

## Item 13.

### Tender - Provision of Graffiti Removal Service

**File No:** X027344.001

**Tender No:** T-2020-404

### Summary

This report provides details of the tender submissions received for the provision of Graffiti Removal Services.

The City provides rapid graffiti removal services throughout the Local Government Area by contracting a service provider to deliver the City's Graffiti Maintenance Program. The current contract finishes on 28 February 2021.

The Graffiti Removal contract involves the removal of graffiti on both public and private property through rapid removal and cleaning methods to help prevent the reoccurrence of graffiti and maintain the high presentation and quality of the City's public domain.

The Graffiti Removal Services contract term is for three years with two optional extensions, each of two years, based on performance. The contract is based on a schedule of rates for Standard Services, Service Adjustments to be Added to the Standard Services and One Off Services contract prices. All schedule of rates are CPI adjusted annually.

The key changes to the specifications of this contract include:

- All present and additional services have been included into the Standard Services rate in the scope of services.
- Agreement provision for future growth in additional areas and assets to be included in the Standard Services rate.
- Light rail corridor assets graffiti removal.
- Smart poles - monthly cleaning and increased poster removal frequency.
- Wayfinding and parks signage graffiti removal and cleaning.
- Graffiti removal from street art.

This report recommends that Council accept the tender offer of Tenderer 'A' for the provision of Graffiti Removal Services.

## **Recommendation**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the provision of Graffiti Removal Services for a period of three years, with the option of two extensions, each of two years, if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

## **Attachments**

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

**Attachment B.** Schedule of Rates (Confidential)

## Background

1. The current contract for Graffiti Removal Services expires on 28 February 2021.
2. For the purpose of this contract and the City's Graffiti Management Policy, graffiti includes any unlawful inscription that is marked, drawn, sprayed, painted and any poster or sticker pasted, applied or otherwise affixed to a surface of an asset. This includes posters, notices and bill posters.
3. The tender requires that the service provider must deliver the following scope of works:
  - (a) Remove graffiti that can be viewed from, and is within three metres of any council or public authority road, street or highway from:
    - (i) All City owned assets
    - (ii) City's Parks and Open Spaces located in the south and east of the LGA.
    - (iii) Residential property assets subject to agreement with the owners at the City's cost.
    - (iv) Privately owned, government, commercial, retail and industrial property assets subject to agreement with the owners/occupiers, at the City's cost.
  - (b) Prepare and operate under an agreed works program within the Quality and Operational Plan.
4. Graffiti removal is carried out in accordance with the contractor's scheduled routine inspections and in response to site specific requests.
5. Graffiti removal services are delivered in accordance with the Contract specifications and the City's Graffiti Management Policy.
6. The specification for the services has been comprehensively reviewed to ensure it meets current legislative requirements, industry best practice and community expectations have been incorporated. Whilst minor changes have been made to the specification, the core services are essentially unchanged.
7. Key changes in the revised specification are as follows:
  - (a) accounting for future growth;
  - (b) addition of approximately 500 Smart Poles;
  - (c) graffiti removal from street art; and
  - (d) Way Finding Signage (all of the LGA) and Park Signage (South East Parks only).

## Invitation to Tender

8. The tender for the provision of Graffiti Removal Services was advertised in the Sydney Morning Herald, the Daily Telegraph and Tenderlink on 21 October 2020.

9. A briefing session was held on 4 November 2020 to present the nature of works, Schedule of Rates structure and assets included in the scope of services to attending Tenderers.
10. The tender period closed 16 November 2020.

### **Tender Submissions**

11. Six submissions were received from the following organisations:
  - Graffiti Systems Australia;
  - Masta Maintenance Services NZ Ltd;
  - Modern Painting Group;
  - Techni-Clean (Aust) Pty Limited;
  - Urban Maintenance Systems Pty Ltd; and
  - Workzone Pty Ltd.
12. No late submissions were received.

### **Tender Evaluation**

13. All members of the Tender Evaluation Panel 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:
  - (a) demonstrated capacity and technical ability to carry out the work under the contract;
  - (b) demonstrated managerial capability, qualifications, experience, number of personnel, sub-contractors and suppliers;
  - (c) Transition Plan;
  - (d) proposed Quality and Operations Plan;
  - (e) Environmental Management;
  - (f) Work Health and Safety;
  - (g) financial stability and financial position of the tenderer including insurances; and

- (h) Schedule of Rates for - Standard Services, Service Adjustments to be Added to the Standard Services and One-Off Services.

### Performance Measurement

16. The performance of the service provider will be measured against the Key Performance Indicators listed below and specified in Clause 5.6 - Key Performance Indicators of the Agreement Specifications, and through routine audits and inspections carried out by the Contract Manager to ensure the following service levels:
- Sustainable Safe Service.
  - Quality of Service.
  - Effective Contract and Commercial Management.

### Financial Implications

17. The successful tenderer's cost slightly exceeds the Cleansing and Waste budget for graffiti removal for the final five months of the current financial year. The Unit will absorb the increase within their overall operating budget. The slight increase, over the life of the contract, will be incorporated into the next iteration of the City's Long-Term Financial Plan.

### Relevant Legislation

18. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and the City's Procurement and Contracts Policy.
19. Local Government Act 1993 - Section 10A provides 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.
20. Attachments A and B contain 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.
21. 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**

- 22. The current Graffiti Removal Services contract expires on 28 February 2021.

**Public Consultation**

- 23. While no public comment is required in respect of the tender, community feedback accumulated over the life of the current contract has been incorporated into the new specification to improve customer satisfaction.
- 24. The successful tenderer will be required to demonstrate to the City on an ongoing basis that the delivery of services is in accordance with the specification and customer expectations.
- 25. The successful tenderer will be required to build and maintain a strong connection with the community during the day to day operations, and appropriately respond to any requests or feedback received.

**MARY- ANNE PRIEST**

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Catherine Price, Manager Cleansing and Waste

Sash Vasilevski, Contract Manager Cleansing and Waste