

# Shire of Kulin

## Request for Tender

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**Request for Tender:**

*Supply of Road Grader*

**Deadline:**

2:00pm Wednesday, 30<sup>th</sup> October 2024

**Address for Delivery:**

38 Johnston Street, Kulin WA 6365

PO Box 125, Kulin WA 6365

[tenders@kulin.wa.gov.au](mailto:tenders@kulin.wa.gov.au)

**RFT Number:**

*RFT 03-24/25*

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## 1 Conditions of Tendering

### 1.1 Definitions

Below is a summary of some of the important defined terms used in this Request:

- Attachments:** The documents you attach as part of your Tender.
- Contractor:** Means the person or persons, corporation or corporations who's Tender is accepted by the Principal, including the executors or administrators, successors and assignments of such person or persons, corporation or corporations.
- Deadline:** The deadline for lodgement of your Tender as detailed on the front cover of this Request.
- Offer:** Your offer to supply the Requirements.
- Principal:** The Shire of Kulin
- Request OR RTF OR Request for Tender** This document.
- Requirement:** The Goods requested by the Principal.
- Selection Criteria:** The Criteria used by the Principal in evaluating your Tender.
- Special Conditions:** The additional contractual terms.
- Specification:** The Statement of Requirements that the Principal requests you to provide if selected.
- Tender:** Completed Offer form, Response to the Selection Criteria and Attachments.
- Tenderer:** Someone who has or intends to submit an Offer to the Principal.
- Tender Open Period:** The time between advertising the Request and the Deadline.

### 1.2 Tender Documents

This Request for Tender is comprised of the following parts:

- Part 1 – Conditions of Tendering (*read and keep this part*).
- Part 2 – Statement of Requirement includes Specification and any plans/drawings (*read and keep this part*).
- Part 3 – General Conditions of Contract (*read and keep this part*).
- Part 4 – Special Conditions of Contract (*read and keep this part*).
- Part 5 – Tenderer's Offer (*complete and return this part*).

## Part 1 READ AND KEEP THIS PART

### 1.3 How to Prepare Your Tender

- a) Carefully read all parts of this document;
- b) Ensure you understand the Requirements;
- c) Complete and return the Offer (Part 3) in all respects and include all Attachments;
- d) Make sure you have signed the Offer form and responded to all of the Selection Criteria; and
- e) Lodge your Tender before the Deadline.

### 1.4 Contact Persons

Tenderers should not rely on any information provided by any person other than the person listed below:

<b>Name:</b>	Judd Hobson
<b>Telephone:</b>	0427 801 241
<b>Email:</b>	works@kulin.wa.gov.au

### 1.5 Requests for Clarification

Tenderers may submit a written request for clarification on any part of the RFT documents prior to lodgement of their Tender. Written clarifications must be made via email or phone using the details provided at Part 1.4 of this document.

No requests for information or clarification to the RFT Documents will be accepted later than 2 days prior to the Deadline of this Request.

### 1.6 Lodgement of Tenders and Delivery Method

#### Physical Tender Box

The tender must be lodged by the Deadline. The Deadline for this request is *2:00pm Wednesday, 30<sup>th</sup> October 2024*.

The Tender is to be:

- a) Placed in a sealed envelope clearly endorsed with the tender number and title as shown on the front cover of this Request; and
- b) Delivered by hand and placed in the Tender Box at *38 Johnston Street, Kulin WA 6365* (by the Tenderer or the Tenderer's private agent) or sent through the mail to the Chief Executive Officer *PO Box 125, Kulin WA 6365*.

Electronic mail Tenders and Tenders submitted by Facsimile *will* be accepted.

Tenderers must ensure that they have provided a signed copy of their Tender to [tenders@kulin.wa.gov.au](mailto:tenders@kulin.wa.gov.au)

### 1.7 Rejection of Tenders

A Tender will be rejected without consideration of its merits in the event that:

- a) It is not submitted before the Deadline; or
- b) It is not submitted at the place specified in the Request; or

c) It may be rejected if it fails to comply with any other requirements of the Request. No web links or hyperlinks will be considered as part of any submission.

## **1.8 Late Tenders**

Tenders received:

- a) After the Deadline; or
- b) In a place other than that stipulated in this Request;

will not be accepted for evaluation.

## **1.9 Acceptance of Tenders**

Unless otherwise stated in this Request, Tenders may be for all or part of the Requirements and may be accepted by the Principal either wholly or in part. The Principal is not bound to accept the lowest Tender and may reject any or all Tenders submitted.

## **1.10 Disclosure of Contract Information**

Documents and other information relevant to the contract may be disclosed when required by law under the Freedom of Information Act 1992 or under a Court order.

All Tenderers will be given particulars of the successful Tenderer or be advised that no Tender was accepted.

## **1.11 Tender Validity Period**

All Tenders will remain valid and open for acceptance for a minimum period of ninety (90) days from the Deadline or forty-five (45) days from the Principal's resolution for determining the Tender, whichever is the later unless extended on mutual agreement between the Principal and the Tenderer in writing.

## **1.12 Alternative Tenders**

All Alternative Tenders may be accompanied by a conforming Tender.

