

Item 15.**Tender - T-2023-1119 - Bush Restoration Services****File No: X089145****Tender No: T-2023-1119****Summary**

This report provides details of the tenders received for Bush Restoration Services.

This tender is for the maintenance of bush restoration areas and habitat features within Council-owned and managed parks and open spaces.

The City of Sydney (the City) together with its community groups and volunteers have established bush restoration areas within the City's parks and open spaces network, with the aim of restoring native vegetation and fauna habitat within its highly urbanised environment. Restoration has been driven by the City's Urban Ecology Strategic Action Plan and informed by the Bush Restoration Management Plan.

Under the contract, more than 35 sites or approximately 15.4 hectares of bush restoration including terrestrial sites, freshwater wetlands and coastal saltmarsh, will be maintained. Bush restoration sites serviced under the contract include Sydney Park wetlands and terrestrial areas, Federal Park and Bicentennial Park coastal saltmarsh, Prince Alfred Park native meadow, Glebe Foreshore Walk, Harold Park and other City owned bush restoration sites across the Local Government Area.

This report recommends that Council accept the offer of Tenderer E for the provision of Bush Restoration Services.

Recommendation

It is resolved that:

- (A) Council accept the offer of Tenderer E for the Bush Restoration Services Tender for a period of three years, with the option of an extension of two further terms, of three years each, if appropriate;
- (B) Council note that the total contract sum and contingency for Bush Restoration Services Tender is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contract relating to the Tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option referred to in (A) above, if appropriate.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Attachment B. Schedule of Rates (Confidential)

Background

1. The City, together with its community groups and volunteers, have established bush restoration areas within the City's parks and open spaces network, with the aim of restoring native vegetation and fauna habitat within its highly urbanised environment.
2. Bush restoration is driven by the City's Urban Ecology Strategic Action Plan and informed by the Bush Restoration Management Plan.
3. Under the contract, more than 35 sites or approximately 154,000m² bush restoration including terrestrial sites, freshwater wetlands and coastal saltmarsh will be maintained.
4. The Bush Restoration Services contract (the contract) provides bush restoration and habitat management services in the City's bush restoration areas across Alexandria, Annandale, Glebe, Forest Lodge, Pyrmont and Surry Hills.
5. Bush restoration sites serviced under the contract include Sydney Park wetlands and terrestrial areas, Federal Park and Bicentennial Park coastal saltmarsh, Prince Alfred Park native meadow, Glebe Foreshore Walk, Harold Park and other City-owned bush restoration sites across the Local Government Area.
6. The service outcomes defined under the contract have been designed to contribute to the City's strategic objectives:
 - (a) Sustainable Sydney 2030 - 2050 Continuing the Vision (Green).
 - (b) Environmental Strategy (Greening and Cooling, Water).
 - (c) Greening Sydney Strategy (Directions 5 and 6).
 - (d) Urban Ecology Strategic Action Plan (all targets).
 - (e) Stretch Reconciliation Action Plan (Actions 17 and 20).
7. The contract places significant emphasis on the Service Provider contributing to the City's Stretch Reconciliation Action Plan, and requires they:
 - (a) Engage a local Aboriginal or Torres Strait Islander ecological or land management consultant to advise on cultural practices that can be implemented to meet technical contract outcomes.
 - (b) Report on engagement with the local Aboriginal or Torres Strait Islander community through employment, purchasing and supporting local and social initiatives to meet contract outcomes.
8. The City has contracted elements of bush restoration services for the last 17 years. The specification, asset area and terms of the existing contracts were reviewed as part of the procurement process to refine the existing service levels, and provide clear performance outcomes and accurate and transparent pricing. A review of bush restoration areas and habitat assets, encompassing proactive wetland management and additional street gardens has increased the service area by 47,000m².

