

TENDER RECOMMENDATION REPORT

TO: ACTING CHIEF EXECUTIVE OFFICER

CC: MANAGER PARKS AND CONSERVATION MANAGEMENT

FROM: DIRECTOR ASSETS

FILE REF: 47263 23/329741

DATE: 20 October 2023

TENDER 23085 – PROVISION OF TREE STOCK

Issue

To consider Tender No: 23085 for the Provision of Tree Stock for an initial term of three (3) years with two (2) x twelve (12) month (or part thereof) options to extend at the City's discretion.

Background

The City is seeking to appoint a suitably qualified and experienced contractor to supply and deliver container grown trees as set out in the tender schedule. Workpower Incorporated currently provide these goods through contract 19166 which is due to expire with no further renewal options.

Tree stock supplied under this contract is to be grown in accordance with AS2303:2015 Tree Stock for Landscape Use. This standard specifies the criteria for assessment of above and below ground characteristics of tree stock, supplied for landscape use, including streetscapes.

Detail

Tender 23085 for the Provision of Tree Stock was advertised on 26 August 2023 and closed on 19 September 2023.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Goods and Services
Contract Type	Schedule of Rates
Contract Duration	3 years
Commencement Date	01 December 2023*
Expiry Date	02 December 2026
Extension Permitted	Yes, 2 periods of 12 months or part thereof

*Commencement Date is scheduled to allow for the grow to order requirements.

At close of tender a single submission was received from Benara Nurseries.

Legal Name	Trading Name	Abbreviation
The Trustee for the Quito Unit Trust T/A Benara Nurseries	Benara Nurseries	Benara Nurseries

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 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% Disability Access and Inclusion 2.5%	20%
2	*Work Health & Safety (WHS)	20%
3	*Resources and Capacity	30%
4	*Experience	30%

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.

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.

Through their submission, Benara demonstrated superior environmental consideration provisions to meet the City’s requirements.

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.

Through their submission, Benara demonstrated excellent responses to the City's Buy Local initiatives.

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.

Through their submission, Benara demonstrated limited ability to meet the City's Reconciliation Action Plan requirements.

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.

Through their submission, Benara demonstrated limited ability to meet the City's Access and Inclusion Plan requirements.

Overall Sustainable Procurement Ranking Summary

Benara is deemed to have very good capacity to comply with the City's Sustainable Procurement requirements as articulated in their response.

Evaluation Criteria 2 - Tenderer's resources and capacity to meet the requirements of the Contract 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.

Benara demonstrated the capacity and resources to fulfil the requirements of this contract.

Evaluation Criteria 3 - 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.

Benara demonstrated superior WHS provisions to meet the City's work Health and Safety requirements.

Evaluation Criteria 4 - Tenderer's relevant experience with achievement of meeting client expectations (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.

Benara demonstrated relevant experience to fulfil the requirements of this contract.

Overall Qualitative Weighted Assessment and Ranking

Benara's submission was reviewed in accordance with the PEP and is deemed to have the necessary sustainable procurement, experience, capacity, resources, and safety management systems to fulfil this contract.

Price Assessment

An assessment was made using the schedule of rates provided within the tender documentation. Benara provided a good price rate that meets expectations.

Value for Money Assessment

Value for money of Benara tender submission was assessed through an evaluation process that considered both cost and quality of tree stock.

Overall Assessment and Comment

The tender submission from Benara Nurseries was assessed in accordance with the assessment criteria and weightings as detailed in the PEP and Benara is recommended as the successful tenderer.

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 4: A sustainable City that balances the relationship between urban growth and the environment.

Priority: Priority 4.3 – Manage natural assets and resources

Risk Appetite Statement

In pursuit of strategic objective goal 4, we will accept a medium level of risk. The nature of the City being ‘pro – growth’ means that commercial opportunities will be explored in areas identified for development, potentially challenging perceptions of the City as an environmental steward.

Enterprise Risk Management Considerations

Risk Title	Risk Rating	Accountability	Action Planning Option
CO-O22 Environmental Management	Medium	Director Planning & Sustainability	Manage
ST - S26 Resilient & Productive Communities	Medium	Director Community & Place	Manage
CO-O08 Contract Management	Low	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 Benara assessed with the financial capacity to meet the requirements of the contract.

Performance Risk

Independent reference checks have confirmed the recommended tenderer’s performance.

Policy Implications

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

Financial (Budget) Implications

The costs associated with 23085 are included in the Annual Parks and Conservation Management Operational Budget.

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 Benara Nurseries for Tender 23085, for the PROVISION OF TREE STOCK, as per the schedule of rates in the tender submission, subject to appropriate funding availability, for each of the financial years within the initial three (3) year contract term with two (2) twelve (12) month, (or part thereof), options to extend at the City's discretion.