



VOLUME 1

INVITATION TO TENDER

FOR

TENDER

The Asphalt Works - MR78 Olympic
Highway-Segment 110

Contract Number RFT2026/3

VOLUME 1

INVITATION TO TENDER

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GENERAL

1. PREAMBLE

The Conditions of Tendering have been prepared in accordance with the obligations of the Principal contained in the Australian Standard 4120, Code of Tendering, which sets out the ethics and obligations of the Principal and Tenderers in tendering in the construction industry.

Tenderers and Principal shall comply with the requirements of this AS 4120. Attention is drawn to the obligations of Tenderers, in the preparation and submission of their tender for this project.

Without limiting the above obligations:

- Tenderers shall not submit tenders without a firm intention to proceed.
- Tenderers must not engage in any form of collusive practice.
- Any Tenderer who directly or indirectly canvasses support from an elected member or servant of the Council will be disqualified.

It should be noted that in all contract documentation words importing a gender include every gender.

2. PROJECT INFORMATION AND DESCRIPTION

The complete project description, scope of work, specific site and project requirements shall be as defined in the Technical Specification contained in Volume 4 of the Contract documents.

This tender is for Contract No. RFT2026/3 for “The Asphalt works - MR78 Olympic Highway-Segment 110”

Location of the work is MR 78110 – Olympic highway intersection with Dirnaseer Road approximately 2.5Km south of Cootamundra.

The works in this contract comprise the following:

1. Invitation to Tender
2. Response Schedules
3. Conditions of Contract
4. Job Specific Requirement & Technical Specification
5. Location plan

Please note that the Consultant shall operate from their own offices.

3. RELEVANT DOCUMENTS

The contract documents for this project are:

VOLUME 1 – Invitation to Tender

- Information for Tenderers

VOLUME 2 - Tender Submission Documents

- Response Schedules

VOLUME 3 - Conditions of Contract

- PART 1 - General Conditions of Contract (AS4000 - 1997) *.
- PART 2 - Annexures to General Conditions of Contract.

* AS4000-1997 is not included as part of the contract documentation. Copies are available from Standards Australia.

VOLUME 4 – Job Specific Requirement & Technical Specifications

VOLUME 5 – Location Plan

The Principal does not guarantee that the information contained in any of these documents is accurate or complete and the Tenderer must make their own assessment as to the validity of the information when preparing the Tender

The Tenderer warrants and represents that it will obtain the information and documentation referred to above before submission of tender and will obtain all other information relevant to the works, contingencies and other circumstances affecting its tender.

4 TENDERING METHOD

This Contract shall use the following tendering method:

Open Tender via the Vendor Panel

5 TENDERER'S RESPONSIBILITY

It shall be the responsibility of the Tenderer to ascertain all information relating to the services, the works and site conditions that may affect the progress or method of performing all services and works as specified within the scope of this contract and to prepare for every contingency that may arise. It is further understood that just provision for these contingencies have been accounted for, implicitly or explicitly within the Quotation submitted.

6 CLIENT'S CONTACT PERSON

Enquiries regarding this tender strictly through the vendor panel and any direct inquiries will not be answered.

7 SITE INSPECTION AND BRIEFING MEETING

The Tenderer must familiarise with the Works and the Site prior to submission of its tender.

Tenderers are advised that the documents necessary for the preparation of the Tender and listed in the technical specifications are available on the Vendor Panel website.

A Mandatory pretender meeting and Site Inspection will be held as per the details provided in the table below.

Date	Time	Location
Thursday 23 October 2025	10am	Intersection of Dirnaseer Road & Olympic Highway approximately 2.4Km south of Cootamundra

All questions and requests for information or clarification concerning the tender Documents must be directed through the vendor panel platform

Clarification and Questions Close	5pm on Thursday 30 October 2025
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8 TENDER LODGEMENT REQUIREMENTS

Tenders shall be submitted only through the vendor panel platform. Any hardcopy Tender Submission will not be considered.

Closing time and date for electronic lodgement of tenders.

Time: 5:00 pm

Date: Thursday 06th November 2025

CONDITIONS OF TENDER

9 SUPPORTING INFORMATION FROM TENDERERS

The Tenderer shall provide documentary evidence to prove they have the necessary competence, resources, industrial relations, quality, and financial capacity to carry out the Works.

10 SUB-CONSULTANTS

If part of the work is intended to be let out to sub consultants, the Tenderer is required to provide in the schedule 12 of Volume 2 Response Schedule, the names and telephone numbers of Tenderer's Sub consultants/contractors.

Notwithstanding the above, the Tenderer shall note that as per Clause 20 of AS 4122, the Consultant shall not subcontract any part of the Services without the prior written approval of the Client.

