

ITEM 9. TENDER - DRYING GREEN, GREEN SQUARE TOWN CENTRE

FILE NO: S118373

TENDER NO: 1732

SUMMARY

This report provides details of the tenders received for design and construction of the Drying Green Park, Green Square Town Centre. The scoping report for the Drying Green Park was approved by resolution of Council on 8 December, 2014.

Drying Green Park is located at the centre of the new Green Square Town Centre. It is a key component to achieve the vision for the new Town Centre and will provide a significant community green space as well as pedestrian connections between the Town Centre Library and Plaza and the Green Square Community and Cultural Precinct.

The design has been developed by McGregor Coxall. It has been reviewed by both the Green Square Advisory Committee and the Design Advisory Panel.

The scoping report for the Drying Green Park was approved by resolution of Council on 8 December 2014.

This report recommends that Council accept the tender offer of Tenderer 'A' for the project.

RECOMMENDATION

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the design and construction of the Drying Green Park, Green Square Town Centre;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) Council approve the additional funds sought from the Green Square Community Facilities and Open Space budget as outlined in confidential Attachment 'A' to the subject report.

ATTACHMENTS

Attachment A: Tender Evaluation Summary (Confidential)

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

BACKGROUND

1. The project will be located in the Green Square Town Centre (Town Centre), within the Green Square Urban Renewal Area. The works will deliver a significant and unique, sustainable and all-inclusive local park which sits as the 'green lungs' of the Town Centre extending the landscape character of the surrounding streets and forming a strong contrast to the paved formal multi-functional environment of the Green Square Plaza and Green Square Community and Cultural Precinct.
2. The park will be formed on land acquired by the City in commercial negotiations with Waverley Council in 2012, and through a Voluntary Planning Agreement with Urban Growth. The recreational intent for these public reserve lands will formally be established by Government Gazette.
3. The site of the Drying Green Park will comprise a rectangular shaped passive recreational area of approximately 6,212 square metres, bounded by long east-west boundaries providing excellent connectivity.
4. Located at the centre of the new Green Square Town Centre, the park will maximize opportunities to connect pedestrian desire lines across to the Green Square Community and Cultural Precinct / Library and Plaza.
5. The park will have a frontage to existing Portman Street (east) and proposed Zetland Avenue (north), Geddes Street (south) and Paul Street (west).
6. The project's objective is to develop a distinctive local park that will serve to extend the landscape character of Zetland Avenue and form a strong contrast to the paved, urban environment of the Green Square Library and Plaza.
7. The park's principle function is passive recreation and respite adjacent to the core of the Green Square Town Centre, providing connectivity and many opportunities for seating, informal small gatherings and informal play. Its grass lawns, garden beds, park trees and landscape features structures, including barbecue / picnic facilities, shade structure and public art.
8. The Drying Green Park will be delivered under an amended form of AS4902-2000 design and construct contract. It includes:
 - (a) a preliminary design documented to 95%, noting some geotechnical investigation, remediation and safety modifications are required;
 - (b) the Principal's project requirements setting out the objectives and functional requirements for the project; and
 - (c) specific operations and maintenance requirements for the landscape berms and wetland water management system.
9. On completion of Drying Green Park, a report will be prepared recommending the proposed reclassification from operational to community land.

EXPRESSION OF INTEREST AND INVITATION TO TENDER

10. Expressions of Interest for design and construction of the Green Square Town Centre Drying Green Park advertised in The Sydney Morning Herald and The Daily Telegraph and on Council's eTender link on 23 March 2017.
11. Five submissions were received on 26 April 2017 from the following organisations (listed alphabetically):
 - Christie Civil Pty Ltd
 - Ertech Construction Pty Ltd
 - Landscape Solutions Pty Ltd
 - John Holland Pty Ltd
 - Regal Construction Pty Ltd
12. No late submissions were received.
13. Based on Expression of Interest submissions, a shortlist of two prospective contractors were issued with Request for Tender documents on 26 June 2017.
14. Following a period of consultation and clarifications, the two tenderers submitted their final lump sum tender for evaluation on 22 August 2017.

REQUEST FOR TENDER SUBMISSIONS

15. Submissions were invited and received from the two following organisations (listed alphabetically):
 - Ertech Construction Pty Ltd
 - John Holland Pty Ltd
16. No late submissions were received.

TENDER EVALUATION

17. All members of the Tender Evaluation Panel have 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 A.
19. All submissions were assessed in accordance with the approved evaluation criteria being:
 - (a) the lump sum price and schedule of rates and prices;
 - (b) demonstrated managerial capability, qualifications, experience of nominated Project Team and capability and qualifications of consultants and subcontractors;

- (c) the quality and detail of the proposed program demonstrating an understanding of project specific objectives and requirements;
- (d) the proposed methodology, including a detailed methodology for the substation and amenities building and wetland;
- (e) the proposed Construction Environmental Management Plan;
- (f) the proposed Site Management Plan and Pedestrian and Traffic Management Plan;
- (g) Work Health and Safety; and
- (h) financial and commercial trading integrity, including insurances.

PERFORMANCE MEASUREMENT

20. The City will ensure that performance standards are monitored during construction by:
- (a) attending site meetings and reviewing progress of the project regularly;
 - (b) attending quality inspections with consultant team, including structural engineer, civil engineer and architect and checking relevant test plans, material certificates, or any other quality assurance documents the Contractor needs to provide;
 - (c) reviewing and ensuring, in conjunction with the City's WH&S Officer, that the contractor delivers all necessary WHS plans, work method statements, inspection and test plans and certificates of compliance as specified in the tender documents for City review; and
 - (d) monitoring the contractor's program and assessing monthly progress claims.

FINANCIAL IMPLICATIONS

21. Market forces and industry constraints have had a significant impact on the tenders received for this package of works. Additional funds are required for this project due to the preferred tender exceeding the pre-tender estimate. The acceptance of the recommended tender will therefore require Council to increase the project budget as detailed in confidential Attachment A.

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. Tender Evaluation Summary, Attachment A, 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.

CRITICAL DATES / TIME FRAMES

25. The time frame for this project is as follows:
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| (a) | letter of Notification to successful tenderer | November 2017 |
| (b) | commencement of Contract | December 2017 |
| (c) | completion of construction work | April 2019 |
26. These project works completion dates are linked to the start work dates for the construction of the new Zetland Boulevard to the north of this site. Timeframes are critical to meet commitments under the Voluntary Planning Agreement requirements between the City and interfacing development sites.

PUBLIC CONSULTATION

27. Public exhibition of the concept design plans for the Drying Green Park was carried over four weeks from 3 September 2014. Other Green Square projects were also concurrently placed on exhibition, including public domain and open space plans for the former South Sydney Hospital site and strategic plans for proposed open spaces across the entire urban renewal area. The exhibition period provided opportunity for the community to learn about the City's Green Square projects.
28. Over 18,000 properties were notified via letter. The plans were placed on the City's consultation website, Sydney Your Say, and displayed at the Green Square Neighbourhood Service Centre (The Tote). Members of the community were also invited to participate in the 'Have your Say Day' in Green Square on 20 September 2014 at the local markets, where they were able to view the plans and speak directly to City staff. Over 350 community members attended this event and over 8,000 visitors were recorded on the City's consultation website, across all Green Square projects.

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