

ITEM 6

REPAIR OF FAILED ROAD EMBANKMENT AND ASSOCIATED WORKS - HARRY GRAHAM DRIVE, MOUNT KEMBLA

The prolonged wet weather experienced throughout the Illawarra region has resulted in significant road embankment failures at two sites along Harry Graham Drive, Mt Kembla. The road is currently closed to the public to allow construction works to occur at other locations, however significant additional works will now be required before the road can be safely reopened to traffic.

This report recommends that on this occasion, formal tenders not be invited for the reasons listed in the report and Council instead proceed with a request for formal quotations from contractors with demonstrated experience and ability to undertake the embankment repair works.

RECOMMENDATION

- 1 Pursuant to section 55(3)(i) of the Local Government Act 1993, tenders not be invited for the contract (or contracts) for the repair of the failed road embankment and associated works along Harry Graham Drive, Mt Kembla. This is due to extenuating circumstances, being the risk of further embankment failure causing further extended damage to the road embankment, the pending UCI Road World Championship cycling event planned for September 2022 and the potential restriction on access during the upcoming 2022/23 bushfire season should these works not be expedited.
- 2 Council delegate to the General Manager the authority to undertake and finalise a formal quotation process, in accordance with Council's procurement policies and procedures with available contractors with demonstrated experience and ability to undertake the works with a view to enter a contract (or contracts) for these works.
- 3 Council delegate to the General Manager authority to enter a contract (or contracts) with the contractor or contractors selected following the process outlined at 2 above.
- 4 A report describing the outcome of the procurement process be submitted to the next available Council meeting following the successful engagement of contractor or contractors.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery

Authorised by: Joanne Page, Director Infrastructure + Works - Connectivity Assets + Liveable City

ATTACHMENTS

- 1 Location Plan

BACKGROUND

The Illawarra region has experienced a prolonged period of rainfall with several rain gauges having received the total annual average rainfall in the first three months of the year. This prolonged wet period has saturated the ground and activated a number of landslide movements across the City. Council has been advised of significant embankment movement at two sites on Harry Graham Drive known as Area 1A and Area 4.

Council has prior to this event undertaken a comprehensive geotechnical investigation of this area as a precursor to the preparation of design and tender documentation for the highest priority work on this length of road. Council recently awarded a tender to a specialist contractor for the installation of rockfall fencing in Area 1 and stabilisation works in Area 6. Harry Graham Drive is currently closed to traffic to allow the construction of these works and will now remain closed until the road is assessed as safe to reopen.

Details of the significant failures at two sites are shown below:

- a) Area 1A – Approximately 40 metres of the road embankment has failed along the edge of the roadway with the drop being approximately 1.2 metres with movement still occurring.
- b) Area 4 – Approximately 95 metres of road has failed with lateral movement and cracking of 70 to 100mm observed in the road surfacing.

Council is seeking to expedite the remediation of these segments of road embankment for the following reasons:

- If the instability is not addressed soon, it is likely that the failures will extend further into the road pavement leading to higher reconstruction costs.
- Harry Graham Drive is the alternative egress for the Mt Kembla village in the event of a major fire event. Any delays in procurement and construction may extend the works into the 2022/23 summer bushfire season meaning the alternative access via Harry Graham Drive may not be available.
- Council has been selected to host the UCI Road World Cycling Championships in September 2022. Several of the elite events are planned to traverse the Mt Keira Road / Harry Graham Drive loop showcasing the magnificent Illawarra escarpment. At this early stage of investigations, Council has not determined what impact the current embankment failures will have on the capacity to stage this loop. It would be preferable if the road could be fully reopened to traffic prior to the event.

PROPOSAL

Currently, Council is assessing several options to stabilise these two embankment failures based on the geotechnical data collected during the recent investigations. These investigations will include:

- an assessment of the availability of specialist contractors,
- availability of materials,
- the risk of the works given the current site conditions,
- project delivery options,
- staging of works
- the likely duration of works.

This is a challenging program that requires minimal delay in all aspects of the planning/design/approval process including the procurement phase.

It is proposed that Council seek formal quotations (rather than tenders) from specialist civil contractors with demonstrated experience and ability to undertake the works.

Normally Council would prepare a tender for these works as the estimated cost exceeds the Council's tender threshold of \$250,000 (incl. GST). The minimum duration to undertake a tender process is approximately 10-12 weeks (depending on the relationship between commencement of advertising and the actual date of the Council meeting) while a formal quotation process can be undertaken in approximately six (6) weeks if Council were to support the recommendation of this report.

The UCI Road World Cycling Championships is due in approximately 19 weeks following this Council meeting and it should be recognized that this is an extremely challenging program.

