

TENDER RECOMMENDATION REPORT

TO: CHIEF EXECUTIVE OFFICER

CC: MANAGER INFRASTRUCTURE CAPITAL WORKS
COORDINATOR CONSTRUCTION

FROM: DIRECTOR ASSETS

FILE REF: 43321: 23/238740

DATE: 21 July 2023

**TENDER 23029: THE UPGRADE OF ROTARY PARK, WANNEROO
(STAGE ONE)**

Issue

To consider Tender No: 23029 for the Upgrade of Rotary Park, Wanneroo (Stage One)

Background

Rotary Park has been identified as requiring renewal, reaching the end of its safe operating life. The project will entail multiple stages and the replacement of the existing Fort with upgraded design functionality and materials is a high priority due to termite infestation and will be stage 1 of the works.

Rotary Park is located at 275 Scenic Drive, Wanneroo and is classified as a Passive Regional Park. The existing amenities include:

- Barbeques; Gazebos; Picnic tables; Benches; Shade sails; Toilet facility; Bins; and
- Various play equipment (swings, slides, combination units, rocker and climbing frame).

Detail

Tender 23029 for the upgrade of Rotary Park stage one was advertised on 20 May 2023 and closed on 20 June 2023. Three addenda were issued, providing additional drawings and a budget clarification.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Minor Works
Contract Type	Lump Sum
Contract Duration	3 months site works
Commencement Date	On site works to commence Feb 2024
Expiry Date	May 2024
Extension Permitted	No

Tender submissions were received from the following companies:

Legal Name	Trading Name	Abbreviation
The trustee for Horizon West Trust, trading	Horizon West Landscape Constructions	Horizon West
Superior Nominees Pty Ltd	Miracle Recreation Equipment	Miracle*
Phase3 Landscape Construction Pty Ltd	Phase3 Landscape Construction	Phase3

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% d. Disability Access and Inclusion 2.5%	20%
2	*Demonstrated experience of tenderer and personnel	30%
3	*Methodology, resources and capacity	30%
4	*WHS demonstrated working documents	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.

Horizon West and Phase3 tender submissions were received as conforming submissions. The *Miracle submission was determined as non-conforming and excluded from further evaluation.

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.

Tenderers provided details of their environmental considerations within Schedule 3A, with the following ranking:

Tenderer	Ranking
Horizon West	1
Phase3	2

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.

Tenderers provided details of their “Buy Local” considerations within Schedule 3B, with the following ranking:

Tenderer	Ranking
Horizon West	1
Phase3	2

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.

Tenderers provided information specifying differing levels of actions in relation to indigenous reconciliation action with assessment resulting in the following ranking:

Tenderer	Ranking
Horizon West	1
Phase3	1

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.

Tenderers provided information specifying considerations for access and inclusion provisions with assessment resulting in the following ranking:

Tenderer	Ranking
Horizon West	1
Phase3	2

Overall Sustainable Procurement Ranking Summary

The overall assessment of the Sustainable Procurement criteria has resulted in the following overall ranking:

Tenderer	Ranking
Horizon West	1
Phase3	2

Evaluation Criteria 2 - Demonstrated experience of tenderer and personnel (30%)

The tenderer's 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. Assessment of this criterion considered the tendering entity's credentials to fulfil the requirements of the contract. The assessment of this criterion has resulted in the following ranking:

Tenderer	Ranking
Phase3	1
Horizon West	2

Evaluation Criteria 3 - Methodology, resources and capacity (30%)

The tenderer's resources as presented in their tender submission were assessed 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 assessment of this criterion has resulted in the following ranking:

Tenderer	Ranking
Phase3	1
Horizon West	1

Evaluation Criteria 4 - WHS demonstrated working documents (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.

Tenderers provided details of their safety management systems with the following ranking:

Tenderer	Ranking
Horizon West	1
Phase3	2

Overall Qualitative Weighted Assessment and Ranking

Tenderer's submissions were reviewed in accordance with the Procurement and Evaluation Plan. The overall assessment of qualitative weighted criteria resulted in the following ranking:

Tenderer	Ranking
Horizon West	1
Phase 3	2

Pricing for the Goods/Services/Works Offered

An assessment was made to determine the ranking based on the lump sum pricing provided with the tender documentation.