Tenders submitted as Alternative Tenders or made subject to conditions other than the General and Special Conditions of Contract must in all cases be clearly marked "**Alternative Tender**".

The Principal may in its absolute discretion reject any Alternative Tender.

Any printed "General Conditions of Contract" contained within a Tender will not be binding on the Principal in the event of a Contract being awarded unless the Tender is marked as an Alternative Tender.

## **1.13 Tenderers to Inform Themselves**

Tenderers will be deemed to have:

- a) examined the Request and any other information available in writing to Tenderers for the purpose of tendering;
- b) examined all further information relevant to the risks, contingencies, and other circumstances having an effect on their Tender which is obtainable by the making of reasonable enquires;

- c) satisfied themselves as to the correctness and sufficiency of their Tenders including tendered prices which will be deemed to cover the cost of complying with all the Conditions of Tendering and of all matters and things necessary for the due and proper performance and completion of the work described therein;
- d) acknowledged that the Principal may enter into negotiations with a chosen Tenderer and that negotiations are to be carried out in good faith; and
- e) satisfied themselves they have a full set of the Request documents and all relevant attachments.

#### **1.14 Alterations**

The Tenderer must not alter or add to the Request documents unless required by these Conditions of Tendering.

The Principal will issue an addendum to all registered Tenderers where matters of significance make it necessary to amend or supplement the issued Request documents before the Deadline.

#### **1.15 Evaluation Process**

This is a Request for Tender.

Your Tender will be evaluated using information provided in your Tender.

The following evaluation methodology will be used in respect of this Request:

- a) Tenders are checked for completeness and compliance. Tenders that do not contain all information requested (eg completed Offer form and Attachments) may be excluded from evaluation.
- b) Tenders are assessed against the Selection Criteria. Contract costs are evaluated (eg tendered prices) and other relevant whole of life costs are considered.
- c) The most suitable Tenderers may be short listed and may also be required to clarify their Tender, make a presentation, demonstrate the product/solution offered and/or open premises for inspection. Referees may also be contacted prior to the selection of the successful Tenderer.

A Contract may then be awarded to the Tenderer whose Tender is considered the most advantageous Tender to the Principal.

#### **1.16 Selection Criteria**

The Contract may be awarded to a Tenderer who best demonstrates the ability to provide quality products and/or services at a competitive price. The tendered prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

The Principal has adopted a best value for money approach to this Request. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.

## **1.17 Regional Price Reference**

Tenderers for the contract may be afforded a preference in accordance with Regulation 24(A-G) of the Local Government (Functions and General) Regulations and the Shire of Kulin's Regional Preference Policy adopted 14 June 2017.

The Policy stipulates that:

That a Regional Price Preference will be provided to businesses operating within the boundary of the Shire of Kulin for all goods and services in accordance with Regulation 24D of the Local Government (Function and General) Regulations 1996.

- Up to 10%-where the contract is for goods and services, up to a maximum reduction of \$50,000 on total cost.
- Up to 5%-where the contract is for construction (building) services, up to a maximum price reduction of \$50,000, or
- Up to 10% where the contract is for goods or services (including construction services), up to a maximum price reduction of \$500,000 if the Local Government is seeking tenders for the first time, due to goods or services previously being undertaken by the Shire of Kulin

### **1.17.1 Price Basis**

All prices for goods/services offered under this Request are to be fixed for the term of the Contract. Tendered prices must include Goods and Services Tax (GST).

Unless otherwise indicated prices tendered must include delivery, unloading, packing, marking and all applicable levies, duties, taxes and charges. Any charge not stated in the Tender, as being additional will not be allowed as a charge for any transaction under any resultant Contract.

## **1.18 Ownership of Tenders**

All documents, materials, articles and information submitted by the Tenderer as part of or in support of the Tender will become upon submission the absolute property of the Principal and will not be returned to the Tenderer at the conclusion of the Tender process PROVIDED that the Tenderer be entitled to retain copyright and other intellectual property rights therein, unless otherwise provided by the Contract.

## **1.19 Canvassing of Officials**

If the Tenderer, whether personally or by an agent, canvasses any of the Principal's Commissioners or Councillors Officers (as the case may be) with a view to influencing the acceptance of any Tender made by it or any other Tenderer, then regardless of such canvassing having any influence on the acceptance of such Tender, the Principal may at its absolute discretion omit the Tenderer from consideration.

## **1.20 Costs of Tendering**

The Principal will not be liable for payment to the Tenderer for any costs, losses or expenses incurred by the Tenderer in preparing their Offer.

## **1.21 Tender Opening**

Tenders will be opened in the Principal's offices, following the advertised Deadline. All Tenderers and members of the public may attend or be represented at the opening of Tenders.

The names of the persons who submitted the Tender by the due Deadline will be read out at the Tender Opening. No discussions will be entered into between Tenderers and the Principal's officers present or otherwise, concerning the Tenders submitted.

The Tender Opening will be held on or as soon as practicable after the Deadline at 38 Johnston Street, Kulin WA 6365.



