

TENDER RECOMMENDATION REPORT

TO: CHIEF EXECUTIVE OFFICER

CC: MANAGER COMMUNITY SAFETY & EMERGENCY MANAGEMENT

FROM: DIRECTOR COMMUNITY & PLACE

FILE REF: 23/108658 (46914)

DATE: 29 MARCH 2023

TENDER 23039 – PROVISION OF BUSHFIRE MITIGATION WORKS ON CITY OWNED / MANAGED LAND

Issue

To consider Tender 23039 for the Provision of Bushfire Mitigation Works on City Owned / Managed Land.

Background

The risk to the community from bushfire hazards on state land managed by the City is recognised as a high priority for mitigation. Administration manages bushfire risk mitigation through the endorsed Bushfire Risk Management Plan (BRMP). Where parcels of land have been identified as having an extreme or very high bushfire risk rating they are assessed to receive mitigation treatment activities to reduce bushfire fuels and improve fire response by providing safer access, egress and areas to work.

The appointment of a contractor to continue to undertake bushfire mitigation works on City Owned/Managed Land is essential. This replaces contract 20174.

Detail

Tender 23039 for the Provision of Bushfire Mitigation Works on City Owned / Managed Land was advertised on 15 February 2023 and closed on 7 March 2023.

This is a separable portion contract with two separable portions with the burns split geographically. This allowed for the opportunity of the City appointing two contractors to enable the burns to be completed in a more timely manner. The sole tender submission was for both separable portions.

1 Addenda was issued to extend the closing date.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Minor Works
Contract Type	Schedule of Rates
Contract Duration	3 Years
Commencement Date	April 2023
Expiry Date	April 2026

Item	Detail
Extension Permitted	Yes, 2 x twelve month or part thereof options to extend

One Tender submission was received from the following company:

Legal Name	Trading Name	Abbreviation
The Trustee for The Entire Family Trust	Entire Fire Management	N/A

The Tender Evaluation panel comprised:

- Manager Community Safety & Emergency Management, Community Safety & Emergency Management
- Emergency Management Specialist, Community Safety & Emergency Management
- Coordinator Trees & Conservation, Assets Tree & Conservation Maintenance
- Occupational Safety & Health Officer, Corporate Strategy & Performance

Probity Oversight

Oversight to the tender assessment process was undertaken by the City's Contracts Officer.

Tender submissions were evaluated in accordance with the Procurement and Evaluation Plan (PEP) which included the following selection criteria:

Item No	Description	Weighting
1	Sustainable (Corporate Social Responsibility) Procurement a. Environmental Considerations 5% b. Buy Local 10% c. Reconciliation Action Plan 2.5% Disability Access and Inclusion 2.5%	20%
2	*Work Health & Safety (WHS)	25%
3	*Demonstrated experience in the provision of similar works and services	30%
4	*Methodology & Resources -Demonstrated understanding of the methodology to provide the services and allocation of sufficient resources	25%

All tenderers must achieve a minimum acceptable score (as determined by the City) for each of the qualitative criteria detailed above (*) in order to be considered for further evaluation.

Pricing is not included in the qualitative criteria and is considered as part of the overall value for money assessment.

The sole tender received was deemed to be conforming and was included in the evaluation process.

Evaluation Criteria 1 – Sustainable Procurement (20%)

Evidence of Sustainable (Corporate Social Responsibility) Procurement was assessed based on the Tenderer's responses provided to the Questionnaires within Schedules 3A, 3B, 3C and 3D which formed part of the tender documentation.

Sub Criteria a) Environmental Considerations (5%)

The City is committed to procuring goods and services that provide positive environmental, social and economic impacts over the entire life cycle of a product or service. Respondents are encouraged to provide credentials of any environmental claims of the goods and/or services submitted in this tender.

Entire Fire Management provided details of their environmental considerations within Schedule 3A.

Sub Criteria b) Buy Local (10%)

An assessment was made based on the response provided, detailing the following information:

- Location of tenderer's offices and workshops;
- Residential addresses of staff and company addresses of subcontractors;
- Purchasing arrangements through local businesses;
- Requirement for new employees arising from award of the contract.

Entire Fire Management provided details of their "Buy Local" considerations within Schedule 3B, and would buy local supplies, including fuel, food, accommodation and consumables.

Sub Criteria c) Reconciliation Action Plan (RAP) (2.5%)

An assessment was made to determine the ranking based on the responses provided that relate to:

- RELATIONSHIPS - building positive relationships between indigenous and non-indigenous people;
- RESPECT – recognising the contribution of Indigenous people to Australia and learning more about the history, culture and diversity in a two-way communication process;
- OPPORTUNITIES – attracting, developing and retaining organisational talent to build opportunities for aboriginal employment, training, and development and mentoring.

Entire Fire Management did not provide information specifying differing levels of actions in relation to indigenous reconciliation action with assessment resulting in low score.

Sub Criteria d) Access & Inclusion Plan (AIP) (2.5%)

An assessment was made to determine the ranking based on the responses provided that relate to:

- People with disabilities having the same buildings and facilities access opportunities as other people;
- People with disabilities receiving information in a format that will enable them to access information as readily as other people are able to access it;

- People with disabilities receiving the same level and quality of service from staff as other people receive;
- People with disabilities having the same opportunities as other people to make complaints;
- People with disabilities having the same opportunities as other people to participate in any employment opportunities.

