



**ACT**  
Government

Infrastructure Canberra

**Our Ref:** MPCFOI2024/19  
**Ombudsman Ref:** AFOI-RR/24/80009

Schedule 2.2(a)(ii)

[REDACTED]

Dear Schedule 2.2(a)(ii),

**FREEDOM OF INFORMATION REQUEST – OMBUDSMAN REVIEW [2024] AFOI-RR/24/80009**

I refer to your application to the ACT Ombudsman made under section 75 of the *Freedom of Information Act 2016* (the Act), to review the access application decision made by Infrastructure Canberra (iCBR) formerly Major Projects Canberra on 13 August 2024.

In your information access request, you sought access to:

*“Provide data on*

- a) the number of conforming tender submissions*
- b) the average tender submission price (GST inclusive), and*
- c) the median tender submission price (GST Inclusive) for the following tenders*

- 1. Garden City Stage 1B & 1C Superintendency (30992-RFT-003)*
- 2. Emu Bank Design & Superintendency (30993-RFT-003)*
- 3. Active Schools Construction Phase Services (39004-RFT-002)*
- 4. Shea Street Construction Services (39058-RFT-001)*
- 5. Footpath Maintenance & Civic Pavers Construction Phase Services (30991-RFT-001)*
- 6. Active Travel Missing Link Design & Superintendency (30998-RFT-001)*
- 7. Gungahlin Active Travel Design upgrades (30996-RFT-150.01)*
- 8. BIF Active Travel Maintenance Superintendence (30865-RFT-301)*
- 9. Yerrabi District Park Upgrade PAP Services (39007-RFT-001)*
- 10. Garden City Cycle Route Stage 1A Superintendent (Torrens St) (30992-RFT-002)*
- 11. Inner North Play Destination PAP Services (30942-RFT-002)*
- 12. Acton Waterfront PAP Services (57809-RFT-003)*
- 13. Goliath Court Stormwater Superintendence (30793-RFT-300)*
- 14. Superintendent Services Mt Taylor Carpark, Sulwood Drive and Mannheim St Intersection (30864-RFT-310)*
- 15. Stromlo Playing Fields Detailed Design (57161-RFT-001)*
- 16. Old Well Station Drive Design & Superintend (52318-NCT-001)”*



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On 4 September 2024, I advised my decision at the time in relation to the information relevant to your request was summarised as follows:

- Full release: the number of conforming tender submissions
- Withheld: the average tender submission price (GST inclusive), and
- Withheld: the median tender submission price (GST Inclusive)

On 25 September 2024, the ACT Ombudsman under s.75 chose to review the original access application decision made by iCBR.

The delegate's decision in response to your application is to vary the original decision under section 82(2)(b) of the Act, summarized as follows:

*103. For procurements with 4 or more conforming tenders, I am not satisfied any factors favouring nondisclosure of the information apply and give significant weight to 2 factors favouring disclosure. Disclosure of that information is in the public interest.*

*104. For procurements with 3 or fewer conforming tenders, I give significant weight to one factor favouring nondisclosure of the information and give significant weight to 2 factors favouring disclosure. Disclosure of that information is not in the public interest.*

#### **Authority**

I am an Information Officer appointed by the Director General under section 18 of the Act to deal with access applications made under Part 5 of the Act. This decision is made pursuant to section 83 of the Act.

#### **Decision on access**

I have decided to waive an ACT Civil and Administrative Tribunal (ACAT) Review of the Ombudsman's decision. The further information identified by the Ombudsman is attached as Appendix A on the final page of this decision letter.



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### Online Publishing – Disclosure Log

Under s.28 of the Act, iCBR maintains an official online record of access applications called iCBR Disclosure Log. The Ombudsman’s decision, the further unredacted release material and this decision will be published on the disclosure log 3 – 10 business days after the date of this decision. Your personal details will not be published.

You may view the iCBR Disclosure Log at: [Disclosure Log - Infrastructure Canberra \(act.gov.au\)](https://act.gov.au/disclosure-log)

Should you have any queries in relation to your request, please contact me via email:

[iCBR.FOI@act.gov.au](mailto:iCBR.FOI@act.gov.au).

Yours sincerely,

**Schedule 2.2(a)(ii)**

Information Officer

**Infrastructure Canberra**

10 April 2025



## Appendix A:

**Table 1: Tender Pricing Information**

PROJECT	Conforming tender submissions	Average price	Median price
1. Garden City Stage 1B & 1C Superintendency (30992-RFT-003)	8 conforming	Average price - \$265,184.64	Median price - \$255,709.25
2. Active Schools Construction Phase Services (39004-RFT-002)	7 conforming	Average price - \$79,093.63	Median price - \$74,443.60
3. Shea Street Construction Services (39058-RFT-001)	6 conforming	Average price - \$147,658.00	Median price - \$152,697.50
4. Footpath Maintenance & Civic Pavers Construction Phase Services (30991-RFT-001)	6 conforming	Average price - \$408,317.93	Median price - \$395,354.11
5. Active Travel Missing Link Design & Superintendency (30998-RFT-001)	6 conforming	Average price - \$381,892.99	Median price - \$400,855.10
6. Gungahlin Active Travel Design upgrades (30996-RFT-150.01)	8 conforming	Average price - \$1,062,715.33	Median price - \$952,050
7. BIF Active Travel Maintenance Superintendence (30865-RFT-301)	4 conforming	Average price - \$131,526.25	Median price - \$122,250.50
8. Yerrabi District Park Upgrade PAP Services (39007-RFT-001)	4 conforming	Average price - \$196,682.53	Median price - \$202,504.56
9. Garden City Cycle Route Stage 1A Superintendent (Torrens St) (30992-RFT-002)	7 conforming	Average price - \$239,569.79	Median price - \$200,469.50
10. Acton Waterfront PAP Services (57809-RFT-003)	4 conforming	Average price - \$436,771.85	Median price - \$429,884.20
11. Goliath Court Stormwater Superintendence (30793-RFT-300)	5 conforming	Average price - \$153,105.51	Median price - \$157,972.00



PROJECT	Conforming tender submissions	Average price	Median price
12. Superintendent Services Mt Taylor Carpark, Sulwood Drive and Mannheim St Intersection (30864-RFT-310)	5 conforming	Average price - \$699,918.05	Median price - \$681,480.00
13. Emu Bank Design & Superintendency (30993-RFT-003)	4 conforming	Average price - \$595,117.73	Median price - \$500,000
14. Inner North Play Destination PAP Services (30942-RFT-002)	3 conforming	Out of scope	Out of scope
15. Old Well Station Drive Design & Superintend (52318-NCT-001)	3 conforming	Out of scope	Out of scope
16. Stromlo Playing Fields Detailed Design (57161-RFT-001)	4 conforming	Average price - \$961,994.84	Median price - \$958,429.89