

## 7.4.4 2026020 WAVERLEY RAIL TRAIL SHARED PATH UPGRADE

<b>Responsible Manager:</b>	Andrew Andonopoulos, Manager Capital Works
<b>Responsible Director:</b>	Jarrod Doake, Director City Services

### RECOMMENDATION

#### That Council

1. **Awards the tender from United Civil Construction Pty Ltd for Waverley Rail Trail Shared Path Upgrade, Contract No. 2026020 for a Fixed Lump Sum of \$2,044,515 with an extra \$200,000 for Contingencies.**
2. **Authorises the Chief Executive Officer or their delegate to execute the contract agreement.**
3. **Approves additional funding of \$70,605 required for the Waverley Rail Trail Shared Path Upgrade Project.**
4. **Notes that the contract will commence in February 2026 and the expected completion date is 31 October 2026.**
5. **Notes that the anticipated project expenditure including the fixed Lump Sum and Project Management Fees is \$2,124,515 with an extra \$200,000 for Contingencies and**
6. **Notes that Council Officers have made application to seek additional funding for the Alvie Road priority crossing through the current TAC - Safe Local Roads and Streets Program.**

**\*Please note that all dollar figures are GST Exclusive unless stated otherwise.**

### INTRODUCTION

Council has conducted a tender for 2026020 - Waverley Rail Trail Shared Path Upgrade.

As part of its planning process for this tender, Council Officers considered its procurement options, including whether to go to market itself, participate in regional or sector collaboration or to access established contracts via other compliant Procurement agreements.

Council Officers considered collaboration opportunities for this tender however, due to site location and delivery timeline constraints it was determined that a stand alone tender would be the best option for Council. The project's delivery schedule is highly restricted by Metro Trains Melbourne's stringent timelines and approval requirements. Additionally, the project must comply with the Department of Transport and Planning (DTP) funding agreement deadlines to ensure that funding remains secure.

### COUNCIL PLAN STRATEGIC OBJECTIVES

#### **A well-planned and future ready city**

An attractive and well-designed city with connected neighbourhoods, active transport, open spaces, facilities and infrastructure that meets the current and future needs of our community.

## BACKGROUND

The project will deliver a new shared path for cyclists and pedestrians, improving connectivity and safety along the rail corridor. Council has received funding from the Victorian Government to build a shared path connecting Jordanville and Mount Waverley stations. The shared path will be located along the north side of Windsor Avenue on both railway land managed by Metro Trains Melbourne and on Council's road reserve.

The scope of works includes:

- Construction of a 3 metre wide concrete shared path for walkers and bike riders
- Minimised tree removal, by locating the path between trees and the railway line
- Fencing and gate installation along the railway line to separate the public from rail track
- Additional traffic safety measures at driveways and road crossings (coloured pavement markings and Alvie Road priority crossing)
- Tree planting, landscaping & reinstatement of disturbed areas

## NOTIFICATION

A public notice was placed in The Age newspaper on 20 August 2025 and the tender closed on 8 October 2025.

## TENDERS RECEIVED

Tender submissions were received from the following four suppliers by the appointed closing time.

TENDERERS SUBMITTED	
1	TDM Earthworks Pty Ltd
2	United Civil Constructions Pty Ltd
3	Blue Peak Constructions Pty Ltd
4	Contek Constructions Pty Ltd

## CONFORMANCE SUMMARY

All submissions were assessed for their compliance with the tender conditions including the contractual terms and conditions and the requirements of the response schedules.

Two submissions were deemed non-conforming, and these submissions were not evaluated further. Both tenderers were unable to meet the Mandatory requirement to complete the project by 29 May 2026.\*

\*At the time of tender this completion timeline was a mandatory requirement under the funding agreement with DTP however, delays with MTM approval of construction plans outside of Council's control have resulted in a recently renegotiated extended funding agreement completion date.

The two conforming tenders were then further evaluated as per the agreed evaluation criteria.

## PRE-TENDER PROCESS

An on-site Mandatory Pre-Tender Supplier briefing was conducted on 19 September 2025 with prospective tenderers. The briefing was conducted to provide tenderers with a clear understanding of the constraints and requirements to be adhered to when delivering these works within Victrack Rail Reserve.

Council Officers emphasised critical non-negotiable elements to ensure the works are delivered to the appropriate requirements and understanding Metro Train Melbourne construction requirements:

- Maintaining access to railway station car park throughout the construction period;
- Identification of vegetation and trees to be removed prior to construction & importantly trees that are to be retained & protected during the works;
- VicTrack assets within the rail corridor that are to be protected during the works;
- Construction of fence prior to construction of the shared user path;
- Identification of retaining wall foundation via non-destructive digging;

The pre-tender briefing provided tenderers with the opportunity to seek clarifications, ensuring their submissions were fully informed and aligned with the project's specific requirements. This process enabled tenderers to incorporate all necessary elements into their construction methodology, thereby ensuring that every aspect of Council's contractual requirements is comprehensively addressed within their tender submissions and Lump Sum Price.

## DISCUSSION

The following information supports the evaluation panel's recommendations.

All tender submissions were assessed against the tender evaluation criteria, including the price and non-price evaluation criteria. The tender evaluation panel compared the relevant experience of the tenderers and capability to deliver the project included in this tender. The tender evaluation panel shortlisted the highest scored tenderer for interview, United Civil Construction Pty Ltd (United Civil).

