

TENDER RECOMMENDATION REPORT

TO: ACTING CHIEF EXECUTIVE OFFICER

CC: MANAGER INFRASTRUCTURE CAPITAL WORKS
COORDINATOR CONSTRUCTION

FROM: DIRECTOR ASSETS

FILE REF: 43318: 23/323116

DATE: 20 September 2023

TENDER 23157: MITCHELL PARK, TWO ROCKS, UPGRADE PASSIVE PARK

Issue

To consider Tender No: 23157 for the provision of Minor Works for Mitchell Park, Two Rocks, Upgrade Passive Park.

Background

This project is part of the City's Passive Park Development Program, which looks to develop passive parks in accordance with Local Planning Policy 4.3 Public Open Space (LPP4.3). Parks are prioritised and assessed based on the following factors:

- 1) Land ownership
- 2) Surrounding land use
- 3) Percentage of surrounding land developed
- 4) Other fully developed parks within 400m
- 5) Major barriers preventing access to other parks
- 6) Administration recommendation
- 7) Function of the park.

One of the two Parks listed for 2022/23 (design) and 2023/24 (construct) is Mitchell Park in Two Rocks.

Detail

Tender 23157 for the upgrade of Mitchell Park was advertised on 12 August 2023 and closed on 5 September 2023. One addendum was issued.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Minor Works
Contract Type	Fixed Lump Sum
Contract Duration	3 months site works
Commencement Date	February 2024
Expiry Date	June 2024
Extension Permitted	No

Tender submissions were received from the following companies:

Legal Name	Trading Name	Abbreviation
The Trustee for Horizon West Trust	Horizon West Landscape	Horizon West
Phase3 Landscape Construction Pty Ltd	Phase3 Landscape Construction	Phase 3
Total Landscape Redevelopment Service Pty Ltd	Total Landscape Redevelopment	Total Landscape
Hawthorn Group Holdings Pty Ltd	Hawthorn Civil & Mining Services	Hawthorn*

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	**Demonstrated experience of tenderer and personnel	30%
3	* Methodology, resources and capacity	30%
4	* Work Health & Safety (WHS)	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 submission from Hawthorn did not include pricing for all items therefore their submission was deemed non-conforming and was excluded from further evaluation.

The remaining three tender submissions were deemed conforming.

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
Total Landscape	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
Total Landscape	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
Total Landscape	3

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
Total Landscape	3

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
Total Landscape	3

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 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. The assessment of this criterion has resulted in the following ranking:

Tenderer	Ranking
Horizon West	1
Phase3	1
Total Landscape	3

Evaluation Criteria 3 - Tenderer's Methodology, resources and capacity to meet the requirements of the Contract (30%)

The tenderer's 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 assessment of this criterion has resulted in the following ranking:

Tenderer	Ranking
Horizon West	1
Phase3	1
Total Landscape	3

Evaluation Criteria 4 - 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.

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

Tenderer	Ranking
Total Landscape	1
Horizon West	2
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
Phase3	2
Total Landscape	3

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
Total Landscape	1
Horizon West	2
Phase3	3

Based on preferred equipment to be installed in the new playground the City has chosen to exclude items 3, 6, 9 and 10 from the optional items in Schedule 1C, which resulted in the following ranking:

Tenderer	Ranking
Total Landscape	1
Horizon West	2
Phase3	3

Value for Money Assessment

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

Tenderer	Ranking
Total Landscape	1
Horizon West	2
Phase3	3

Overall Assessment and Comment

The tender submission from Total Landscape 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

A community consultation was undertaken between 16 and 31 January 2023, 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. To provide a consistent process throughout the period of consultation, the following actions were taken:

- Information provided on the City's Your Say page;
- Advertising for feedback on the City's Facebook page; and
- An information letter sent to the local residents/homeowners.

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.

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	Accountability	Action Planning Option
ST-S23 - Stakeholder Relationships	Low	CEO	Manage
CO-023 Safety of the Community	Low	Director Community and Place	Manage
ST-S26 Resilient Communities	Low	Director Community and Place	Manage

Financial and Performance Risk

Financial Risk

An independent financial assessment was not undertaken due to the value of this contract. Total Landscape are a preferred vendor on the WALGA Parks & Gardens

PSP 010 Panel and the City will make milestone payments and security will be required prior to commencing on site works.

Performance Risk

Total Landscape 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

Based on the tenderer’s lump sum the total value is accommodated in the existing 2023/24 capital works budget.

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Description	Expenditure	Budget
Budget:		
Allocated Budget 22/23		\$18,000
Allocated budget 23/24		\$397,750
Expenditure:		
Expenditure incurred 22/23	\$19,615.55	
Expenditure incurred to date 23/24	\$2,406.24	
Commitment to date 23/24	\$3,784.60	
Construction Activities		
- RFT 23157 recommended tenderer	\$342,126.60	
- <i>Water Corp water meter</i>	\$4,800.00	
- <i>Bollards</i>	\$6,804.00	
- <i>Project management fees</i>	\$10,000	
- <i>Associated works- other</i>	\$26,000	
Total Expenditure	\$415,536.99	
Total Funding		\$415,750.00
Funding Provision required in 2023/2024	\$389,730.60	

Recommendation:

That the Acting 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 Total Landscape Redevelopment Service Pty Ltd for Tender 23157, for the Mitchell Park, Two Rocks Park Upgrade, as per the Fixed Lump Sum \$342,126.60 ex GST (excluding optional items 3, 6 ,9 and 10) and as per conditions of tendering.