

ITEM 7

TENDER T1000047 - ILLAWARRA PERFORMING ARTS CENTRE (IPAC) - BUILDING WORKS

This report recommends acceptance of a tender for the Illawarra Performing Arts Centre (IPAC) Building Refurbishment works in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2021.

IPAC is a regional performing arts facility located in central Wollongong which is owned by Council. IPAC is managed by the Merrigong Theatre Company who deliver a program of events under a service agreement with Council.

The purpose of these works is to undertake replacement and or renewal across several areas of the IPAC facility, including roof sheeting replacement, new theatre seating and carpets, foyer, bar area and toilet facility upgrades. The building refurbishment works will help to ensure continuing patron comfort and enjoyment of the IPAC facility.

RECOMMENDATION

- 1 In accordance with Section 178(1)(a) of the Local Government (General) Regulation 2021, Council accept the tender of Momentum Built Pty Ltd for Illawarra Performing Arts Centre Building Refurbishment, in the sum of \$3,613,520.90, including GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery

Authorised by: Joanne Page, Director Infrastructure + Works - Connectivity Assets + Liveable City

ATTACHMENTS

- 1 Location Plan

BACKGROUND

IPAC is a regional performing arts facility owned by Council and located in Burelli Street, Wollongong. The facility is operated and managed under a service agreement with Merrigong Theatre Company who are responsible for the delivery of the events program.

Council's IPAC facility first opened in 1988 and consists of two (2) main theatres, a rehearsal studio, several dressing rooms, amenities/utility rooms, offices, workshop and storage areas, bar facilities, café with kitchen area and two (2) mechanical HVAC plant rooms.

The roof sheeting, flashings and penetrations are original and are located in a corrosive environment with large sections showing significant corrosion. The roof area has reached end of life requiring replacement and forms a significant part of the refurbishment costs. Internal inspection of the IPAC facility has established a degree of general wear and tear of high use patron facilities, notably in the IMB and Bruce Gordon theatres. This internal refurbishment work is best carried out during a full shutdown of the facility. Council has now programmed to upgrade and internally refurbish the IPAC Building during the operational shutdown required for roof replacement for the benefit of facility patrons, show performers, users and tenants.

Following determination of the tender approval, Council will engage the contractor to proceed with:

- Removal and re-sheeting of the entire IPAC facility roof including installation of new box gutter system, flashings, penetrations and lightning arrest system.
- Removal of redundant electrical (lighting fixtures), carpet and tiles.
- Refurbishment and replacement of existing features including doors, walls, ceilings, carpet, tile, lighting and joinery.
- Installation and commissioning of a new hearing loop system to service the box office and IMB and Bruce Gordon theatres.
- Installation of new seating in IMB and Bruce Gordon theatres including replacement of existing wheelchair platform within the IMB theatre to ensure Disability Discrimination Act (DDA) compliance.
- Accessibility upgrade of existing female and male amenities servicing both theatres.

Consultation with Merrigong Theatre Company has indicated works should preferably occur in the first months of the 2023 calendar year when bookings are low. Henceforth, a shutdown period for a duration of 3.5 months commencing on 3 January 2023 has been agreed. Major construction and installation works are to take place during this period to provide safe access for the contractors and subcontractors.

This work will be undertaken concurrently with Contract T20/42 Heating Ventilation and Air-conditioning Replacement Works awarded to Climax Air Conditioning Pty Ltd.

Due to the involvement of multiple contractors working concurrently, Climax Air Conditioning Pty Ltd will be appointed as the Principal Contractor to safely coordinate refurbishment works as required under NSW Work Health and Safety (WHS) Regulations.

Tenders were invited for this project by the open tender method with a close of tenders of 10.00 am on 10 March 2022.

Four (4) tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Project Delivery, Infrastructure Strategy and Planning and Governance and Customer Service Divisions.

The Tender Assessment Panel assessed all tenders in accordance with the following assessment criteria and weightings as set out in the formal tender documents:

Mandatory Criteria

- 1 Satisfactory references from referees for previous projects of similar size and scope
- 2 Financial assessment acceptable to Council which demonstrates the tenderer's financial capacity to undertake the works
- 3 As a minimum, WHS Management Systems that comply with AS-NZS 4801:2001 or ISO 45001:2018 and is certified to either of these standards by a JAZ-ANZ accredited company OR WHS Management System accredited by an NSW Government Agency OR WHS Management System accredited by the Federal Safety Commission.

Assessable Criteria

- 1 Cost to Council – 35%
- 2 Appreciation of scope of works and design and construction methodology – 15%
- 3 Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile including staff qualifications and experience – 20%
- 4 Proposed Sub-Contractors – 5%

- 5 Project Schedule, including shutdown – 10%
- 6 Demonstrated strengthening of local economic capacity – 10%
- 7 Workplace Health and Safety and Environmental Management systems – 5%

The mandatory assessment criteria have been met by the recommended tenderer.