11 ALTERNATIVE PROPOSALS

Alternative proposals, which satisfy the Client's basic performance objectives, technical and legal requirements, may be submitted as options but only in addition to a conforming tender. All costs associated with the design and documentation of any alternative proposal shall be borne by the Tenderer.

12 TENDER VALIDITY PERIOD and PLANNED WORKS

Tenders will be valid until June 30 2026, as works are subject to funding availability from TfNSW Q1 2026 with works being performed at a suitable period in consultation with the successful Tenderer, between February and June 2026. Variations in material costs at the time of project confirmation will be considered and must be approved by TfNSW. In the event of the undisclosed withdrawal by the successful Tenderer prior to the expiration of this period, the Tenderer shall be liable for all costs, losses or damages suffered by the Principal, by reason of that withdrawal.

13 LATE TENDERS

No Late tenders will be considered.

14 TENDER EVALUATION AND SELECTION

Evaluation, negotiation, and selection of tenders shall be in accordance with the requirements of AS4120, Code of Tendering Guidelines for NSW Local Government 2009, Part 7 of the NSW Local Government (General) Regulation 2005 and under the NSW Local Government Act 1993.

The evaluation criteria shall be:

a) Evaluation Criteria

The information required by the respondent in this document will be used to assess Respondents in accordance with pre-established Mandatory Participation Criteria, Non-Cost Criteria, and Cost Criteria.

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Mandatory Participation Criteria will be assessed on a Yes/No basis and MUST be met by the Respondent. A response that fails to fully comply with any of the outlined mandatory criteria, Council may deem the response to be non-conforming and therefore not become eligible to be shortlisted and progress any further in the evaluation.

Non-Cost and cost criteria will be assessed as weighted criteria by the Evaluation Panel for determining an overall value for money assessment from the Respondent's submission. Failure to fully comply with non-cost and cost criteria may reduce the Respondent's overall score but will not exclude the Tender Response from further consideration.

a.1 Mandatory Participation Criteria

The following Mandatory Participation Criteria will be used in the evaluation of Tender submissions received for this RFT:

- Compliance with the Insurance Certificates of Currency:
 - Public Liability Insurance - \$20 million
 - Professional Indemnity - \$20 million
 - Worker's Compensation Insurance
 - Comprehensive Motor Vehicle Insurance
- Compliance with the Schedule of Statement of Conflict of Interest and Fair Dealings; &
- Compliance with the Schedule of Statement of Compliance.

a.2 Weighted Evaluation Criteria

The following Non-Cost Selection Criteria will be used in the evaluation of Tender submissions received for this RFT:

<i>Non-Cost Selection Criteria</i>		
Selection Criteria	Sub-Criteria	Weighting
Confirmation with Technical Data and Tender Document	<i>Confirmation of all schedules</i>	15 %
Capability & Experience	<i>Capability</i>	7.5 %
	<i>Experience – Relevant</i>	7.5 %
Delivery of scope of works	<i>Understanding of the engagement</i>	7.5 %
Value for money	<i>Quality Assurance</i>	5 %
Program of delivery of project	<i>Delivery of the project</i>	7.5 %
TOTAL		50 %

A *Non-Cost Selection Criteria Threshold* will be applied to the evaluation of the submissions. The Respondent must achieve a Non-Cost Selection Criteria Score of at least 35% of the 50% (*Total Non-Cost Selection Criteria Weighting*). Respondents must achieve a score greater than the *Non-Cost Selection Criteria Threshold* to be eligible to be shortlisted and progress any further in the evaluation process.

The following Cost Selection Criteria will be used in the evaluation of submissions received:

Cost Selection Criteria	Weighting
<i>Cost – Lump Sum</i>	50%
Total	50 %

The Principal is not bound to accept the lowest or any tender.

The successful Tenderer shall be notified in writing by issue of a Letter of Acceptance by Thursday 27 November 2025.

15 POST TENDER SUBMISSIONS

The Principal may call for post-tender submissions from some or all tenderers in order to assist with the evaluation.

Such submissions will be confidential between the Principal and Tenderer.

The call for such submissions will not bind the Principal to proceed to accept a tender.

16 POST-TENDER NEGOTIATIONS

The Principal may enter into a negotiation with a Preferred Tenderer or a number of candidate tenderers.

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Such negotiations will be confidential between the Principal and Tenderer

The undertaking of negotiations will not bind the Principal to proceed to accept a tender.

17 COST OF TENDERING

All costs associated with tender preparation and submission shall be borne by the Tenderer.

18 CONTRACT COMMENCEMENT DATE

The commencement of the Contract is nominated as the issue date of Council's Purchase Order to the successful Tenderer. There shall be no Contract before issuing a Purchase Order.