Based on the information provided, tenderers are ranked as follows:

Tenderer	Ranking
Phase3	1
Horizon West	2

This ranking did not change following the City's exclusion of optional items 1,3, 5 and 7 from Schedule 1C.

Value for Money Assessment

The combined assessment of pricing and qualitative criteria resulted in the following tenderer ranking (highest to lowest):

Tenderer	Ranking
Phase3	1
Horizon West	2

Overall Assessment and Comment

The tender submission from Phase3 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

Concept Development: An initial community consultation process was undertaken to inform the master plan design. The community consultation period was open from 1 December 2021 to 31 January 2022. Based on the comments received during this period, Administration developed one concept design with the main areas for improvement including the following:

- Refurbish the Fort including installing new structural posts, re-configuring the fort to improve the user experience and add some more challenging features;
- Fully enclose the park to improve safety;
- Create one main entry from the carpark, with a double self-closing gate and widened footpath. Two other minor entrances will be created – one from a footpath along Scenic Drive for local users and one on the southern end to keep the path accessible;
- Redesign the middle play space by removing all current equipment and installing new climbing and imaginative play items. New shade sails will also be added, as well as rubberised surface to improve accessibility. The range of new equipment will cater for all ages and abilities;

- Redesign the existing sand play area to make it more engaging and suitable for all abilities. A rubberised surface will be provided to some of the elements for improved accessibility. Sand play will be the main function of this space; and
- Redevelop to include a selection of nature play elements to complement the general feel of the park and provide different challenges for children of all ages.

A second community consultation was undertaken between 17 October and 6 November 2022, in line with the City's Community Engagement Policy. During this time, the concept design was released for review and the community invited to provide feedback. In considering the responses to the second round of consultation residents were mostly supportive of the proposed upgrades to Rotary Park.

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 1

"An inclusive and accessible city with places and spaces that embrace all"

Priority 1.3

Facilities and activities for all.

Wanneroo will have easy to access facilities that provide opportunities for people to take part in a range of activities regardless of their age or ability. All facilities and activities will provide benefit to our community and support active, healthy and inclusive lifestyles.

Risk Appetite Statement

The City places a high priority on the importance of promoting, protecting and activating local areas including the beaches, bush land and open spaces to meet community expectations. As such, community engagement and community-led initiatives and ownership are an important focus in addition to building capacity for communities to be involved in inclusive place activations.

Enterprise Risk Management Considerations

Risk Title	Risk Rating	Accountability	Action Planning Option
CO-O20 Productive Communities	Moderate	Director Community and Place	Manage
CO-O17 Financial Management	Moderate	Director Corporate Strategy & Performance	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 Phase 3 has been assessed with a 'sound' financial capacity to meet the requirements of the contract.

Performance Risk

Phase3 have successfully delivered construction services while working with various local governments across Western Australia, including previous projects with the City. In addition, the recommended respondent has no disputes and claims history as stated in the submission.

Previous independent reference checks have also indicated that the recommended tenderer has a strong track record of working with local government for more than 5 years.

Policy Implications

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

Financial (Budget) Implications

R-4356 Rotary Park Upgrade Stage One

Description	Expenditure	Budget
Budget: 22/23 to 24/25		\$1,100,000
Expenditure:		
Expenditures incurred in 21/22	\$15,343.35	
Expenditure incurred to date 22/23	\$40,249.97	
Commitment to date 23/24	\$9,700.00	
Expenditure to come 23/24	\$15,000	
Construction Activities		
- RFQ2 3029 recommended respondent	\$505,746.34	
- <i>Project management fees</i>	\$15,000	
- <i>Contingencies</i>	\$25,000	

23029 Upgrade of Rotary Park, Wanneroo (Stage One)

R-4356 Rotary Park Upgrade Stage One

Description	Expenditure	Budget
Total Expenditure	\$626,039.66	
Total Funding		\$1,100,000
Funding Provision required in 2023/2024		\$570,446.34

A budget adjustment will be undertaken in the coming months to address the surplus funds listed above.

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 Phase3 Landscape Constructions Pty Ltd for Tender 23029, for the upgrade of Rotary Park, Wanneroo (stage one), as per the \$521,729.10 Fixed Lump Sum for the main works and optional items 2, 4 and 6.