

### 9.13. NSROC Tender 2027 Road Works - Linemarking

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<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. CONFIDENTIAL - Panel of Contractors NSROC 2027 Linemarking [9.13.1 - 1 page]</li> <li>2. CONFIDENTIAL - RFT Linemarking 2025-27 - Evaluation report [9.13.2 - 11 pages]</li> </ol>
<b>CSP LINK</b>	<p><b>Outcome 4 – A connected LGA where safe, active and sustainable travel is preferred</b></p> <p>T4. Improve road safety by upgrading infrastructure and implementing programs that foster a culture of safe road behaviours</p>

#### PURPOSE:

The purpose of this report is to provide Council with an analysis and recommendations from the tender process for Northern Sydney Regional Organisation of Councils (NSROC) Tender for linemarking NSRC-1138998.

#### EXECUTIVE SUMMARY:

- North Sydney Council (Council) engages line marking services through a Northern Sydney Regional Organisation of Councils (NSROC) tender arrangement, and through a Schedule of Rates contract.
- In late 2025 the NSROC became aware that the sole successful proponent for line marking from Tender NSRC 1116641 was involved in The NSW Independent Commission Against Corruption's (ICAC) Operation Wyvern.
- A decision was made by the NSROC to suspend the services of the proponent involved in the ICAC enquiry from the NSROC panel and retender for line-marking services.
- Tenders were called for on 1 September 2025. Seven tender submissions were received when submissions closed on 22 September 2025.
- Tender submissions were subsequently assessed by a NSROC tender assessment panel, and two proponents have been shortlisted to provide line-marking services to Council.
- If Council wishes to discuss the report, the meeting should be closed to the public to do so, in accordance with 10A(2) of the Local Government Act 1993:

*(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial*

*information in future and would affect Council's ability to obtain value for money services.*

**RECOMMENDATION:**

**1. THAT** Council note the tender process that has been undertaken by the North Sydney Regional Organisation of Councils (NSROC) in relation to the procurement of line-marking services.

**2. THAT** Council accept the short-list of tenderers as noted by the North Sydney Regional Organisation of Councils (NSROC) Tender Evaluation Panel, which forms Attachment 1 to this report.

**2. THAT** Council authorise the Chief Executive Officer to take any necessary action to implement the contract NSROC Road Works - Linemarking - RFT Asphalt (linemarking)-2027.

**3. THAT** Council authorise the Chief Executive Officer to negotiate a variance in the annual adjustment of the rates within the NSROC Road Works - Linemarking - RFT Asphalt (linemarking)-2027 in the event of unforeseen circumstances that may arise requiring the adjustment of accepted rates.

**4. THAT** Council authorise the Chief Executive Officer to enter into extension options in accordance with the contract conditions noted within the in the tender documents for NSROC Road Works - Linemarking - RFT Asphalt (linemarking)-2027.

**5. THAT** Council resolve that the identified attachment to this report is to be treated as confidential in accordance with section 11(3) of the Local Government Act for the following reason under section 10A(2) of the Local Government Act:

*(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.*

## Background

North Sydney Council (Council) engages line-marking services through a Northern Sydney Regional Organisation of Councils (NSROC) tender arrangement under a Schedule of Rates contract.

In 2025 NSROC undertook a tender (NSRC 1116641) for road surfacing, patching, and associated works. Only one tenderer was appointed by the NSROC panel specially for line marking, as all other appointed tenderers were combined with asphalt, line marking, and other services.

In late 2025 the NSROC became aware that the sole successful tenderer for line marking from tender NSRC 1116641 was involved in The NSW Independent Commission Against Corruption's (ICAC) Operation Wyvern.

A decision was subsequently made by the NSROC to suspend the services of the proponent involved in the ICAC enquiry from the NSROC panel. North Sydney Council also suspended use of this contractor.

Given that the proponent was the sole contractor to offer a standalone line-marking service, a decision was made by NSROC to re-tender for line-marking services. This tender (NSRC 1138998) was treated as an extension of the previous main tender (NSRC 1116641 - Road Surfacing, Patching and Associated Works) undertaken in 2024/2025.

This report details the outcomes of the evaluation of responses to the NSROC Road Works - Line marking - RFT Asphalt (line marking)-2027 (NSRC 1138998).

## Report

The methodology adopted to undertake the tender evaluation of Tender (NSRC-1138998) was based on selection criteria outlined in the tender documents and in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Open tenders were called for on 1 September 2025 and were received until 2pm 22 September 2025 via the Tenderlink online portal.

At close of tenders, seven tenders were received, which are listed below in strict alphabetical order.

<b>Tenderer</b>
Ebcon
Iplezing
Linemarking rentals
North Shore Paving
Pacific marking
Talbots

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the Local Government Act 1993.

A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

The following information is treated as confidential in the confidential attachment:

**1. Tender evaluation including selection criteria**

The tender process has been reviewed and endorsed by Council's Procurement Panel for adherence to the Procurement Policy.

**2. Tender evaluation panel results**

The final ranking and point scores (out of a total 100) of the tenders are identified in the table in the confidential attachment. The assessment was based on Council's standard tender evaluation methodology, as outlined in the selection criteria.

**3. Funding and costing details**

Application for access to documentation should be through lodgement of a GIPA Public Information application form and payment of prescribed fees.

**Outcome**

It is recommended that the shortlisted suppliers noted in attachment 9.10.1 of this report be shortlisted for the supply of line marking services to Council.

**Consultation requirements**

No community engagement was undertaken or required to inform the recommendations of this report.

**Financial/Resource Implications**

The creation of panels assists Council to meet its obligations to ensure best value for money through an open tender and fixing of prices (subject to CPI increase) for a fixed term.

**Legislation**

The proposal to create a panel for Road Works (line marking) is consistent with s55 of the NSW Local Government Act 1993 and s179 of the NSW Local Government Regulation.