

## Item 11.

### **Tender - Reject and Negotiate - T-2025-1605 - Head Contractor - Jubilee Park Amenities**

**File No:** X089548.006

**Tender No:** T-2025-1605

### **Summary**

This report provides details of the tenders received for the Head Contractor - Jubilee Park Amenities. The proposed contract term for the Head Contractor is a period of one year.

Jubilee Park and Oval and Bicentennial Park East form the eastern half of Johnstons Creek Parklands (parklands) in Glebe. The parklands are Crown land and the management and improvement of the parklands is informed by the Johnstons Creek Parklands Plan of Management and the Johnstons Creek Parklands Masterplan (masterplan). The City has been progressively improving the parklands and this project is the next stage of improvement works informed by the masterplan recommendations and a review of facilities for sporting groups using the oval.

The oval and parks are important open spaces and are very well utilised by the local community and sporting groups. Community and sporting groups using the eastern parklands currently have access to 2 aging public toilet buildings and an accessible toilet in the Jubilee Oval Pavillion. Sporting groups with oval bookings also have access to 2 change rooms located in the Jubilee Oval Pavillion and storage spaces in the Jubilee Viaduct Archways.

In March 2025 Council endorsed proceeding with documentation, required planning approvals, and tender for construction works for the demolition of 3 existing buildings (recommended in the masterplan), landscaping works, construction of a new public toilet building at the western edge of Jubilee Oval (recommended in the masterplan) and conversion of the existing accessible toilet in the Jubilee Oval Pavillion for use as an umpire's room by sporting groups.

This report recommends that Council decline to accept the tender offers received for the Head Contractor - Jubilee Park Amenities and enter into negotiations with suitable vendors to deliver the project scope.

## **Recommendation**

It is resolved that:

- (A) Council decline to accept the tender offers for the Head Contractor - Jubilee Park Amenities for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the successful vendor via the CEO Update.

## **Attachments**

**Attachment A.** Tender Evaluation Summary (Confidential)

## Background

1. Jubilee Park and Oval are located in the Johnstons Creek Parklands (parkland) in Glebe.
2. Jubilee Park was set aside as a commemorative park for the municipal jubilee of Glebe Council in 1909, with a cricket oval and Grandstand 'pavilion' constructed in 1910. The Park and Oval are a local heritage item (16480) and the Jubilee Park Viaduct which forms the southern edge of the site that is a State Heritage-listed item (I32).
3. Management and improvement of the parklands is informed by the Johnstons Creek Parklands Plan of Management and the Johnstons Creek Parklands Masterplan (masterplan). The City has been progressively improving the parklands informed by the masterplan recommendations and the Plan of Management. This project is the next stage of improvement works.
4. The two public toilets at Jubilee Park and Oval that were originally built in the 1950s, are aging and not compliant with current accessibility standards. The accessible toilet and changing rooms within the Jubilee Oval Pavilion were built in 2006 and have recently been upgraded to modernise these facilities. There is a third small brick building at the eastern side of Jubilee Oval which has been closed since 2015. This building was formerly used as an umpire's room by the Balmain South Sydney Cricket Club.
5. The project scope is informed by the masterplan recommendations and includes the demolition of the three existing buildings, landscape integration works and construction of a new public toilet building on the western edge of Jubilee Oval.
6. The objectives of the project are to:
  - (a) Improve user amenity by providing a facility which is shared, functional and fit for purpose; as well as equitable, accessible, gender-diverse and inclusive.
  - (b) Provide a simple, well-designed, robust facility that provides for the specific demands of park users in the smallest provision and footprint possible.
  - (c) Provide amenities that are centrally located and visible to the main use areas, but discreet enough to not visually dominate the significant heritage landscape.
  - (d) Minimise building footprint and built volume to maximise green open space and ensure visual permeability and safety in its park location.
7. The new public toilet building is based on the City's 'Standard Park Toilet' typology and includes:
  - (a) 4 all-gender individual toilet cubicles
  - (b) 1 all-gender ambulant toilet cubicle
  - (c) 1 all gender accessible toilet cubicle, with baby change
  - (d) services cupboard for building switchboard and lighting
  - (e) communal external hand wash basin under the shade awning and

- (f) minor landscape integrations works, including adjacent path alterations to address the new building levels, making good of the landscape areas impacted by the demolition of existing western amenities building with replacement turf and resilient planting beds.
8. Landscape integration works including turf and resilient planting beds will be planted where buildings are removed to return the footprints of the east amenities and small brick building to green space.

### **Invitation to Tender**

9. The Request for Tender for Head Contractor - Jubilee Park Amenities was advertised on TenderLink on 1 October 2025 and remained opened for a period of 5 weeks until 6 November 2025.
10. The Request for Tender was available on the Supply Nation and NSW Indigenous Chamber of Commerce (NSW ICC) websites via their member opportunity boards.