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of 5 in relation to the level of compliance offered by the tenders to each of the assessment criteria as specified in the tender documentation. The method then takes into account pre-determined weightings for each of the assessment criteria which provides for a total score out of 5 to be calculated for each tender. The tender with the highest total score is considered to be the tender that best meets the requirements of the tender documentation in providing best value to Council. Table 1 below summarises the tenders lodged in alphabetical order.

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer
Grindley Interiors Pty Ltd
Innovatus Projects Pty Ltd
Momentum Built Pty Ltd
Project Coordination (Australia) Pty Ltd

PROPOSAL

Council should authorise the engagement of Momentum Built Pty Ltd to carry out the IPAC Building Refurbishment works in accordance with the scope of works and technical specifications developed for the project.

The recommended tenderer has satisfied the Tender Assessment Panel that it is capable of undertaking the works to Council's standards and in accordance with the technical specification.

An acceptable financial capability assessment has been received in relation to the recommended tenderer.

Referees nominated by the recommended tenderer have been contacted by the Tender Assessment Panel and expressed satisfaction with the standard of work and methods of operation undertaken on their behalf.

CONSULTATION AND COMMUNICATION

- 1 Members of the Tender Assessment Panel
- 2 Nominated Referees
- 3 Merrigong Theatre Company

The Merrigong Theatre Company has been briefed on the extent of the scope as well as difficulties, complexities and risks associated with some aspects of the work. The input provided has allowed Council to determine, on balance, the most appropriate approach to performing the works via a shutdown of the IPAC facility at a time when historically its show program is less active. Merrigong Theatre Company has been periodically updated on progress and when further information or input has been required.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal 5 “We have a healthy community in a liveable city”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2022	Operational Plan 2021-22
Strategy	4 Year Action	Operational Plan Actions
5.5.1 Public facilities in key locations and transport routes are maintained and clean, accessible and inviting to our community and visitors	5.5.1.2 Manage and maintain community infrastructure portfolio with a focus on asset renewal	Achieve our expenditure targets for capital renewal by programming these works with sufficient flexibility to allow re-phasing, deferral and/or the introduction of other deferred renewal works as required

RISK ASSESSMENT

The risk in accepting the recommendation of this report is considered low on the basis that the tender process has fully complied with Council’s Procurement Policies and Procedures and the Local Government Act 1993.

The risk of the project works or services is considered medium based upon Council’s risk assessment matrix and appropriate risk management strategies will be implemented.

SUSTAINABILITY IMPLICATIONS

The following sustainability implications have been considered:

- Energy efficiency options are considered in the design.
- Sustainable procurement by providing open tender to give local companies the opportunity to tender for the work.
- Weighting in tender assessment provided for using local services, labour and materials.
- Undertaking multiple projects within the one building shutdown period to minimise impact to building occupiers and the general public.

