

## **TENDER RECOMMENDATION REPORT**

**TO:** CHIEF EXECUTIVE OFFICER

**FROM:** DIRECTOR ASSETS

**FILE REF:** 46658: 221: 478651

**DATE:** 19 June 2023

### **TENDER 23005 Provision of Play Equipment Maintenance Services including Supply and Installation of Play Equipment Components**

#### **Issue**

To consider Tender No: 23005 for the Provision of Play Equipment Maintenance Services including Supply and Installation of Play Equipment Components.

#### **Background**

The City is seeking to appoint a suitably qualified and experienced contractor to provide play equipment maintenance, City wide, for a period of 3 years with 2 x 12 month options to extend. These works were previously completed under contract 19033 which expired 9 June 2023.

#### **Detail**

Tender 23005 for the Provision of Play Equipment Maintenance Services including Supply and Installation of Play Equipment Components was advertised on 22 April 2023 and closed on 10 May 2023. No addenda were issued.

Essential details of the proposed contract are as follows:

<b>Item</b>	<b>Detail</b>
Contract Form	Goods and Services
Contract Type	Schedule of Rates
Contract Duration	3 years
Commencement Date	1 July 2023
Expiry Date	30 June 2026
Extension Permitted	Yes, 2 periods of 12 months.

One conforming Tender submission was received from the following company:

<b>Legal Name</b>	<b>Trading Name</b>	<b>Abbreviation</b>
Superior Nominees Pty Ltd	Miracle Recreation Equipment	Miracle

#### **Probity Oversight**

The Tender Evaluation Panel comprised:

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- Coordinator Parks- Contracts
- Technical Officer - Horticulture
- Projects Officer Construction

Oversight to the tender assessment process was undertaken by William Buck Consulting (WA) Pty Ltd as external Probity Advisor and the City's Contracts Officer.

Please refer to the Confidential Attachment for reference to the external Probity Advisor Final Report.

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% d. Disability Access and Inclusion 2.5%	20%
2	*Work Health & Safety (WHS)	20%
3	*Experience	20%
4	*Methodology	20%
5	*Resources & Capacity	20%

All tenderers must meet the City's minimum requirements (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 one respondent submitted a conforming tender.

### **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.

The response from the sole respondent, Miracle provided a satisfactory response to this criterion.

#### **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;

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- Purchasing arrangements through local businesses;
- Requirement for new employees arising from award of the contract.

The tenderer provided details of their “Buy Local” considerations within Schedule 3B, with the following rating:

The sole respondent is a local supplier with employees who live locally, provided evidence of supporting the local economy and achieved an acceptable score.

### **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.

The sole respondent demonstrated a commitment to equal employment and engages an indigenous advisor as they strive to create sustainable long-term opportunities through innovative business initiatives with Mamanggal Solutions Pty Ltd who are a member of Supply Nation.

### **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.

The sole respondents is an equal opportunity employer and are fully supportive of an inclusive and indiscriminate workplace and this is demonstrated through using a Workplace Diversity Policy and Access and Inclusion Plan.

## **Overall Sustainable Procurement Ranking Summary**

The overall assessment of the Sustainable Procurement criteria was that the response complies, is convincing and credible.

### **Evaluation Criteria 2 - Tenderer’s Safety Management Systems (20%)**

Evidence of WHS management policies and practices was assessed from the tender submissions. The assessment for safety management was based on the tenderer’s responses to a specific Questionnaire included within the tender documentation.

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The sole respondent, Miracle, provided a response that met the City's requirements for this criterion.

### **Evaluation Criteria 3 - Tenderer's relevant experience with achievement of meeting client expectations (20%)**

The tenderers' relevant experience in demonstrating the achievement of meeting client expectations as presented in their tender submission were assessed to evaluate their capability to meet the requirements of the contract.

The sole respondent, Miracle, has over 30 years industry experience with government departments, both state and local, and the response met the City's requirements for this criterion.

### **Evaluation Criteria 4 - Tenderer's response to Methodology for Parks and streetscape Maintenance Services (20%)**

Assessment of this evaluation criterion considered the Tenderers' ability to demonstrate a clear understanding of Park and Streetscape Maintenance Services required within an urban environment, including why it is carried out and what is to be achieved to manage the contract and their proposed methodology for performance of the services.

The sole respondent, Miracle, demonstrated a very good understanding of the methodology for the provision of the services including both scheduled and unscheduled work and met the City's requirements for this criterion.

### **Evaluation Criteria 5 - Tenderer's resources and capacity to meet the requirements of the Contract (20%)**

The tenderers' resources as presented in their tender submission were assessed in order to evaluate their capacity to meet the requirements of the contract. Assessment of this criterion considered the tenderer's staff resources, vehicles, plant/equipment and workshop support to manage the contract.

The sole respondent, Miracle, demonstrated adequate staffing numbers and resources for the provision of the services and met the City's requirements for this criterion.

### **Overall Qualitative Weighted Assessment and Ranking**

The Tender submission was reviewed in accordance with the Procurement and Evaluation Plan. The response from Miracle achieved overall acceptable scores for WHS, experience, methodology, resources and capacity.

### **Pricing for the Goods/Services/Works Offered**

An assessment was made of the schedule of rates provided with the tender documentation.

Based on the information provided, the tenderer has supplied a schedule of rates in line with inflation compared to historical and current costs.

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### Value for Money Assessment

As only one submission was received value for money was determined by comparing tendered rates to current rates and estimated budget.

### Overall Assessment and Comment

The tender submission from Superior Nominees satisfied the overall value for money assessment in accordance with the assessment criteria and weightings as detailed in the Procurement and Evaluation Plan and is therefore recommended as the successful tenderer.

### Consultation

N/A

### 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:

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

5.3 Responsibly managed and maintained assets

### 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

<b>Risk Title</b>	<b>Risk Rating</b>
CO-022 Environmental Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning & Sustainability	Manage
<b>Risk Title</b>	<b>Risk Rating</b>
CO-020 Productive Communities	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community & Place	Manage
<b>Risk Title</b>	<b>Risk Rating</b>
CO-016 Risk Management	Low
<b>Accountability</b>	<b>Action Planning Option</b>
Executive Manager Governance & Legal	Manage
<b>Risk Title</b>	<b>Risk Rating</b>
IN-029 Asset Maintenance	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Assets	Manage

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### **Financial and Performance Risk**

#### **Financial Risk**

The most recent independent financial risk assessment advised that Superior Nominees Pty Ltd had been assessed with a 'strong' financial capacity and all payments under this contract will be made only on satisfactory provision of the services.

#### **Performance Risk**

Superior Nominees are the incumbent supplier for the contracted services. They have a strong knowledge of the sites and have had no disputes in the last five years.

### **Policy Implications**

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

### **Financial (Budget) Implications**

The costs associated with the Provision of Play Equipment Maintenance Services including Supply and Installation of Play Equipment Components are included in the Parks and Conservation Annual Operational Budget.

***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 ACCEPTS the tender submitted by SUPERIOR NOMINEES PTY LTD T/A MIRACLE RECREATION EQUIPMENT for Tender 23005, for the Provision of Play Equipment Maintenance Services including Supply and Installation of Play Equipment Components, as per the schedule of rates in the tender submission, for a period of three (3) years with two (2) twelve (12) month, or part thereof, options to extend, subject to appropriate funding availability, for each of the financial years within the 3 year initial contract term and subsequent options to extend.**