

**Tender - Reject and Negotiate - T-2021-607 - Public Access IT Refresh**

File No: X039997.001

Tender No: T-2021-607

**Summary**

The Public Access IT (PAIT) program provides free or low-cost access to the internet, computers, software and printing services at Libraries, Community Centres and Childcare Centres across the City. PAIT was first implemented in 2017 and operates in 27 locations. There are 261 computers, 12 printers and 13 payment kiosks available for community use.

The service exists in the following locations:

**Table 1 – Public Access IT Locations**

Abraham Mott Activity Centre	Alexandria Child Care Centre	Broughton Street Kindergarten
Cliff Noble Centre	Customs House Library	Darling Square Library
Glebe Library	Green Square Library	Harry Jensen Community Centre
Hilda Booler Kindergarten	Juanita Nielsen Community Centre	Kings Cross Library
King George V Children's Program	Newtown Library	Pymont Children's Program
Redfern Children's Program	Redfern Community Centre	Redfern Occasional Child Care
Reginald Murphy Community Centre	Ron Williams Community Centre	Surry Hills Children's Program
Surry Hills Library	Town Hall Library Link	Ultimo Children's Program
Ultimo Library	Waterloo Library	Woolloomooloo Children's Program

The current service is contracted until June 2023, when infrastructure will be at the end of life and requires replacement.

The Public Access IT program will implement new features such as:

- (a) improved experience for community when logging on to computers and utilising printing capabilities;
- (b) additional payment options and improve experience for community paying for the use of computers, printing, and other peripheral devices;
- (c) providing a mix of devices (fixed and mobile) for the community to use within the various locations;
- (d) providing a network for all PAIT devices to connect to the internet (e.g., desktop computers, laptops, iPads, printers, and other peripheral devices); and
- (e) upgrading Wi-Fi service at 12 community centres and venues for hire;

**Table 2 - Locations where Wi-Fi will be upgraded:**

Abraham Mott Community Space	Cliff Noble Community Centre	Erskineville Town Hall
Glebe Town Hall	Harry Jensen Community Centre	Juanita Nelson Community Centre
King George V Recreation Centre	Pymont Community Centre	Redfern Community Centre
Reginald Murphy Community Centre	Rex Centre	Ultimo Community Centre

- (f) expanding the Wi-Fi service at community centres and venues for hire from 12 locations to 30 locations

**Table 3 - List of locations where Wi-Fi will be introduced:**

Alexandria Town Hall	Benledi House	Booler Community Centre
Brown St community Centre	Darlinghurst Community Centre	East Sydney Community & Arts Centre
Harold Park Community Space	St Helens Community Centre	Joseph Sargeant Community Centre
Maybanke; Redfern Oval Community Room	Perry Park Recreation Centre	Peter Forsyth Auditorium, Mary McDonald Centre

Redfern Town Hall	Robyn Kemmis Community Centre	Ron Williams Community Centre (Kepos St)
Sydney Park Cycling Centre	Sydney Park Pavilion	Tote building

\*NOTE - Green Square Public School and Community spaces will have Wi-Fi when building works are completed.

A tender was conducted to select a suitable vendor for completing and supporting the replacement of the City's Public Access IT service.

The City proposed to enter into an initial four-year agreement with one optional four-year extension for a possible total of eight years. Based on the tender evaluations, all submissions were identified as non-conforming.

This report recommends that Council resolve to reject both tender responses received and enter negotiations with one or more suppliers for the provision of the Public Access IT program.

## Recommendation

It is resolved that:

- (A) Council decline to accept the tender offers for Public Access IT program 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 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. The provision of free access to computers, software and the internet supports learning and digital inclusion. It is crucial to supporting the community to stay informed and connected, particularly in the current environment (post-pandemic, severe weather conditions, and community health).
2. The Public Access IT (PAIT) program is in high demand with an average of 50,000 sessions in the last two years prior to the Covid-19 pandemic as per the below table:

Service	July 2018 – February 2019	July 2019 – February 2020	Trend
Public PC Usage (number of 30 minutes sessions)	46,473	51,740	up by 11.3%
Printing from PCs (number of copies)	28,289	30,421	up by 7.5%
Photocopies (number of copies)	5,117	5,615	up by 9.7%