### **Tender Submissions**

11. Two submissions were received from the following organisations:
- Metro Construction Group Pty Ltd (ABN: 24 615 039 364)
  - RELD Group Pty Ltd (ABN: 31 623 218 397)
12. No late submissions were received.

### **Tender Evaluation**

13. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
14. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.

15. All submissions were assessed in accordance with the approved evaluation criteria being:

Evaluation Criteria	Evaluation Weightings %
Company Capacity and Capability: provision of company information, organisational structure, social and sustainable initiatives (including modern slavery commitments), and demonstrated experience in delivering projects within operational park environments. Provide three examples of projects of similar size and nature that clearly demonstrate the capacity and capability to deliver the scope outlined in the project specification	20%
Personnel Capability: Specified project team personnel & sub-contractor's skills and qualifications including position, % of time on the project, and relevant experience of personnel including working in an operational park environment	15%
Proposed Methodology: Project approach to deliver the works including proposed staging to minimise the impact on viaduct tenants, park users, and site access. Methodology to respond to site specific considerations related to Site Management Plan, Traffic & Pedestrian Management Plans, tree protection, land remediation and National Heavy Vehicle Law Chain of Responsibility. Demonstrate quality of project documentation by providing examples of Management Plans for each of the following areas: WHS, Construction & Environmental, Sustainable Outcomes and Waste Management.	40%
Program for Project (Schedule H): Program that reflects the proposed methodology and staging of works to minimise impact to viaduct tenants and sports field operations. Program to demonstrate capacity to achieve the deliverables and includes; program duration, sequencing and appropriately detailed breakdown of work tasks; and consideration of contract requirements including hold/witness points and milestones.	25%
Lump sum price and schedule of rates	N/A
Financial and commercial trading integrity	Mandatory
Insurances are compliant with the City's standard insurance requirements, as confirmed by the Risk office	Mandatory
Material Acceptance of the City's Standard Form Contract	Mandatory

## Risks

16. The City maintains a cautious appetite for financial risk. The rejection of this tender and a period of negotiation with appropriate suppliers will ensure that we engage a suitably qualified contractor for the works and minimise the likelihood of financial losses.
17. The recommendation in this report is consistent with the City's Risk Appetite Statement for Infrastructure, Technology, Assets and Property. We place a high priority on ensuring the continuity of essential services delivered through infrastructure assets. Our risk appetite includes an emphasis on minimising disruption to services, meeting community expectations and ensuring public safety.

## Financial Implications

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

## Relevant Legislation

19. The tender has been conducted in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.
20. Local Government Act 1993 - Sections 10A and 10B provide that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business if it is in the public interest to do so.
21. 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.
22. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest. The reasons supporting this are that disclosure of the confidential information would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers. In addition, disclosure of the information provided in the course of the procurement process and the assessment of that information would prejudice the commercial position of the participants in the procurement process.

### Critical Dates / Time Frames

23. The following key dates apply to this project:

- |   |               |
|---|---------------|
| (a) Council approval to reject and negotiate                    | February 2026 |
| (b) Target Chief Executive Officer approval to execute contract | Mid 2026      |
| (c) Forecasted contractor site establishment                    | Late 2026     |
| (d) Forecasted date for construction completion                 | Late 2027     |

### Options

24. Alternative options for construction delivery are:

- (a) Cancel and re-advertise the tender. This is not recommended as it is not expected to provide a better outcome, and the new process would delay the delivery of works and extend timelines for completion.
- (b) Not proceed with the project, which is not recommended as the proposed amenities are required to meet community needs and align with adopted strategic plans including the Johnstons Creek Parklands Plan of Management and the Johnstons Creek Parklands Masterplan (masterplan).

### Public Consultation

25. Community consultation was undertaken on the project scope via public consultation/exhibition. The public consultation involved the following:

- (a) Letters advertising the online feedback portal were distributed to the local area. 900 letters were distributed
- (b) Email to key stakeholder, the sporting group oval users and AGP tenants (spaces beneath the light rail viaduct), advertising the online feedback portal
- (c) A webpage on Sydney Your Say showing the plans from 22 November 2024 to 19 December 2024. The page included an electronic copy of the draft concept design and other key information about the consultation
- (d) An online feedback form
- (e) Three signs were placed on the existing buildings with details about how to leave feedback online.

26. A public exhibition of detailed demolition plans was undertaken between 16 January 2025 to 14 February 2025 as part of the planning approval process.
27. Project updates will be provided to the community as the project progresses. Updates will include:
  - (a) Notification letters will be sent to adjoining property owners and businesses prior to construction commencement.
  - (b) During construction, the contractor will be required to nominate a community liaison officer as part of their team to ensure ongoing communication and coordination with all stakeholders.

**KIM WOODBURY**

Chief Operating Officer

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