

Tender - Reject and Negotiate - Sydney Park Amenities

File No: S105327

Tender No: 1859

Summary

This report provides details of the tenders received for Sydney Park Amenities.

Two new amenities blocks and a kiosk were designed and approved for development in Sydney Park to meet the demands of a growing community. The kiosk and one of the amenities blocks were constructed in 2010. The Stage 2 work covers completion of the second amenities block, located adjacent to the Sydney Park Cycling Centre at 410 - 416 Sydney Park Road, Alexandria.

Tender submissions received for Sydney Park Amenities were evaluated as being non-compliant.

This report recommends that no tender be accepted and the City enters into negotiations with suitably qualified companies for the construction of Sydney Park Amenities.

Recommendation

It is resolved that:

- (A) Council reject all tenders received for Sydney Park Amenities for the reasons set out in the Confidential Tender Evaluation Summary, 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 in relation to the subject matter of the tender; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. The Council engaged Mather & Associates Landscape Architects as head consultants for the redevelopment of Sydney Park. Stanic Harding Architects were engaged by the head consultant to provide architectural services for the design and documentation of two toilet facilities and a kiosk building.
2. The building of the proposed amenities has been coordinated with the requirements developed in the Sydney Park Detailed Master Plan 2007, which concentrated on the North West sector of the park. The Sydney Park Detailed Master Plan 2007 in turn is based on Master Plan May 2006, prepared by Aspect Sydney. Feedback from Council, the head consultant and community consultation informed the development of the design proposal.
3. A Development Application for both new amenities blocks and the kiosk was approved under D/2007/1772.
4. The kiosk building and the amenities block located adjacent to the children's playground have been completed as part of Stage 1 of the park development. Funding for the second amenities block was not allocated for Stage 1 of the park development, but was set aside for future stages.
5. On 8 December 2014, Council endorsed the project scope for the Sydney Park Cycling Centre Precinct upgrade. The scope includes improvement to access and amenity in the precinct with new connecting pathways, landscaping, picnic settings and a new amenities building.
6. Aileen Sage Architect were engaged in July 2015 to revise and finalise the design for the new amenities building.

Invitation to Tender

7. The Request for Tender was released via Tenderlink on 14 August 2018 and closed three weeks later on Tuesday 4 September 2018 at 11am. The tender was advertised in The Sydney Morning Herald and The Daily Telegraph on 14 August 2018.

Tender Submissions

8. One submission was received from the following organisation:
 - 2020 Project Pty Ltd.
9. No late submissions were received.

Tender Evaluation

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

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

- (a) the lump sum price and schedule of prices;
- (b) demonstrated experience in carrying out works of similar size and nature;
- (c) personnel allocation, qualifications, experience and capacity, including subcontractors;
- (d) proposed program;
- (e) proposed methodology including pedestrian and traffic management and environmental management plan;
- (f) Work, Health and Safety; and
- (g) financial and commercial trading integrity, including insurance.

Performance Measurement

12. Upon entering into a contract, the City will ensure performance standards are monitored against specific key performance indications:
 - (a) key objectives/deliverables as set out in the specification of this request for tender;
 - (b) quality of work - all works will be inspected and certified by the relevant authority at the completion of works;
 - (c) time;
 - (d) reporting; and
 - (e) Work, Health and Safety compliance.

Financial Implications

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

Relevant Legislation

14. 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.

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.
15. 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

16. Program Key Millstones:

(a) Negotiations with suitable companies	November 2018
(b) Chief Executive Officer appoints contractor	January 2019
(c) Contract with successful tenderer	January 2019
(d) Site establishment	February 2019
(e) Project completion	Pending tender negotiations

Options

17. Council has the following options in regards to this tender:

- (a) reject all tenders and re-advertise, which is not recommended as it is considered this will not attract additional submissions; or
- (b) reject and negotiate with suitably qualified contractors with demonstrated capacity to carry out the works and delegate authority to the Chief Executive Officer to enter into a lump sum contract. This option is recommended.

18. Council has the option of not proceeding with this project by resolving not to accept an offer from any of the tendering parties. However, if this project does not proceed, the City may receive complaints from the community for not providing enough toilets to alleviate the concentration of demand on the existing amenities in Sydney Park.

Public Consultation

19. The first stage of community consultation was carried out between 10 June and 22 June 2014. An initial scheme was prepared, showing a new bike track facility relocated to the north-west section of the park, close to the existing all abilities playground.
20. In response to the consultation feedback a revised location was developed close to the existing location, and an updated concept plan prepared.
21. Community consultation for the updated concept plan was carried out between 30 October and 14 November 2014. The updated concept plan locates the facility within the Sydney Park Cycling Centre precinct and brings together the existing cycling centre, new children's bike track, new toilet facility and relocated shade structure.
22. The following engagement activities were conducted:
 - (a) a webpage dedicated to the consultation was created on sydneyoursay.com.au displaying the consultation material and a survey form for those wishing to make a submission; and
 - (b) the concept design was displayed at the One Stop Shop in Town Hall House and at the Redfern Neighbourhood Service Centre.
23. In response to stakeholder and community feedback, the updated concept plan addresses key issues raised in the consultation process:
 - (a) the revised location of the bike track in the updated proposal reduces the conflict between park users by locating the facility further away from the already busy playground kiosk and green;
 - (b) the new location maintains the existing green open space adjacent to the playground, and the location of the facility avoids further concentration of demand on the western car parking area; and
 - (c) the inclusion of toilets in the new location will avoid further concentration of demand on the playground toilets.

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