## **2 Statement of Requirements**

### **2.1 Introduction**

Tenders are invited for the supply and delivery of one (1) Road Grader with minimum engine capacity of 130kw and for the outright purchase of one (1) 2016 Caterpillar 12M Motor Grader with approximately 9,700 operational hours.

### **2.2 Detailed Specification**

Supply and delivery of one (1) Road Grader with the following specifications:

- One Road Grader – minimum engine capacity 130KW
- Rear Rippers
- 17.5 R25 Radial Tyres
- 14 ft Mouldboard
- Spare tyre & rim
- Rear mounted spare tyre carrier
- Window tinting
- 2 x Roof mounted flashing amber light (in accordance with current regulations) & protective cage.
- Lockable toolbox
- ROPS Cab & air-conditioning
- AM/FM Radio/CD Player/Bluetooth
- 80 Channel UHF Radio
- Police Pre-licence certificate to be included.
- Fire extinguisher mounted in cab.
- Compliance with industry accepted Work Health & Safety requirements
- Operator & Workshop manuals
- Warranty details including extension options.

The provision of a delivery date essential. The price supplied must be inclusive of all costs associated with delivery to the Shire of Kulin Depot (Beard Street, Kulin). If the Tenderer is unable to make delivery of the machine, this must be expressly identified in the Tenderer's submission.

Proponents are encouraged to quote for;

1. The supply and delivery of a Motor Grader taking into consideration the trade value of a 2014 Caterpillar 12M Motor Grader, and/or
2. The supply and delivery of a Motor Grader on a no trade basis; and/or
3. The outright purchase of one 2014 Caterpillar 12M Motor Grader with approximately 10,700 operational hours.

The machine subject to trade is available for inspection by arrangement using contact details provided in Part 1.4 of this document.

### **2.3 Period of Contract and Termination**

The Contract is to be completed on supply of the Requirements. For ongoing Requirements, the period needs to be specified as in the first paragraph.

### **3 Tenderer's Offer**

#### **3.1 Form of Tender**

Tenderer's Offer	
Tenderer's Name:	
Tenderer's Registered Address:	
Tenderer's Postal Address:	
Tenderer's ABN:	
Tenderer's Phone No.	
Tenderer's Email:	
<p>I/We agree that I am/We are bound by, and will comply with this Request and its associated schedules, attachments, all in accordance with the Conditions of Tendering contained in this Request signed and completed.</p> <p>The tendered price is valid up to ninety (90) calendar days from the date of the Tender closing or forty-five (45) days from the Council's resolution for determining the Tender, whichever is the later unless extended on mutual agreement between the Principal and the Tenderer in writing.</p> <p>I/We agree that there will be no cost payable by the Principal towards the preparation or submission of this Tender irrespective of its outcome.</p> <p>The tendered consideration is as provided under the schedule of rates of prices in the prescribed format and submitted with this Tender.</p>	
Signature of authorised signatory of Tenderer	
Date:	
Name of Signatory:	
Position:	

### 3.2 Selection Criteria

#### 3.2.1 Compliance Criteria

Please select with a “Yes” or “No” whether you have complied with the following compliance criteria:

Description of Compliance Criteria	
a) Tenderers are to provide acknowledgment that your organisation has submitted in accordance with the Conditions of Tender including completion of the Offer Form and provision of your pricing submitted in the format required by the Principal.	Yes / No
b) Compliance with the Specification contained in the Request.	Yes / No

#### 3.2.2 Qualitative Criteria

Before responding to the following qualitative criteria, Tenderers must note the following:

- a) All information relevant to your answers to each criterion are to be contained within your Tender;
- b) Tenderers are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience;
- c) Tenderers are to provide full details for any claims, statements or examples used to address the qualitative criteria; and
- d) Tenderers are to address each issue outlined within a qualitative criterion.

#### Relevant Experience

Tenderers must address the following information in an attachment and label it “Relevant Experience”:

- a) Provide details of tenderer’s recent experience with the supply of machines of similar size and scope.
- b) Demonstrated sound performance of machines provided to Local Government’s (Principal will seek references from the information provided).
- c) Council will consider the mechanical performance of equipment previously purchased by Suppliers (if relevant)

#### After Sales Service

Tenderers must address the following information in an attachment and label it “After Sales Service”:

- a) Provide details of the period of coverage for any warranty provided and full details of the conditions of the warranty offered
- b) Provide details of any back up service provided
- c) Provide detail of spare parts availability and servicing agents for the machine supplied

**Part 5 COMPLETE AND RETURN THIS PART**

**Availability**

Tenderers must provide lead times for the delivery of the machine following the issuance of a purchase order from the Shire of Kulin.

**3.3 Price Information**

Tenderers must complete the following “Price Schedule”. Before completing the Price Schedule, Tenderers should ensure they have read this entire Request.

**3.3.1 Price Schedule**

<b>Item Description</b>	<b>Price Tendered (inc GST)</b>
Supply of one (1) road grader as per Principal’s specification list	\$
Trade value of one (1) 2014 CAT 12M 10,700 approx... hours.	\$
Total changeover price inclusive of GST.	\$