receiver of Notices: | The Chief Executive Officer  Lockyer Valley Regional Council  26 Railway Street  Gatton Qld 4343 |
| 2.11 | Principal | Lockyer Valley Regional Council (Council) |
| 2.12 | Contract Manager | To be advised on Notice of Award |
| 2.13 | Minimum Insurance Requirements | Public Liability: $20M  Asbestos Insurance: $1M  Work Cover: As required by Law |

1. **MANDATORY CRITERIA**

Tenderers must address/ provide evidence of meeting each of the mandatory criteria in order to progress to the evaluation. Departures will be noted by the Tenderer at Section 7:

|  |  |  |
| --- | --- | --- |
| **Mandatory Requirements of Tender** | **Requirement met** | **Evidence (Attachment reference)** |
| Tender must be submitted within the Request for Tender period specified at Section 13 RFT Timeframes. | Choose an item. | Click or tap here to enter text. |
| Completion of all questions and **Schedules A, B and C** in this Response Schedule. | Choose an item. | Click or tap here to enter text. |
| LVRC-24-057 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 award. | Choose an item. | Click or tap here to enter text. |
| Litigation History – Offeror must provide details of any litigation including threatened litigation, in which the Respondent 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). | Choose an item. | Click or tap here to enter text. |
| Financial capacity of Offeror - The Respondent must provide:  (a) a list of 3 creditors of the Respondent 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 Respondent;  (c) details of where the Respondent has been the subject of any form of insolvency administration (if relevant). | Choose an item. | Click or tap here to enter text. |

1. **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 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 Section 6.1 below 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.

Refer RFT Section 11. Additional Criteria.

1. **EVALUATION**

Council will undertake evaluations in accordance the *Local Government Act 2009* Sound Contracting principles which Council is bound by being:

• Value for money;

• Open and effective competition;

• The development of competitive local business and industry;

• Environmental protection; and

• Ethical behaviour and fair dealing.

In order to achieve the Sound Contracting Principles, all Tenders will go through an evaluation process. Tenders will be measured against the responses to the mandatory criteria, additional criteria and the below listed evaluation criteria questions. Responses are to be provided in the sections highlighted *red* and any documentary evidence attached*.*

1. **EVAluATION CRITERIA**

Tenders will address each of the questions under each of the criteria set for evaluation:

* Workplace Health and Safety, refer section 6.1
* Local Benefit, refer section 6.2
* Technical Capability, refer section 6.3
* Strategy of Delivery, refer section 6.4
* Price, refer section 6.5

1. Workplace Health and Safety

Tenderers will demonstrate how they manage Work Health and Safety for staff and visitors in their workplace. Where Tenderers intend to engage contractors to perform the works required by Section 5 of the RFT, please identify any documents that will be provided by your contractor:

|  |
| --- |
| Define how your company manages Work Health and Safety on site and during transit: |
| *Tender / Comment / Reference to attachment.* |
| 1. Do you have a Work Health and Safety Management Plan:   *This plan may include, but is not limited to the following:*   * *Safe Operating Procedures (SOP’s) (including lone worker);* * *Risk identification and controls;* * *Emergency / Accident plan;* * *Personal Protective Equipment (PPE);* * *Measures taken to reduce the risk of environmental pollution / harm.* * *Fatigue monitoring and management.* |
| *Tender / Comment / Reference to attachment. Please indicate if this will be provided by a contractor you intend to engage if successful* |
| 1. Provide details of your key inclusions for a Safe Work Statement: |
| *Offer / Comment / Reference to attachment. Please indicate if this will be provided by a contractor you intend to engage if successful* |
| 1. Demonstrate your key inclusions for an Asbestos Removal Control Plan: |
| *Tender / Comment / Reference to attachment. Please indicate if this will be provided by a contractor you intend to engage if successful* |
| 1. Identify your intended waste disposal sites: |
| *Tender / Comment / Reference to attachment.* |
| 1. Provide an example of your key inclusions for a Waste Management Plan: |
| *Tender / Comment / Reference to attachment. Please indicate if this will be provided by a contractor you intend to engage if successful* |

1. Local Benefit

The Tenderer demonstrates its commitment to the Lockyer Valley region and its economic development through its response to the following questions

|  |
| --- |
| 1. Provide details for your organisation’s branch / office / operational workplace based in, or near the Lockyer Valley Region: |
| *Tender / Comment / Reference to attachment* |
| 1. Do you intend to engage any local contractors to assist in performing the works as set out in Section 5 of the RFT? |
| *If yes, please identify* |
| 1. Identify whether the buildings are intended to be relocated within the Lockyer Valley region and how they will be used: |
| *Tender / Comment / Reference to attachment* |