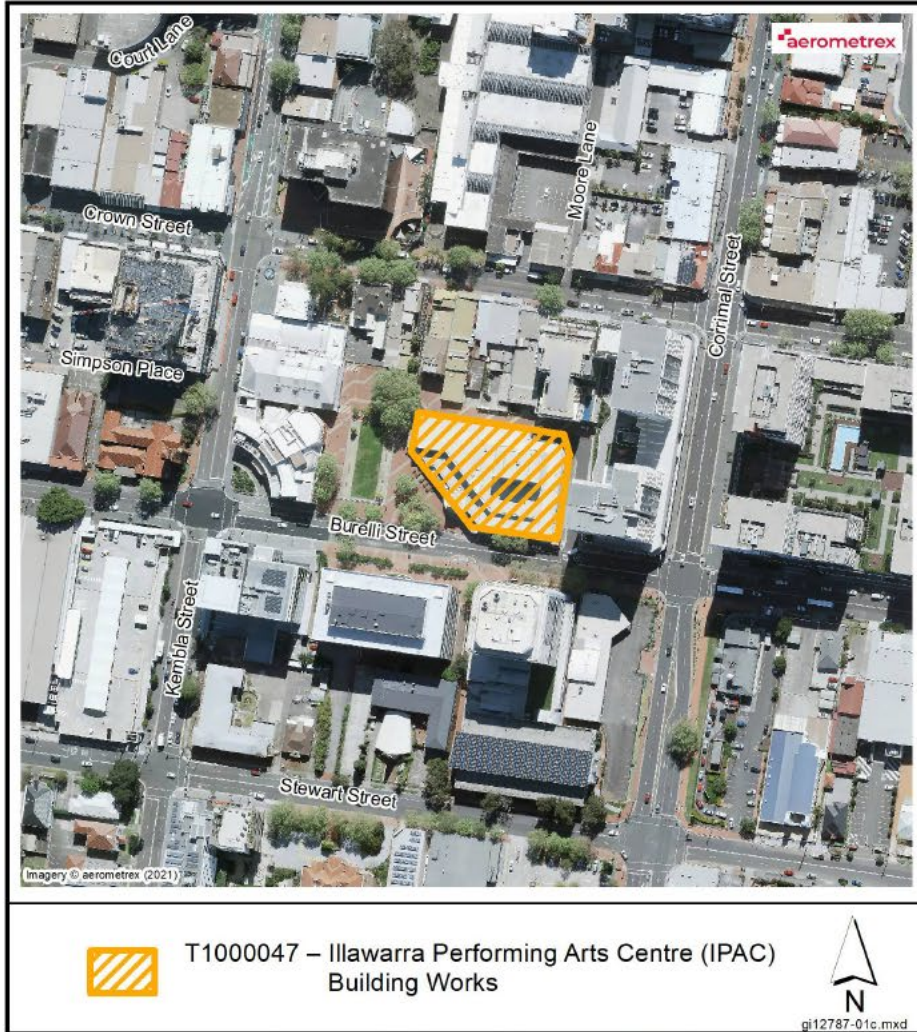
FINANCIAL IMPLICATIONS

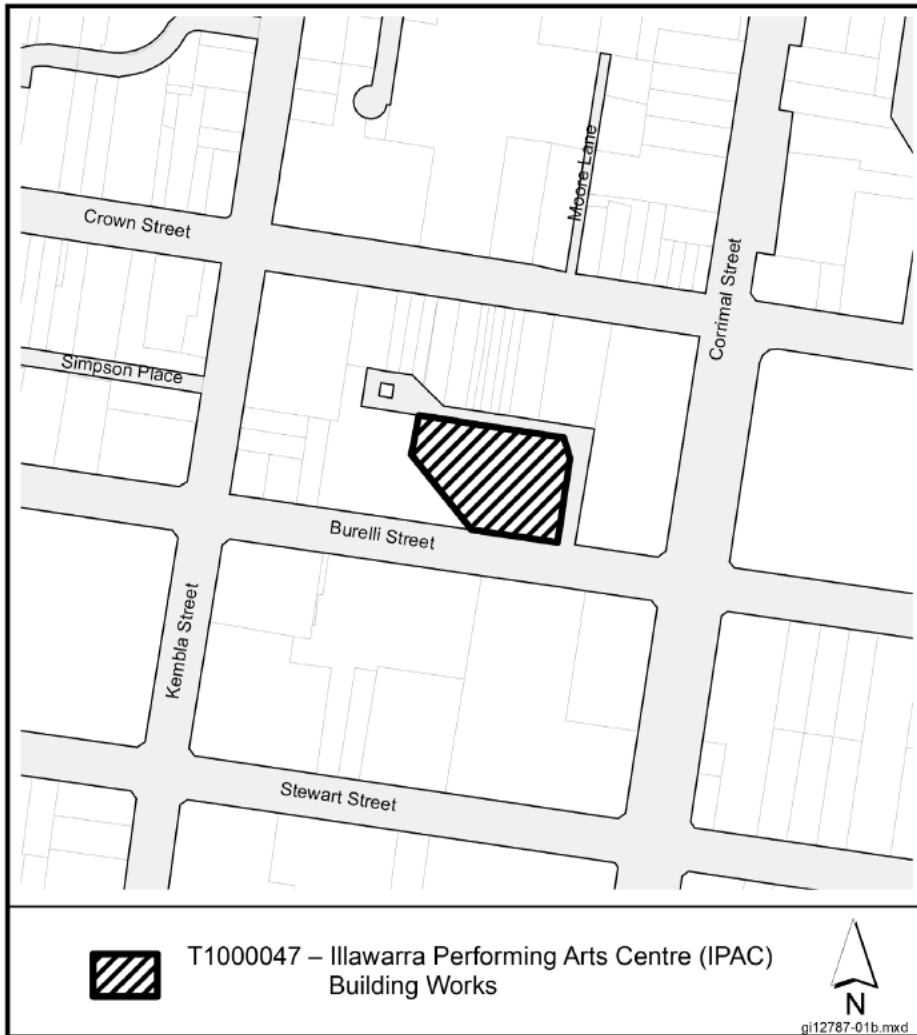
It is proposed that the total project be funded from the following source/s as identified in the Operational Plan –

2021/22 and 2022/23 – Capital Budgets

CONCLUSION

Momentum Built Pty Ltd has submitted an acceptable tender for these works and Council should endorse the recommendations of this report.





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