A formal quotation process carried out under Council's procurement policy mirrors the governance requirements of the tender process but does not require a formal report to Council with the resulting delays in preparing and publishing a report to Council. A formal quotation panel is constituted with the same technical, governance and procurement staff which normally constitute a tender panel to ensure probity concerns are addressed. Transparency to the community will be assured by reporting the outcome of the procurement process to the next available Council meeting following the engagement of the contractor.

Once the Quotation process is complete, Council will immediately be able to appoint a recommended contractor to initiate procurement of materials and commence works. It is proposed that contractors be invited to submit quotations using the criteria normally used in the formal tendering process which addresses the following typical Mandatory and Non-Mandatory criteria as outlined below.

Mandatory Criteria

- 1 Satisfactory references from referees for previous projects of similar size and scope
- 2 Financial assessment acceptable to Council which demonstrates the tenderer's financial capacity to undertake the works
- 3 Tenders have as a minimum a Health and Safety Policy and WHS Management System Manual or Plan

Assessable Criteria

- 1 Cost to Council
- 2 Appreciation of scope of works and construction methodology
- 3 Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile including staff qualifications and experience
- 4 Proposed Subcontractors
- 5 Project Schedule
- 6 Demonstrated strengthening of local economic capacity
- 7 Workplace Health and Safety Management System and Environmental Management Policies and Procedures

CONSULTATION AND COMMUNICATION

- 1 Officers from Governance and Customer Service and Legal Services Divisions.
- 2 Council has already undertaken extensive communication with adjacent landowners who live along this stretch of road. The public have been advised of the current road closure and Variable Message Signs (VMS) signage is in place to remind potential road users.
- 3 Council has been in communication with Emergency Services agencies.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal 5 "We are a healthy community in a liveable city".

It specifically delivers on core business activities as detailed in the Infrastructure Delivery Program 2021.

SUSTAINABILITY IMPLICATIONS

The following sustainability implications have been considered:

- Durable products incorporated in the design to ensure long-term integrity of the assets.
- Sustainable procurement by providing local companies the opportunity to submit quotations for the work.
- Quotation assessment incorporated weightings to support the ongoing economic development of the region including the sourcing and supply of local labour and materials.

RISK MANAGEMENT

The risk in accepting the recommendation of this report is considered low on the basis that the formal quotation process will fully comply with Council's Procurement Policies and Procedures and the Local Government Act 1993. A formal quotation panel will be established to invite and assess quotations using procedures normally utilised in Council's tender process.

The risk of the project works is considered high. Some of the key risks to the project are listed below:

- The short construction window available.
- The current weather conditions have caused geotechnical issues across the State which may lead to a lack of availability of both materials and the specialised contractors required.
- The risk of further embankment failure or continuing heavy rainfall events may render the site unsafe for construction activities.

The proposed use of an experienced and reputable civil contractor, with procurement and project management from Council Officers will ensure that appropriate risk mitigation measures are in place.

FINANCIAL IMPLICATIONS

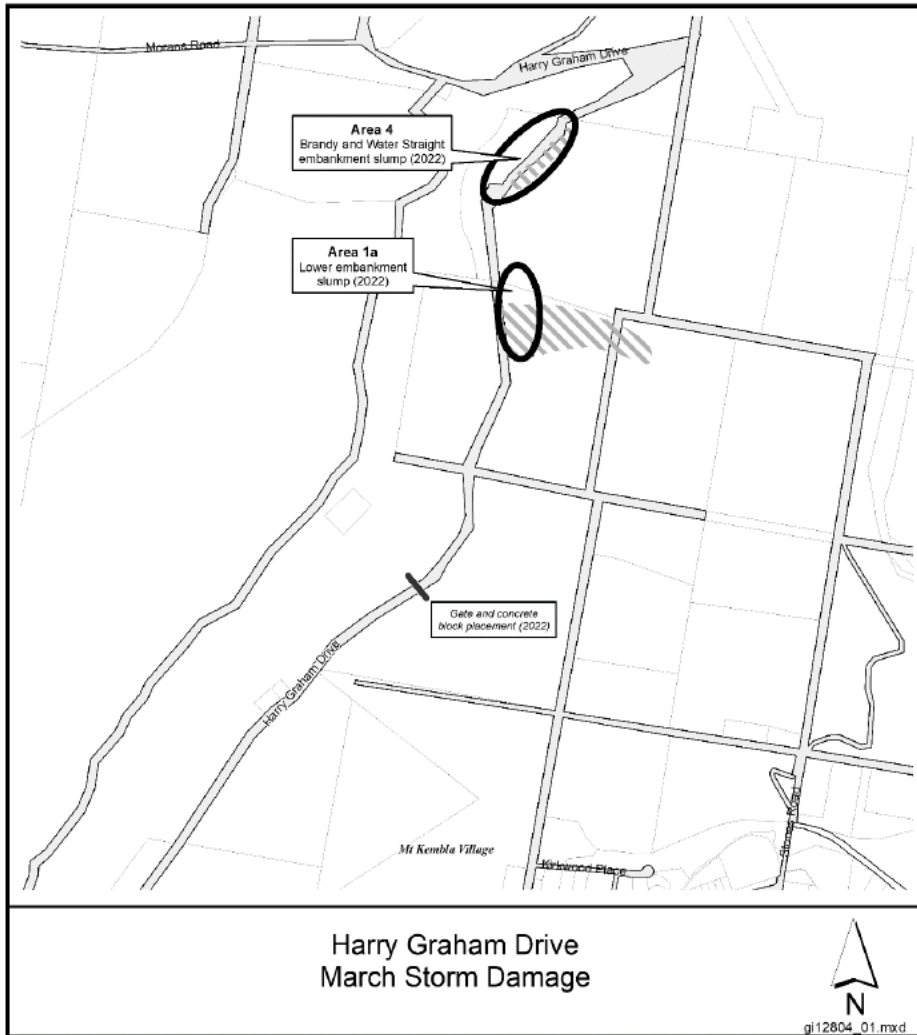
It is proposed that the total project be funded from the following source/s as identified in the Annual Plan –

