

Item 6.**Tender - For the Construction of Piling and Civil Works for Drying Green Park Project at Green Square Town Centre****File No: X021354.001****Tender No: 1956****Summary**

This report provides details of the tenders received for the Construction of Piling and Civil Works for Drying Green Park Project at Green Square Town Centre.

Drying Green Park can be defined as the 'Green Lungs' of the Town Centre and will have an area of 6,212 square metres. The park will provide a central gathering space for the more than 60,000 new and existing residents to Green Square development area. The local park will enable a range of community uses to occur, including open lawns for active play, a large water feature, public toilets, seating areas, shade structures and picnic facilities.

The first stage of works for the Drying Green Park has recently been completed and included removal of existing stockpiles and demolition works. This tender forms the next stage of development comprising below ground stabilisation in the form of piling and civil construction required to remediate the site and provide a suitable foundation to support the park's building and landscape elements. A third stage of works above ground will be undertaken following the works outlined in this report, and will deliver the completed landscape and built forms to the community.

This report recommends that Council accept the tender offer of Tenderer D for the Construction of Piling and Civil Works for Drying Green Park Project at Green Square Town Centre.

Recommendation

It is resolved that:

- (A) Council accept the tender offer of Tenderer D for Construction of Piling and Civil Works for Drying Green Park Project at Green Square Town Centre; and
- (B) 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 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, unique and 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. Drying Green Park can be defined as the 'Green Lungs' of the Town Centre and will have an area of 6,212 square metres. The park will provide a central gathering space for the more than 60,000 new and existing residents to Green Square development area. The local park will enable a range of community uses to occur, including open lawns for active play, a large water feature, public toilets, seating areas, shade structures and picnic facilities.
3. The site of the Drying Green Park will comprise a rectangular-shaped passive recreational area bounded by long east-west boundaries providing excellent connectivity through the Town Centre.
4. Located at the centre of the new Green Square Town Centre, the park will maximise 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. It has grass lawns, garden beds, park trees and landscape features, including barbecue / picnic facilities, shade structure and public art.
8. The Scoping Report for the Drying Green Park designed by McGregor Coxall was approved by Resolution of Council on 8 December 2014. On 23 October 2017, Council resolved to accept the preferred tender offer for the design and construction of Drying Green Park, Green Square Town Centre, and to approve the additional funds sought from the Green Square Community Facilities and Open Space budget.
9. Following negotiations with the preferred tenderer and subsequent rejection of their terms and conditions, Council resolved on 13 August 2018 to decline to accept the preferred tenderer's conditions for Design and Construction of Drying Green Park, Green Square, and to cancel the tender.

10. A delivery methodology which splits construction works into early works (below ground) and main above ground works is being delivered separately. This is to mitigate construction risk and accommodate the unique diversity of this site and market capacity to achieve a quality product and return value for money to the City.
11. The first stage of works for the Drying Green Park has recently been completed and included removal of existing stockpiles and demolition works. This tender forms the next stage of development comprising below ground stabilisation in the form of piling and civil construction required to remediate the site and provide a suitable foundation to support the park's building and landscape elements. A third stage of works above ground will be undertaken following the works outlined in this report and will deliver the completed landscape and built forms to the community.

Invitation to Tender

12. The tender was advertised in The Sydney Morning Herald and The Daily Telegraph, and online through Tenderlink on 16 July. Submissions closed on 13 August 2019 at 11.00am.

Tender Submissions

13. Seven submissions were received from the following organisations:
 - CivilCo Pty Ltd;
 - Delaney Civil Pty Ltd;
 - Delta Pty Ltd;
 - Ford Civil Contracting Pty Ltd;
 - Rare Environmental Pty Ltd;
 - Remedial Civil Solutions Pty Ltd T/as Chalouhi; and
 - Robson Civil Projects Pty Ltd.
14. No late submissions were received.

Tender Evaluation

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

17. All submissions were assessed in accordance with the approved evaluation criteria being:
 - (a) demonstrated experience in carrying out works of a similar size and nature;
 - (b) personnel allocation, qualifications, experience and capacity, including sub-contractors;
 - (c) proposed program;
 - (d) proposed methodology, including pedestrian and traffic management and environmental management;
 - (e) Work, Health and Safety (WHS);
 - (f) financial and commercial trading integrity, including insurances; and
 - (g) lump sum price and schedule of prices.

Performance Measurement

18. The contractor will establish and maintain a conforming Quality Management System (QMS) as required by the contract.
19. During the course of the contract, the contractor's performance will be monitored and assessed in accordance with the Principal's General Key Performance Indicators including WHS and environmental compliance, quality of work, progress against program, reporting and communication.

Financial Implications

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

Relevant Legislation

21. 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.
22. 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.
23. 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

24. The proposed programme comprises the following activities:
 - (a) construction commencement - October 2019;
 - (b) completion - February 2020.

Options

25. That Council accept the tender offer of Tenderer D as set out in this report. Doing so allows the third stage of the Council-approved procurement methodology for completing the Drying Green project to be carried out.
26. That Council resolve to reject all tenders with respect to the Construction of Piling and Civil Works. This is not considered a viable option, as the recommended tenderer provides value-for-money with regard to carrying out the subject works. In addition, this option would cause delays to the completion of the Drying Green project which will negatively impact the ability of the residents of Green Square and members of the public to realise the benefits of this park.

Public Consultation

27. Public exhibition of the concept design plans for the Drying Green Park was carried out over four weeks from 3 September 2014.
28. 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.

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