

## **Tender - T2023-1124 - Minor Landscape Works Panel**

**File No: X098105**

**Tender No: T2023/1124**

### **Summary**

This report provides details of the tenders received for the Minor Landscape Works Panel.

This tender seeks to put in place a new panel of suppliers under a schedule of rates contract to undertake minor projects within the City's Parks in an efficient and responsive manner.

The Minor Landscape Works Panel ('the Panel') is being established to carry out various select projects within the City of Sydney Local Government Area under the City's Parks and Open Space Renewal and Capital Programs.

The focus of the Panel is to deliver select park renewal and upgrade projects. Projects delivered under the Panel will be varied and range from complete renewal or upgrades of pocket parks or landscaped streetscapes to renewal or upgrades of discrete areas or assets within neighbourhood or iconic parks. Sports field renovation/returfing services are outside the scope of the Panel.

Select projects will be procured through the Panel, however, not all the City's Parks and Open Space projects will be delivered under the Panel Contract. The Panel is intended to deliver over 50 per cent of park renewal and upgrade projects by number, or over 30 per cent of park renewal and upgrade projects by value.

The method of project delivery will be based on a project's value, scale and complexity. Smaller, lower value and less complex projects of which there are high volumes will tend to be delivered through the panel, while larger, high value and complex projects will likely be delivered through alternative procurement processes and delivery approaches.

Under this engagement, contractors will be responsible for the administration, investigation, design, construction and establishment of landscape and associated works to the City's parks and open space.

This report recommends that Council accept the tender offer of Tenderers A, G, H and J for the Minor Landscape Works Panel.

## **Recommendation**

It is resolved that:

- (A) Council accept the tenders of Tenderers A, G, H and J for the Minor Landscape Works Panel for the Schedule of Rates outlined in Confidential Attachment B to the subject report, for a period of three years, with the option of an extension of a further period of three years, if appropriate;
- (B) Council note that the total contract sum and contingency for the Minor Landscape Works Panel 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 contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option referred to at (A) above if appropriate.

## **Attachments**

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

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

## Background

1. The City of Sydney manages over 350 parks and open spaces across 217 hectares. The City's parks and open space is one of the City's most important social, economic and environmental assets, with an asset value over \$550 million.
2. The parks and open space network caters for a wide range of passive and active recreational activities, with the City dedicated to providing equitable access to park assets across the city. Parks include historically significant Victorian style parks, contemporary parks, playgrounds, sports fields, and bushland and wetland areas.
3. The City has developed a reputation for excellence in the maintenance of its parks, and the delivery of park renewal and upgrade projects aims to maintain this reputation and respond to community needs.
4. The Minor Landscape Works Panel ("the Panel") is being established to carry out various projects within the City of Sydney Local Government Area under the City's Parks and Open Space Renewal and Capital Programs. This contract is to replace the previous Minor Landscape Works Schedule of Rates contract which ended in June 2024.
5. The focus of the Panel is to deliver park renewal and upgrade projects through the Parks Renewal Program. The Parks Renewal Program aims to restore and improve the quality and amenity of existing parks across the local government area. The parks renewal program is essential to meet the ongoing needs of users and to ensure the City's parks and open spaces are kept to high standards and are safe, attractive, clean and accessible.
6. Park upgrades are prioritised based on park condition, risks, and user needs, through the City's asset management planning process, typically as they approach the end of their useful life.
7. Select projects will be procured through the Panel however not all the City's Parks and Open Space projects will be delivered under the Panel Contract. The Panel is intended to deliver over 50 per cent of park renewal and upgrade projects by number, or over 30 per cent of park renewal and upgrade projects by value.
8. The method of project delivery will be based on a project's value, scale and complexity. Smaller, lower value and less complex projects of which there are high volumes will tend to be delivered through the panel, while larger, high value and complex projects will likely be delivered through open tender.
9. Panel Contractors will be responsible for the administration, investigation, design, construction and establishment of landscape and associated works to the City's parks and open space.
10. Projects delivered under the Panel will be varied and range from complete renewal or upgrades of pocket parks or landscaped streetscapes to renewal or upgrades of discrete areas or assets within parks.
11. The types of works intended to be delivered through the Panel include paving and concreting; brickwork and stonework; fences, walls and edging; carpentry, metal work and painting; drainage, plumbing and irrigation; electrical and lighting; furniture; playgrounds; planting and soft landscaping; and turfing etc as well as associated design and project management.