Entire Fire Management did not provide information specifying considerations for access and inclusion provisions with assessment resulting in a low score.

Evaluation Criteria 2 – Work, Health and Safety (25%)

Evidence of WHS management policies and practices was assessed from the tenderer's submission. Assessment of this criterion considered the tenderer's staff resources, vehicles, plant/equipment to manage the contract. The assessment of Entire Fire Management resulted in a satisfactory score.

Evaluation Criteria 3 - Tenderer's experience in the provision of similar services (30%)

Entire Fire Management's relevant experience in demonstrating the achievement of meeting client expectations as presented in their tender submission were assessed in order to evaluate their capability to meet the requirements of the contract. Assessment of this criterion considered the tendering entity's credentials to fulfil the requirements of the contract.

Entire Fire Management satisfied the Evaluation Panel's requirements when assessing this criterion.

Evaluation Criteria 4 – Methodology and Resources – Demonstrated understanding of the methodology to provide the services and allocation of sufficient resources (25%)

The tenderer's relevant methodology and resources and capacity as presented in their tender submission was assessed to evaluate their capability to meet the requirements of the contract.

Entire Fire Management was assessed to have satisfied the City's requirements for this evaluation criterion.

Overall Qualitative Weighted Assessment

Entire Fire Management's tender submission was reviewed in accordance with the assessment criteria and weightings as detailed in the Procurement and Evaluation Plan with the following key observations:

- Based on the information supplied for assessment, Entire Fire Management met the City's minimum requirements for the mandatory qualitative criteria.
- Entire Fire Management's tender submission was assessed against sustainable procurement as well as the necessary experience, resources, methodology and safety management systems required to undertake the contract requirements.
- Entire Fire Management provided a sound submission with the final assessment result determining there is satisfactory evidence that the company has the necessary resources, previous experience, ability and management systems to undertake the contract.

Pricing for the Services Offered

The pricing for this type of work (bushfire mitigation) for individual burns or other bushfire mitigation work forms the basis of a matrix to formulate the price calculations scenario over a three-year period, likely expenditure per hectare, as resources differ for individual parcels of land. The Confidential Attachment provides detail with regards to the calculations.

Overall Assessment and Comment

The tender submission from Entire Fire Management satisfied the assessment criteria as detailed in the Procurement and Evaluation Plan and is therefore recommended as the successful tenderer.

Consultation

The primary stakeholders Community Safety and Emergency Management, Assets Tree and Conservation Maintenance and Safety and Injury Management were engaged in the tender process to ensure procurement arrangements fully meet operational requirements.

Statutory Compliance

Tenders were invited in accordance with the requirements of Section 3.57 of the *Local Government Act 1995*. The tendering procedures and evaluation complied with the requirements of Part 4 of the *Local Government (Functions and General) Regulations 1996*.

Strategic Implications

The proposal aligns with the following objective with the Strategic Community Plan 2021-2031:

5 ~ A well planned, safe and resilient City that is easy to travel around and provides a connection between people and places

5.6 - Prepared and resilient

Risk Appetite Statement

In pursuit of strategic objective goal 5, we will accept a Medium level of risk, extended to High in the areas of Community / Reputation & Financial / Commercial impacts. Shifting transport modes and usage in the City may require short term pain for longer

term gain as the City supports the development, maintenance and connection of alternatives to car use (e.g. cycle ways) and the supporting infrastructure.

Enterprise Risk Management Considerations

Risk Title	Risk Rating
ST-S26 Resilient and Productive Communities	Medium
Accountability	Action Planning Option
Director Community and Place	Manage

Risk Title	Risk Rating
CO-O23 Safety of Community	Medium
Accountability	Action Planning Option
Director Community and Place	Manage

Risk Title	Risk Rating
CO-O22 Environmental Management	Moderate
Accountability	Action Planning Option
Planning and Sustainability	Manage

Financial and Performance Risk

Financial Risk

A financial risk assessment was undertaken as part of the tender evaluation process and the outcome of this independent assessment advised that Entire Fire Management has been assessed with a sound financial capacity to meet the requirements of the contract.

Performance Risk

Entire Fire Management has successfully completed contracts for other metropolitan local governments including City of Kalamunda, Shire of Mundaring and with the Department of Fire and Emergency Services. They also successfully completed six mitigation burns for the City in 2022/23.

Independent reference checks indicated that Entire Fire Management's work is professional in all aspects around bushfire mitigation and the most appropriate method to use on individual properties following detailed assessments.

Policy Implications

Tenders were invited in accordance with the requirements of the City's Purchasing Policy.

Financial (Budget) Implications

The Mitigation Activity Program will be funded by MAF grant and municipal budget.

Tender Number 23039 – Provision of Bushfire Mitigation Works on City Owned / Managed Land

Recommendation:

That the Chief Executive Officer, in accordance with Delegation 1.1.13 - Choice of Most Advantageous Tender of the Delegated Authority Register for the awarding of tenders resulting from the expiry of a recurring contract limited to \$5,000,000; ACCEPTS the tender submitted by Entire Fire Management for Tender 23039, for the Provision of Minor Works – Bushfire Mitigation Works on City Owned/Managed Land, as per the schedule of rates in the tender submission subject to appropriate funding availability, for each of the financial years within the initial 3 year contract term, with options to extend the contract for up to a further two years at the City’s discretion and subject to appropriate funding availability.

SUBMITTED BY EMERGENCY MANAGEMENT SPECIALIST