9. Habitat management, nest box installation and monitoring and wetland management; services historically procured separately, have been included in the scope of services, to achieve efficient service delivery, improved performance and value for money.
10. The contract provides the following services:
 - (a) Terrestrial bush restoration.
 - (b) Aquatic (freshwater and estuarine) bush restoration.
 - (c) Soil management.
 - (d) Cleansing and waste management.
 - (e) Habitat management.
 - (f) Community greening events and group supervision.
11. The contract specification is structured between core services for proactive maintenance delivered under a fixed annual Schedule of Prices, and Schedule of Rates for reactive or programmed work of variable quantity, to ensure staff have flexibility to deliver the services. Fixed Prices and Rates were tendered for the first year of the contract term, with a CPI adjustment to be used for any annual adjustments thereafter.
12. It is to be noted, additional to this tender and contract, the City will be procuring bush restoration services for select sites to be delivered by an Aboriginal and Torres Strait Islander owned business. The City's market research informed the scale of the contract to ensure alignment with the capacity of operators in the current market, noting many are small businesses. Aboriginal and Torres Strait Islander companies were also encouraged to apply for this tender. The contract scope will include Aboriginal and Torres Strait Islander ecological knowledge to manage bush restoration sites in line with a cultural calendar or caring for Country principles which are suited to the sites selected.

Invitation to Tender

13. The Request for Tender was advertised on Tenderlink, Supply Nation and the New South Wales Indigenous Chamber of Commerce, on 3 November 2023 and closed 19 January 2024.

Tender Submissions

14. Submissions were received from the following organisations:
 - Dragonfly Environmental Pty Ltd (94 130 064 274)
 - Regal Innovations Pty Ltd (79 002 411 814)
 - Solutions Grow Pty Ltd (60 097 217 493)
 - Symbiotica Ecology Pty Ltd (31 619 542 639)

- The National Trust of Australia (New South Wales) (82 491 958 802)
15. No late submissions were received.

Tender Evaluation

16. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
17. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.
18. All submissions were assessed in accordance with the approved evaluation criteria being:
- (a) Methodology Quality and Operational Plan:
 - (i) Comprehensive and clear draft Quality and Operational Plan demonstrating proposed methodologies and program that aligns with meeting the contract specification.
 - (b) Organisational Capacity and Resourcing:
 - (i) Comprehensive documentation detailing the organisational capacity and resourcing reflecting sufficient provision for meeting the contract specification.
 - (c) Experience:
 - (i) Demonstrated comprehensive experience in the services required to meet the contract specification in environments of similar context, size and complexity.
 - (d) Methodology Strategic Alignment:
 - (i) Demonstrated contribution to the City meeting its strategic objectives as detailed in the contract specification.
 - (e) Price:
 - (i) Schedule of Prices; and
 - (ii) Schedule of Rates.
 - (f) Work Health and Safety.
 - (g) Financial and commercial trading integrity.

Performance Measurement

19. The appointed Service Provider will have its performance measured against an extensive list of key performance indicators including safety, quality of service, sustainability and contribution to the City's strategic objectives relevant to the services.

Financial Implications

20. There are sufficient funds allocated within the current and next financial year's draft operating budget and future years' forward estimates.
21. The recommended Tender does not exceed pre-tender estimates.
22. The total contract value for Bush Restoration Services is detailed in Confidential Attachment A.
23. The Schedule of Rates is detailed in Confidential Attachment B.

Relevant Legislation

24. 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.
25. 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.
26. Attachment A and Attachment 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.
27. 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

28. Under the existing contract the services aligning with this tender end on 1 June 2024.
29. The proposed commencement of contract services is 10 June 2024.
30. The proposed initial contract term is three years, with two options to extend. Each option is for a period of three years, with the total proposed contract length being nine years, ending in 2033.
31. Deferring the decision to award the tender would delay the rendering of services. This would risk the City's proactive management of vulnerable sites and habitat assets and compliance with statutory obligations, resulting in potential financial, environmental and reputational impacts.

Options

32. Option 1 is to use internal service provision to deliver these services. This option is not recommended as the City does not have the specialised capabilities to render these services. It would require greater resources (human, financial and plant and asset) to render these specialised services, especially within the timeframe required to mitigate risks of inconsistent service delivery.
33. Option 2 is to deliver services through the existing Parks and Open Space Maintenance Contract. This option is not recommended as bush restoration services were historically delivered through this contract and removed to be delivered as a specialised service, through a considered process in 2018. This decision has delivered improved quality outcomes for the management of bush restoration assets as they are a specialised service.

Public Consultation

34. There was no public consultation prior to this tender being advertised.

VERONICA LEE

Director City Services

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