

CT7134 CONSTRUCTION OF CHIRNSIDE URBAN PARK

Report Author: Manager Design & Delivery
Responsible Officer: Director Built Environment & Infrastructure
Ward(s) affected: Chirnside;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

Confidential information is contained in Attachment 1. This information relates to contractual matters and contains commercially sensitive information including, but not limited to, the name of tendering parties, the evaluation panel members, the tendered prices, and the evaluation of the tenders received against the published evaluation criteria.

Any disclosure of the information included within the confidential attachment to this report could be prejudicial to the interests of the Council or other parties. If discussion of this information is required, the Council is recommended to resolve that the item be deferred to the confidential section of the agenda when the meeting is closed to members of the public in accordance with Section 3(1)(g)(i)(g)(ii) of the Local Government Act 2020.

This report seeks Council approval to award a contract that complies with the Section 108 of the Local Government Act 2020.

SUMMARY

This report summarises the evaluation process and seeks Council approval for the construction contract for the Chirnside Urban Park Project.

The project will provide a regional level playspace with a multi-level structure and play elements for all ages and abilities. It will seek to enhance the existing wetlands area to integrate with other proposed activity areas. The project also includes an accessible car park and public toilet amenities building.

A public open tender process was undertaken in accordance with the Local Government Act and council's procurement policy.

Tenders closed on 31st March 2023 and ran for a period of 34 days, and eight (8) submissions were received.

The evaluation panel recommends the tender from The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd be accepted for a total lump sum price of \$3,761,415.68 (exclusive of GST and inclusive of tender options, cost saving initiatives and provisional sums).

This item has been included in the public agenda to facilitate openness and transparency in Council's decision making. A confidential attachment has been

included with the report which contains commercially sensitive information that is not to be disclosed whilst the meeting is open to the public.

The recommendation in this report has been formally endorsed by the evaluation panel.

RECOMMENDATION

That

- 1. Council awards the tender from The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd for CT7134 Construction of Chirnside Urban Park for the total lump sum price of \$3,761,415.68 exclusive of GST, inclusive of tender options and provisional sums and (\$4,137,557.25 inclusive of GST).**
- 2. The Director Built Environment & Infrastructure be delegated the authority to sign the contract documents.**
- 3. The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section 3(1)(g)(i)(g)(ii) of the Local Government Act 2020.**

RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

PROPOSAL

To seek Council's approval to enter a contract for the construction of the Chirnside Urban Park Project.

BACKGROUND

The Chirnside Urban Park Project has been developed as a result of a master plan which was adopted in 2021.

The Chirnside Urban Park Master Plan was adopted by the Yarra Ranges Council on 27 April 2021. Included in the Master Plan are works that have received funding through the Victorian Government's Growing Suburbs Fund, in combination with a funding contribution from Council.

The development of the draft Master Plan involved extensive consultation with various community members and groups.

Key themes that emerged included:

- Destination that is easily accessed by footpaths and/or has access to safe and accessible parking;
- Maintain open space, including substantial trees and gardens;
- Contain useful and accessible walking paths and circuits;
- Provide good amenity in suitable locations (paths, shade, and seating);
- Include opportunities for play; and
- Safe and inviting place to meet and eat.

The Chirnside Urban Park Project will provide function to an underutilised open space in the centre of Chirnside Park. It will enhance the existing features and integrate with new activity areas including a regional level play space with a multi-level structure and play elements for all ages and abilities, event lawn/space, toilets, and carparking.

A public open tender process and a summary of the evaluation process is included as Confidential Attachment 1 as part of this report.

STRATEGIC LINKS

This report supports Council's Strategic framework in being a high performing organisation that listens and delivers quality, value for money services to our community.

The project is closely aligned with council's strategic objectives as it will deliver on connected and healthy communities and will also deliver on quality infrastructure and liveable places.

CONSULTATION

The design of the facility has been through an extensive consultation process with multiple approval gateways prior to tender. Stakeholder consultation has included both external and internal stakeholders throughout the process. The project has been publicly advertised.

The specification and tender documentation have been prepared in collaboration with an external consultant team, Recreation and Sport team, Major Projects team, Parks maintenance team and has been developed in consultation with Council's Procurement team.

FINANCIAL IMPLICATIONS

The recommended tender award amount is within the allocated project budget which includes funding from external grants and Council. Confidential attachment 1 provides further details of the budget breakdown and anticipated expenditure for the project.

Works are anticipated to commence within the month of October 2023 with an anticipated practical completion of June 30, 2024.

KEY ISSUES

This tender has been carried out in accordance with the requirements of Council's Procurement Policy.

Tenders were assessed for conformity with the tender documents and one (1) tenderer was eliminated from further evaluation due to major non-conformances.

The evaluation panel scored tenders against pre-established evaluation criteria. A summary of the mandatory requirements and evaluation criteria is as follows:

Mandatory Requirements:

- Is an acceptable legal entity;
- Has met the insurance requirements;
- Will be compliant with Rapid Global prior to contract award;
- Registered Commercial Builder with the Building Practitioners' Board;
- Tender has been received in full prior to the closing time;
- Completed all schedules; and
- Lodged in electronic form using Council's e-tendering portal

| Evaluation Criteria | Weighting |
|------------------------|-----------|
| Price | 50% |
| Capability/Capacity | 20% |
| Quality/Sustainability | 15% |
| Timeframes | 15% |
| Total | 100% |

A summary of the evaluation and results are contained within Confidential Attachment 1.

Environmental Impacts

This has been considered as part of the project specification and evaluation process. There are no environmental impacts directly associated with this report. The recommended tenderer has an Environmental Management System and Quality Management System in place.

Social Impacts

This has been considered as part of the project specification and evaluation process. The design team and recommended tenderer have committed to provide a high quality landscaped Urban Park for the community to enjoy. The recommended tenderer is seeking to purchase major materials items where required within the Yarra Ranges Shire for the construction of the project as well as employing local apprentices.

Economic Impacts

This has been considered as part of the project specification and evaluation process. The recommended tenderer has committed to source 25% of goods, services and materials proposed for this contract from within Yarra Ranges Shire.

Risk Assessment

This has been considered as part of project design, contract terms and conditions and within the evaluation process. A project risk register has been developed, maintained, and monitored for this project. Extensive negotiations have taken place with the preferred tenderer to reduce the financial and time impacts associated with this project.

The recommended contractor is considered an expert in their field and highly qualified to deliver a successful result. They are also registered within the Rapid Global system and meet councils' compliance requirements for this size and type of contract.

CONCLUSION

Following an extensive evaluation process as summarised in Confidential Attachment 1, the evaluation panel are unanimous in their decision to recommend The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd for a total lump sum price of **\$3,761,415.68 exclusive of GST** and inclusive of tender options and provisional sums as the preferred contractor. The evaluation panel request that Council adopts the recommendations within this report.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Confidential Attachment