2021/22 and 2022/23 Capital Budgets

Council will seek assistance for these works under the NSW Government Disaster Relief Program.

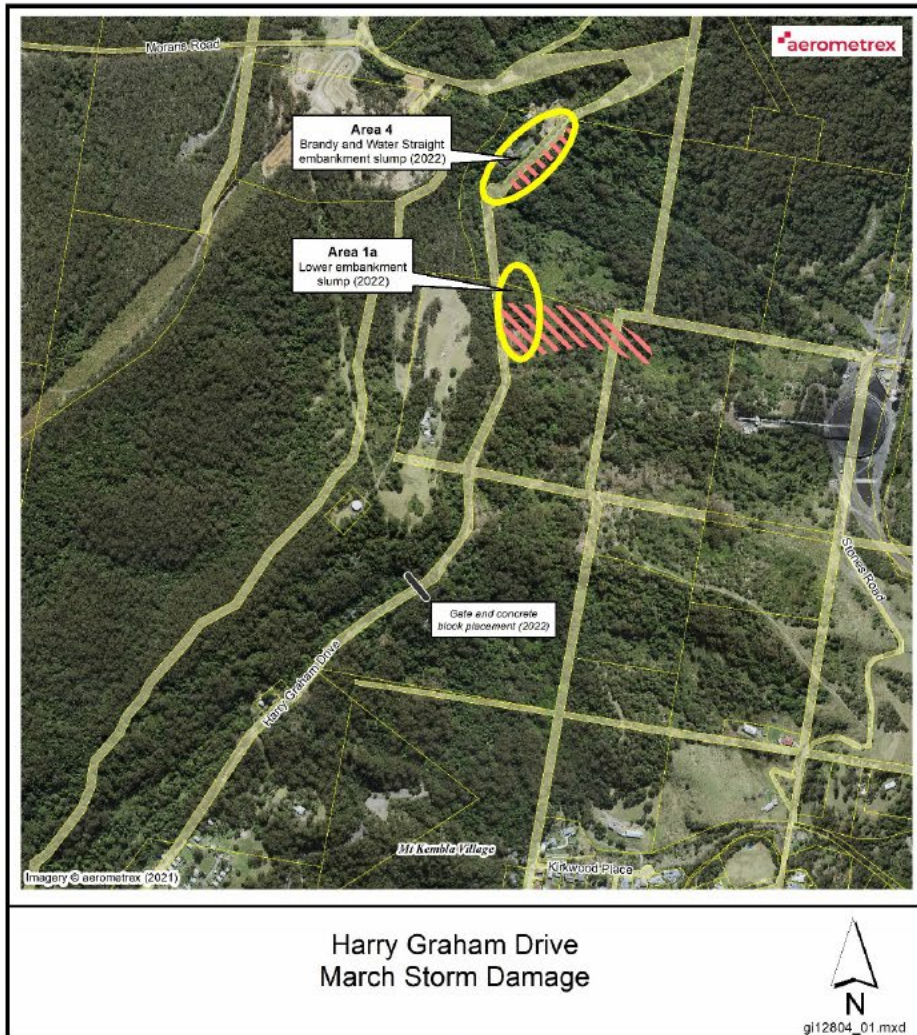
CONCLUSION

An opportunity currently exists to mitigate risk and delays with the construction of road embankment stabilisation measures at Harry Graham Drive, Mt Kembla. It is recommended that a competitive quotation process be used on this occasion (rather than a formal tender) to achieve these aims.



Harry Graham Drive
March Storm Damage

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