Council discussed the following items with the tenderer at the interview:

- Resources and Experience
- Risk Management, Traffic Management and Stakeholders Management
- Proposed sub-contractors to be used
- Construction Methodology
- Commencement and construction timeframe

As the submitted tender price was above the available budget, Council Officers considered a number of value management options for this project including:

- Reducing the extent of construction to focus on completing the missing link between Huntingdale Road and just east of Alvie Road, with the new shared pathway linking into the existing 2m wide pathway along the north side of Windsor Avenue;
- Providing an alternative trafficable area treatment of crushed rock in lieu of concrete & a reduced thickness reinforced concrete path to cater for large MTM maintenance vehicles
- Deferring shared pathway lighting installation to a later date however, this will be future proofed by installing all underground electrical conduits and pits as part of the scope of this contract.

United Civil was requested to provide a revised lump sum tender price incorporating these changes which is reflected in their final Lump Sum Price.

United Civil has over 25 years of experience delivering municipal civil works, including footpath and road reconstruction, concrete works and drainage installations. The company has successfully delivered projects ensuring DDA compliance for footpaths and installed pedestrian fencing near railway crossings.

Their team has experience operating within Metro Trains Melbourne and holds valid Rail Industry Worker cards. For this project, they will engage a specialist fencing contractor with more than 30 years experience installing fencing within the VicTrack Rail Reserve.

United Civil demonstrated a strong understanding of site conditions, key risks and critical issues associated with construction in a railway corridor. Their proposed staging plan adopts a three-phase approach to minimise disruptions and ensure timely completion. They have committed to completing the works within council requirements.

The interview provided the tender evaluation panel with confidence that United Civil Construction Pty possesses the experience and capability to deliver the project within the required timeframe and to the expected quality standards.

Following the tender evaluation, referee checks with City of Melbourne and Citywide Service Solutions confirmed that United Civil has the expertise, resources and proven track record to successfully deliver projects of this nature.

An independent financial assessment was conducted on United Civil Pty Ltd by Corporate Scorecard with a score of 3.98 out of 10 and a rating of "Marginal". Additional controls were considered and discussed with the Chief Financial Officer in assessing whether it is reasonable for Council to consider engaging this contractor for this contract as follows:

- In addition to the 5% Security Deposit taken in advance upon executing this contract, a further 5% retention will be withheld from all progress payments for this contract;
- Payments are only made on actual completed works as valued by Council and payment terms are 30 days net;
- A Statutory Declaration will be sought from the Contractor that confirms all subcontractors and suppliers have been paid money due prior to Council approving progress payments.

United Civil Constructions Pty Ltd has accepted the above conditions. Based on the above contractual and administrative controls in place, the risk to Council is considered acceptable to engage United Civil Constructions Pty Ltd for this contract.

## FINANCIAL IMPLICATIONS

The 2025/26 Capital Works Program makes provision for an allocated budget as follows:

Capital Budget Allocation	\$ GST Excl.
Project C09848 – Waverley Rail Trail - Jordanville Station to Mount Waverley Station (Construction)*(Department of Transport and Planning Grant Funding)	\$2,253,910
<b>TOTAL PROJECT BUDGET</b>	<b>\$2,253,910</b>

Total Anticipated Project Expenditure Based Upon United Civil Construction Pty Ltd's Submission	
Lump Sum Price	\$2,044,515
Contingency	\$200,000
Project Management Fees	\$80,000
<b>TOTAL ANTICIPATED PROJECT EXPENDITURE</b>	<b>\$2,324,515</b>
<b>BUDGET SHORTFALL</b>	<b>\$70,605</b>

\*Surplus from Project C09596 Scotchmans Creek Trail Widening – Cole Crescent to Warrigal Road, Chadstone (Construction) of \$53,910 to be transferred to C09848 Waverley Rail Trail which forms part of the overall funding agreement from DTP totaling \$2.5M for both projects.

There is a budget shortfall of \$70,605 for this project which is recommended to be funded by Council and managed in delivery of the overall 2025/26/27 Capital Works Program.

Council Officers have made application for \$80,000 grant funding for the Alvie Road priority crossing works through the current round of TAC - Safe Local Roads and Streets Program funding with notification expected to be received in March 2026. Preliminary discussions with the TAC have indicated that this project is a strong candidate for a successful funding application.

Given the timing of notification of the funding application outcome from the TAC, it is recommended that the shortfall for this project is funded by Council and managed in delivery of the overall 2025/26/27 Capital Works Program which will ensure Council's commitment to the community is fulfilled to deliver this project.

Council's adopted budget for this project was struck two years ago when the funding application was made to DTP and due to a prolonged approval process to construct the new shared path on

MTM managed land there has been a significant increase in construction costs for these types of works, which is reflected in the prices received through the tender process.

## **POLICY IMPLICATIONS**

There are no policy implications to this report.

## **CONSULTATION**

Stakeholder engagement was conducted from 3 February to 9 March 2025. Key stakeholders targeted included residents living near the proposed trail, cyclists, walkers and local community groups. There was strong support for the project with more than 83 percent of respondents indicating they would be likely to walk or ride more by having the new shared path.

Methods used to engage these stakeholders included:

- Council's internal eBulletin
- Monash Bulletin
- Shape Monash project page
- Postcard drop to residents within a 200m radius of the proposed trail
- On-site signage for local residents and regular users.

Council officers considered feedback from the community in the final detailed design, which was completed in August 2025.

## **SOCIAL IMPLICATIONS**

There are no social implications to this report.

## **HUMAN RIGHTS CONSIDERATIONS**

There are no human rights implications to this report.

## **GENDER IMPACT ASSESSMENT**

A GIA was not completed because this agenda item is not a 'policy', 'program' or 'service'.

## **CONCLUSION**

The final evaluation ranking (including the price and non-price evaluation criteria) had United Civil Construction Pty Ltd ranked highest and as such, the evaluation panel recommends United Civil Construction Pty Ltd as representing the best value outcome for Council and recommend that they be awarded this tender.

## **ATTACHMENT LIST**

Nil