1. Technical Capability AND CAPACITY

Tenderers will demonstrate their technical capability by completing the following tables:

|  |
| --- |
| 1. Provide a brief Company Profile detailing your organisations capabilities. |
| *Tender / Comment / Reference to attachment* |
| 1. Are you appropriately licensed and qualified to remove the buildings and perform the works set out in section 5 of the RFT? |
| *Yes / No* |
| 1. Have you performed similar projects before? |
| *Yes / No. Please identify similar prior building removal projects you’ve been involved in.* |

1. Strategy of Delivery

Council requires the buildings to be removed from the land and the site left clear, tidy and in a condition that is suitable for yard maintenance i.e. mowing, within six (6) months of award. Tenderers will demonstrate that they can meet the strategy of delivery requirements of Council by completing the following table:

|  |
| --- |
| 1. Please identify any contractors you intend to engage to deliver the works detailed in the RFT, including what works they will be engaged to perform: |
| *Tender / Comment / Reference to attachment* |
| 1. Outline your proposed timing to remove the buildings and deliver each of the items listed in the RFT: |
| *Tender / Comment / Reference to attachment* |

The works set out in Section 5 of the RFT require a contractor that is appropriately licensed and qualified to perform them. Tenderers should engage with any contractors required to make sound judgements in interpreting the scope and informing their purchase offer. Tenders should demonstrate this.

Tenderers will be responsible for all costs associated with the works set out in Section 5 of the RFT.

Tenderers will detail their capacity to achieve Council’s objectives by providing details of any contractors they intend to engage and their proposed role.

1. Price

Tenderers should indicate the purchase price (as a lump sum) that 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.

|  |
| --- |
| 1. **Price** |
| *Please insert your offer for the purchase of the buildings as a lump sum.*  **$** |

1. **Departures from the terms and conditions**

|  |
| --- |
| All departures from the terms and conditions of Offer and Sale Agreement are to be detailed by Tenderers in this section.  Departures not stated here will not be considered. Council reserves to right to accept or decline departures and where a departure cannot be mutually agreed, Council reserves the right to decline the Offer. |
| *Comment / Reference to attachment* |
| *Comment / Reference to attachment* |

**scHEDULE B - SUPPLIER execution of OFFER**

**ACKNOWLEDGEMENTS AND CERTIFICATIONS**

The Tenderer:

1. Accepts these Request for Tender (RFT) conditions,
2. Offers to purchase the buildings from the Lockyer Valley Regional Council and perform the works as set out in the RFT on the terms described in the RFT. The Lockyer Valley Regional Council may accept the Tenderer’s Tender during the validity period,
3. Certifies that it has read, understands, and complies with all the requirements of this RFT, including any changes made by the Lockyer Valley Regional Council and notified to the Tenderer in accordance with the Conditions of Tendering,
4. Represents that all the information contained in the Tenderer’s Tender is complete, accurate, up to date and not misleading in any way,
5. Acknowledges the additional criteria requirements and agrees to meet them if required by Council during the Tender evaluation process.
6. Acknowledges that the Lockyer Valley Regional Council will rely on the information contained in the Tenderer’s Tender (including the warranties and declarations) and the Tenderer’s response to the additional criteria when deciding whether or not to accept the Tenderer’s Tender and that if the Lockyer Valley Regional Council accepts the Tenderer’s Tender, the Lockyer Valley Regional Council will enter into a Contract relying on that information,
7. Acknowledges and accepts Lockyer Valley Regional Council may at any time for convenience revoke its need for the sale of the buildings or any part of the work and this RFT at any time. Until such time as a tax invoice for sale of the buildings is issued or a contract is otherwise signed by the Lockyer Valley Regional Council this Tender is not binding in the promise of any sale or works, and
8. Acknowledges that the Lockyer Valley Regional Councilmay suffer damage if any of the information in the Tenderer’s Tender is incomplete, inaccurate, out of date or misleading in any way.

**EXECUTION OF OFFER**

|  |
| --- |
|  |
| **Trading Name** |
|  |
| **Authorised Representative, Title**  *(As appointed by the Trading entity)* |
|  |  |
| **Authorised Representative, Name** | **Witness, Name** |
|  |  |
| **Authorised Representative, Signature** | **Witness, Signature** |
|  |  |
| **Date** | **Date** |

**scHEDULE C - CONFLICT OF INTEREST DECLARATION**

**CONFLICT OF INTEREST AND CONFIDENTIALITY DECLARATION**

As a potential Tenderer to Lockyer Valley Regional Council for LVRC-24-057 – Sale of Buildings at North Street, Gatton for Removal, I submit this undertaking regarding the obligations I undertake in relation to conflict of interest and confidentiality.

