

## **TENDER RECOMMENDATION REPORT**

**TO:** CHIEF EXECUTIVE OFFICER

**CC:** MANAGER PARKS AND CONSERVATION MANAGEMENT

**FROM:** DIRECTOR ASSETS

**FILE REF:** 24/17124

**DATE:** 7 MARCH 2024

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### **TENDER 23186 SUPPLY OF PINEBARK AND SOFTFALL MULCH**

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#### **Issue**

To consider the decline of submission relating to Tender No: 23186 for the Supply of Pinebark and Softfall Mulch for a period of one (1) Year, with up to two (2), twelve (12) month (or part thereof) options to extend.

#### **Background**

The City is seeking to appoint a suitably qualified and experienced contractor to supply and deliver quality pinebark and softfall mulch. The mulch to be supplied under this contract will meet Australian Standard 4454 – 2012 for both types of mulch and AS4222 specifically for the softfall mulch.

#### **Detail**

Tender 23186 for the Supply of Pinebark and Softfall Mulch was advertised on 9 December 2023 and closed on 9 January 2024.

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	1 year
Commencement Date	March 2024
Expiry Date	March 2025
Extension Permitted	Yes, two (2) periods of twelve (12) months or part thereof

Tender submissions were received from the following company:

Legal Name	Trading Name	Abbreviation
Fitonia Pty Ltd as Trustee for the Silverspring Trust T/A T J Depiazzi & Sons	TJ Depiazzi & Sons	TJ Depiazzi & Sons

### Probity Oversight

Oversight to the tender assessment process was undertaken by an external Probity Advisor (William Buck Consulting (WA) Pty Ltd) and the City's Acting 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 20% c. Reconciliation Action Plan 2.5% d. Disability Access & Inclusion 2.5%	30%
2	*Work Health & Safety (WHS)	20 %
3	*Demonstrated Experience	25 %
4	*Methodology, Resources and Capacity	25 %

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.

### Overall Assessment and Comment

The Tender Evaluation Panel (Panel) has concluded that the tender submission from TJ Depiazzi & Sons does not present value for money to the City and is therefore recommended to be declined. Further information is provided in the Confidential Attachment.

### Consultation

Nil

### 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.

Priority 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>	<b>Accountability</b>	<b>Action Planning Option</b>
ST-S23 Stakeholder Relationships	Low	Director Corporate Strategy and Performance	Manage
CO-022 Environmental Management	Low	Director Corporate Strategy and Performance	Manage

**Policy Implications**

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

**Recommendation:**

**That the CHIEF EXECUTIVE OFFICER, in accordance with Delegation 1.1.13 (4) - DECLINES the tender submitted by TJ Depiazzi & Sons for Tender 23186 SUPPLY OF PINEBARK AND SOFTFALL MULCH.**