12. This contract is to replace the previous Minor Landscape Works Schedule of Rates Contract. Whilst the type of services and works delivered under the proposed panel contract will be very similar to the previous panel contract (with the exception of sports fields as discussed below) the intent is that a larger number of projects, and projects of a larger size, will be delivered under the proposed panel contract.
13. The City's sports fields are excluded from this tender and Panel. The City has recently procured sports field services under a separate contract. The sports field turf sector market is a small sector, so consolidation under a separate contract ensures a more cohesive and effective approach to sports field maintenance, thus ensuring value for money.
14. The 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 (Carbon, Water, Waste)
  - (c) Greening Sydney Strategy (Greening for all, Cool and calm spaces)
  - (d) Inclusion (Disability) Action Plan (Liveable communities)
  - (e) Stretch Reconciliation Action Plan (Improved economic and social outcomes)
15. The specification and terms of the contract were reviewed as part of the procurement process to refine required service levels and provide clear performance outcomes and enable accurate and transparent pricing.
16. The contract is structured as a Schedule of Rates to respond to the needs of the City's Parks and Open Space Renewal and Capital Programs and ensure flexibility to deliver the range of services required. Fixed Rates were tendered for the first year of the contract term, with Wage Price Index (WPI) adjustment to be used for any annual adjustments thereafter.

### **Invitation to Tender**

17. The Request for Tender were advertised on Tenderlink on 8 March 2024 and closed on 29 April 2024.

### **Tender Submissions**

18. Fourteen submissions were received from the following organisations:
  - Alpha Civil Group Pty Ltd (ABN 86 651 291 182)
  - Auspave Pty Ltd (ABN 87 147 006 219)
  - AYZ Landscapes & Civil Construction Pty Ltd (ABN 19 054 911 376)
  - Civilscape Pty Ltd (ABN 18 623 204 062)

- Enterprise Landscapes and Civil Pty Ltd (ABN 48 166 359 860)
- Green Options Pty Ltd (ABN 59 002 456 797)
- Growth Civil Landscapes Pty Ltd (ABN 35 601 437 003)
- Kingsline Pty Ltd (ABN 22 654 047 346)
- Mack Civil Pty Ltd (ABN 94 163 885 943)
- Quality Management & Constructions Pty Ltd (ABN 29 067 829 323)
- Regal Innovations Pty Ltd (ABN 79 002 411 814)
- Sydney Civil Pty Ltd (ABN 90 078 474 665)
- The Gardenmakers Pty Ltd (ABN 99 002 572 732)
- K Morgan & K Plogstert, trading as Understorey Landscape Architects (ABN 50 277 618 116)

**19.** No late submissions were received.

### **Tender Evaluation**

20. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
21. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.
22. All submissions were assessed in accordance with the approved evaluation criteria being:
- (a) financial and commercial integrity;
  - (b) insurances;
  - (c) Schedule of Rates;
  - (d) capacity to deliver, including resources for design and construction;
  - (e) experience in comparable works and past performance;
  - (f) WHS and Environmental Management Systems and Performance; and
  - (g) social procurement.

### Performance Measurement

23. The appointed Service Providers will have their performance measured against a list of key performance indicators including safety, quality, sustainability, management, communication and contribution to the City's strategic objectives relevant to the services.

### Financial Implications

24. There are sufficient funds allocated within this financial year's capital budgets and future years' forward estimates.
25. The estimated total contract sum for the Minor Landscape Works Panel is detailed in Confidential Attachment A.
26. The Schedule of Rates is detailed in Confidential Attachment B.

### Relevant Legislation

27. 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.
28. 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.
29. 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.
30. 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.

### Time Frames

31. Under the previous contract the services aligning with this tender were last able to be procured on 11 June 2024.
32. The proposed commencement of contract services is early September 2024.
33. The proposed initial contract term is three years, with one option to extend for a period of three years, with the total proposed maximum contract length being six years, ending in 2030.

### Options

34. Option 1 is to use internal service provision to deliver park renewal projects. This option is not recommended as the City does not have the capacity or specialised capabilities to render these services. It would require greater resources (human, financial, property and plant and asset) to render these services.
35. Option 2 is to use individual quotation/tender to procure consultants and contractors to deliver park renewal projects. This option is not recommended as it requires additional resources, results in slower project delivery and increases overall costs of projects due to risk pricing. It would require greater resources (human and financial) to manage the additional procurement, onboarding, and project management. Whilst this option may be suitable for large or higher risk projects, it is less suitable for low risk, small and medium sized projects of which there are a high volume.
36. Deferring the decision to award the tender would delay the rendering of services. This would risk delivery of the City's Parks and Open Space Renewal and Capital Programs, resulting in potential financial and reputational impacts.

### Public Consultation

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

### VERONICA LEE

Director City Services

Ryan Hawken, Parks Program Manager