**Conflict of interest**

May be determined as when a reasonable member of the public with the proper information would think that the conflict is unacceptable and might inappropriately influence a local government's decision or action or lead to a decision that is not in the public interest.

[DELETE AS APPLICABLE]

I declare that I have no conflicts in relation to the members and or employees of the Lockyer Valley Regional Council for LVRC-24-057.

OR

I declare the following conflict(s) or potential perceived conflicts in relation to (insert company/business name) submission(s)



**Confidentiality**

I am fully aware of the terms and conditions in which I submit the Tender including the obligations under the contract. I will not disclose anything about the Tender or the process to anyone who is not part of our business/company; unless:

1. I am compelled to do so by law;
2. The information is already legally in the public domain; or
3. I have written authority from Lockyer Valley Regional Council.

All documents will either be submitted via Vendor Panel or in the manner instructed to do so through the invitation process.

|  |  |
| --- | --- |
|  |  |
| **Authorised Representative, Name** | **Witness, Name** |
|  |  |
| **Authorised Representative, Signature** | **Witness, Signature** |
|  |  |
| **Date** | **Date** |

**scHEDULE D –** **TENDERER WHS questionnaire**



**A drawing of a face

Description generated with high confidence**

1. **Instructions**

The Tenderer must complete this schedule. Failure to complete this schedule may result in the Tender being set aside from evaluation.

Where supporting evidence is requested, the Tender is to incorporate separate files.

File names must include the relevant reference number as itemised in the table in Section 3 (Questionnaire), as well as a brief description, for example:

*LVRC-24-057\_<Offeror Name>\_01\_Work Health and Safety Policy*

For any question, more than one file may be provided as supporting evidence.

1. **Further Information**

Essential duties and obligations of Contractors are identified by law, as outlined on the WorkSafe web page here:

<https://www.worksafe.qld.gov.au/laws-and-compliance/work-health-and-safety-laws>

Terms used in this Schedule D, which are not defined elsewhere in the RFT, are defined as per Workplace Health and Safety Queensland’s WorkSafe website.

1. **Questionnaire**

|  |  |
| --- | --- |
| Tenderer: | <<insert complete legal entity name>> |
| Trading/business name: | <<insert business/trading name if applicable>> |

| **Ref** | **Question** | **Response** | | **Supporting Evidence Required** |
| --- | --- | --- | --- | --- |
| 01 | Does the Tenderer/Contractor have a work health and safety policy? | Yes | No | Provide a copy of the policy. |
| 02 | Does the Tenderer/Contractor have a documented work health and safety management system? | Yes | No | Provide evidence (e.g. a certificate or a contents page). |
| 03 | Does the Tenderer/Contractor have in place safe work method statements (SWMS), safe work procedures, risk assessments or other specific work health and safety instructions relevant to the Supply? | Yes | No | Provide a summary of relevant documents or samples applicable to the Supply. |
| 04 | Are work health and safety duties, for the Tenderer’s/Contractor’s Personnel at all levels, clearly documented? | Yes | No | Provide evidence of documented duties or an outline of how responsibilities and accountabilities are identified. |
| 05 | Does the Tenderer/Contractor have a documented work health and safety incident reporting and investigation procedure? | Yes | No | Provide a copy of the incident report form. |
| 06 | Does the Tenderer/Contractor have in place procedures for maintaining, inspecting and assessing hazards of plant owned or operated by the Tenderer/Contractor? | Yes | No | Provide a summary of procedures or other evidence. |
| 07 | How often does the Tenderer/Contractor conduct health and safety inspections? | <<identify frequency>> | |  |
| 08 | Does the Tenderer/Contractor maintain records of workplace inspections and corrective actions? | Yes | No |  |
| 09 | Has the Tenderer/Contractor been issued with an improvement or prohibition notice or been convicted of a workplace health and safety offence? | Yes | No | If “Yes”, provide details including relevant dates and any penalty imposed. |
| 10 | Does the Tenderer/Contractor conduct work health and safety training. | Yes | No | Provide evidence to demonstrate the training conducted. |
| 11 | If or when required, does the Tenderer/Contractor accept the duties involving management or control of a workplace under Part 2, Division 3, section 20 of the *Work Health and Safety Act 2011*? | Yes | No |  |
| 12 | Mandatory licensing, required to perform the works is evidenced as per Schedule A. | Yes |  | Refer to Schedule A Section 4 (Additional Criteria) |

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**Entity Name Representative Name Representative Position**

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**Representative Signature Date**