3. Although during the pandemic the numbers in the table above may have declined, we are expecting the community to be using our Public Access IT services with anticipated growth. It is important to note that the service is being re-shaped, and the technology is being upgraded through this program which will allow for the anticipate growth in usage. This pattern is likely to commence around July 2023 as the new technology is rolled out.
4. The current contracted service concludes in June 2023, when infrastructure will be at the end of life. The City issued documentation to suitable suppliers through an open tender.
5. The requirements built into the tender included:
  - (a) improve experience for community to access computers, utilise printing capabilities and make payment for usage of these services.
  - (b) web printing to allow community to send print jobs from their personal devices to library and community centre printers.
  - (c) new mobile devices (laptops and iPads) in addition to current fixed devices (desktop computers and printers) for community to use within PAIT locations.
  - (d) new PAIT Wi-Fi network to Community spaces, childcare and libraries to cater for mobile devices (e.g. laptops and iPads).
  - (e) refreshed fixed desktop computers and printers across libraries, community spaces and childcare centres.
  - (f) upgraded payment kiosks to modern standards that accommodate new purchasing features for community.

- (g) device refresh and device management for Makerspace & library programs.
- (h) upgraded Wi-Fi at community centres and venues for hire and expanding the service to over 30 locations. This was an optional service in this tender.

### **Invitation to Tender**

- 6. The tender was released through Tenderlink on the City's e-Tender portal on 12 April 2022. The deadline for submissions was set for 20 May 2022.

### **Tender Submissions**

- 7. Two submissions were received from the following organisations:
  - (a) ASI Solutions Pty Ltd (incumbent supplier); and
  - (b) Mobilecorp Pty Ltd.
- 8. Further information and comments on the submissions received are detailed in Confidential Attachment A.

### **Tender Evaluation**

- 9. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
- 10. None of the tenders were deemed to be conforming as outlined in the Confidential Tender Evaluation Summary – Attachment A.
- 11. All submissions were assessed in accordance with the approved evaluation criteria being:
  - (a) Ability to meet the requirements as defined by the City of Sydney.
  - (b) Demonstrated experience in carrying out services of a similar size and nature.
  - (c) Personnel allocation, qualifications, experience, capacity, including sub-contractors.
  - (d) Ability to meet proposed timeframes.
  - (e) Environment, Accessibility and Aboriginal and Torres Strait Islander engagement.
  - (f) Work Health & Safety.
  - (g) Demonstrated financial and commercial trading integrity.
  - (h) Insurances.

### **Performance Measurement**

12. The tender required that the proposed solution would need to comply with mandatory requirements and meet the service levels specified in the tender contract.

### **Financial Implications**

13. Sufficient funds have been allocated for this project within the current year's Technology and Digital Services budget and future years' forward estimates (subject to the final confirmed pricing) as outlined in Confidential Attachment A.

### **Relevant Legislation**

14. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021 and the City's Procurement and Contract Management Policy.
15. 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.
16. Attachment A contains confidential commercial information of the tenderers and details of the 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.
17. 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**

18. Council approval to enter into negotiations with suitable suppliers - August 2022.
19. It is anticipated that the City will complete negotiations and execute a contract with one or more suppliers to target 30 October 2022.
20. Current contracted service concludes on 30 June 2023.

## **Options**

21. Option 1: Cancel and re-advertise the tender. This option is not recommended as it is highly probable to result in the same outcome.
22. Option 2: Cancel the tender and discontinue the project. This option is not recommended because Public Access IT is a highly utilised service for our community, and not providing the service beyond the end of the contract period would adversely impact the community as well as the reputation of the City.

Option 3: Reject the tender offers received and negotiate directly with supplier(s). Delegate authority to the Chief Executive Officer to enter into contract(s). Implement the solution with the preferred supplier(s). The City believes that a contract(s) that meets the City's business needs could be successfully negotiated. For this reason, this option is recommended.

## **EMMA RIGNEY**

Director City Life

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