

ITEM 14. TENDER – HYDE PARK SOUTH CAFÉ AND LANDSCAPE PROJECT
FILE NO: S122016
TENDER NO: 1720

SUMMARY

This report provides details of the tenders received for the Hyde Park South Café and Landscape project.

Hyde Park is Australia's oldest park and culturally significant heritage landscape. It is Sydney's most significant park and used by some three million local, interstate and international visitors each year, hosting many significant events.

The 2006 Plan of Management and Masterplan for Hyde Park identified a range of improvement works to renew or replace old infrastructure, improve access and amenity, and address the impacts on the park caused by its increasing use and popularity.

The Hyde Park South Café and Landscape project forms part of this program of improvement works. This project will deliver a new accessible café building, provide a new lift lobby to Museum Station, and improve the landscape setting and accessibility surrounding the café.

This report recommends that Council accept the tender offer of Tenderer 'A' for the Hyde Park South Café and Landscape project.

RECOMMENDATION

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the Hyde Park South Café and Landscape project; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

ATTACHMENTS

Attachment A: Site Plan and Perspectives

Attachment B: Tender Evaluation Summary (Confidential)

(As Attachment B is confidential, it will be circulated separately from the agenda paper and to Councillors and relevant senior staff only.)

BACKGROUND

1. Hyde Park is Australia's oldest park and culturally significant heritage landscape. It is Sydney's most significant park and used by some three million local, interstate and international visitors each year, hosting many significant events. The project site is located in the south-west corner of Hyde Park, at the rear of the Museum Station entry building.
2. Hyde Park is owned by the NSW Government (Crown Land), with the City of Sydney appointed as Reserve Trust Manager for its care, control and management.
3. The 2006 Plan of Management and Masterplan for Hyde Park identified a range of works to replace old infrastructure and provide improvements to address the impacts on the park caused by its increasing use and popularity.
4. There are a number of work packages associated with implementation of the 2006 Plan of Management and Masterplan for the park. Some of these packages have been completed and there is currently a project in progress to improve accessibility through path upgrades.
5. The Hyde Park South Café and Landscape project includes work to the café and lift lobby areas within Museum Station, together with landscaping improvements around the new café.
6. In late 2012, City Property was approached by Transport for New South Wales (TfNSW) on behalf of RailCorp to progress the Museum Station Easy Access Upgrade works, which required the establishment of a construction zone with site sheds in the south-west corner of Hyde Park adjacent to Museum Station. Museum Station is the last Central Business District station to be made Disability Discrimination Act compliant.
7. On 18 November 2013, Council endorsed the City entering into a deed with Transport for NSW (TfNSW), granting it access to Hyde Park South to undertake the Museum Station Easy Access Upgrade Project. The project aimed to improve accessibility to the station, and involved the installation of lifts connecting the station entry, concourse and platforms.
8. In April 2015, the deed between the City and TfNSW was executed and the latter commenced construction works at Museum Station. The works required the demolition of the small café owned by the City of Sydney. In accordance with the deed, the City is required to design and deliver a new café to replace the existing café, as well as provide a new lift lobby to the newly installed Museum Station lift.
9. On 23 November 2015, Council endorsed the project scope for the Hyde Park South Café for progression to detailed design, seeking relevant planning approvals, documentation and tender for construction of the café and lift lobby works.
10. On 14 December 2015, Council endorsed the scope of works for Hyde Park Improvement Works for landscaping adjacent to the station building. This included approval for progressing to detailed design, seeking relevant planning approvals, documentation and tender for construction of the works.

11. On 29 February 2016, Council endorsed direct negotiation with the head contractor responsible for the delivery of the Museum Station Easy Access Upgrade Project to also undertake the Hyde Park South Café and landscape improvement works. Negotiations were not considered to provide value for money and the project was placed on open tender.

INVITATION TO TENDER

12. The tender was released on 11 April 2017 and closed on 11 May 2017.
13. The tender was advertised in The Sydney Morning Herald and The Daily Telegraph newspapers on 11 April 2017. The tender was also advertised on Council's E-tender website.
14. Tenderers were invited to provide a lump sum price for the construction works.

TENDER SUBMISSIONS

15. Three submissions were received from the following organisations:
 - Cooper Commercial Constructions Pty Ltd
 - Fabric Interior Exterior Pty Ltd
 - Structus Pty Ltd
16. No late submissions were received.

TENDER EVALUATION

17. All members of the Tender Evaluation Panel signed Pecuniary Interest Declarations. No pecuniary interests were noted.
18. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment B.
19. All submissions were assessed in accordance with the approved evaluation criteria being:
 - (a) experience in works of a similar nature;
 - (b) demonstrated managerial capability, qualifications, experience and number of personnel;
 - (c) capacity to achieve the required project program;
 - (d) the proposed methodology including environmental management;
 - (e) Work, Health and Safety;
 - (f) financial and commercial trading integrity including insurances; and
 - (g) the lump sum price and schedule of prices.

PERFORMANCE MEASUREMENT

20. Performance measurement criteria includes:
- (a) reviewing program and work method statements;
 - (b) reviewing product samples and product data; and
 - (c) attending regular inspections of the works and conducting regular site meetings with the contractor.

FINANCIAL IMPLICATIONS

21. There are sufficient funds allocated for this project within the current year's capital works budget and future years' forward estimates.

RELEVANT LEGISLATION

22. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and the City's Contracts Policy.
23. Attachment B contains confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies which, if disclosed, would:
- (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
24. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.
25. Crown Lands Act 1989 – Hyde Park is a Crown Reserve. Council is the Reserve Trust Manager.
26. Environmental Planning and Assessment Act 1979.

CRITICAL DATES / TIME FRAMES

27. The time frame for this project is as follows:
- (a) Execution of contract with successful tenderer September 2017;
 - (b) Commence Construction September 2017; and
 - (c) Practical Completion April 2018.

PUBLIC CONSULTATION

28. Public notification was carried out between 13 October and 27 October 2015. Notification activities included:
- (a) a new webpage on sydneyyoursay.com.au, including detailed information and designs, where submissions could be made;

- (b) notification signs with the design and concept plan on display at Hyde Park;
and
 - (c) the concept design was displayed at the One Stop Shop in Town Hall House.
29. The sydneyyoursay.com.au project page was viewed by 27 individual users and the plans were downloaded 13 times.
30. Transport for NSW – in accordance with the deed with Transport for NSW (TfNSW) to undertake the Museum Station Easy Access Upgrade Project, consultation and liaison with TfNSW has been undertaken throughout the life of the project to ensure impact on the public, station operations and access is minimised.
31. Heritage Council of NSW – as Hyde Park and Museum Station are state heritage listed items, regular consultation has been undertaken with Council’s heritage specialists and the Heritage Council of NSW.
32. No public submissions were received for the project.

AMIT CHANAN

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