

ITEM 9

TENDER T1000069 - WESTERN SUBURBS POOL, UNANDERRA - STAGE 1
ACCESSIBLE WATER PLAY FACILITY AND AMENITIES UPGRADE

During the consultation to develop *'The Future of Our Pool Strategy 2014 – 2024'*, interactive water play features for children were a common request from pool users. Council is proposing to construct these play features as existing pool assets reach their end of life.

A condition assessment found that the existing toddlers' pool at Western Suburbs Pool, Unanderra is at the end its life. The toddlers' pool will be demolished and an Accessible Water Play facility will be constructed in its place. A changing places facility including unisex accessible amenities and plant facilities will be constructed adjacent to and between the new water play facility and existing buildings.

This report recommends that Council decline to accept any of the tenders submitted for Western Suburbs Pool Stage 1: Accessible Water Play and Amenities in accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021.

The Tender Assessment Panel has determined that the tender be declined as no conforming submissions were received, and it is anticipated that negotiations with suitably qualified parties in relation to a revised scope of works will result in a satisfactory outcome being achieved.

RECOMMENDATION

- 1 a In accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021, Council decline to accept any of the tenders received for Western Suburbs Pool Stage 1: Accessible Water Play and Amenities and resolve to enter into negotiations with suitably qualified parties with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with Section 178(4) of the Local Government (General) Regulation 2021, the reason for Council hereby resolving to enter into negotiations with suitably qualified parties and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those suitably qualified parties who demonstrate a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations, with any suitably qualified party with a view to enter into a contract in relation to the subject matter of the tender.
- 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

Tenders were required to be invited for the design and construction of an Accessible Water Play and Amenities facility at Western Suburbs Pool, Unanderra. The existing toddlers' pool is to be demolished due to it being unserviceable and the new facility constructed in its place.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on Tuesday 28, June 2022.

One (1) tender was received by the close of tenders and that tender has 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 the tender in accordance with the following assessment criteria and weightings as set out in the formal tender documents:

Mandatory Criteria

- 1 Provision of 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 Tenders have as a minimum a Health and Safety Policy and Work Health and Safety Management System Manual or Plan

Assessable Criteria

- 1 Cost to Council – 35%
- 2 Concept plans for Splashpad and Amenities – 20%
- 3 Appreciation of scope of works and construction methodology – 10%
- 4 Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile, including staff qualifications and experience – 10%
- 5 Proposed Sub-contractors – 5%
- 6 Project Schedule – 5%
- 7 Workplace Health and Safety Management System and Environmental Management Policies and Procedures – 5%
- 8 Demonstrated Strengthening of Local Economic Capacity – 10%

PROPOSAL

The Tender Assessment Panel has concluded that the tender is unacceptable and has recommended that the tender be declined, and negotiations be undertaken with suitably qualified parties with a view to enter into a contract for the subject matter of the tender.

The Panel anticipates that a satisfactory outcome will be achieved through a negotiation process conducted in accordance with Council's Procurement Policies and Procedures.

CONSULTATION AND COMMUNICATION

- 1 Members of the Tender Assessment Panel
- 2 Nominated Referees

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 core business activities as detailed in the Infrastructure Planning and Support Service Plan 2022-23.

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 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:

- 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.
- The design for the works incorporates reusing materials where possible and the incorporation of heavy duty, recycled and long-life span materials/products. These will provide a long-term and low maintenance finished product.

FINANCIAL IMPLICATIONS

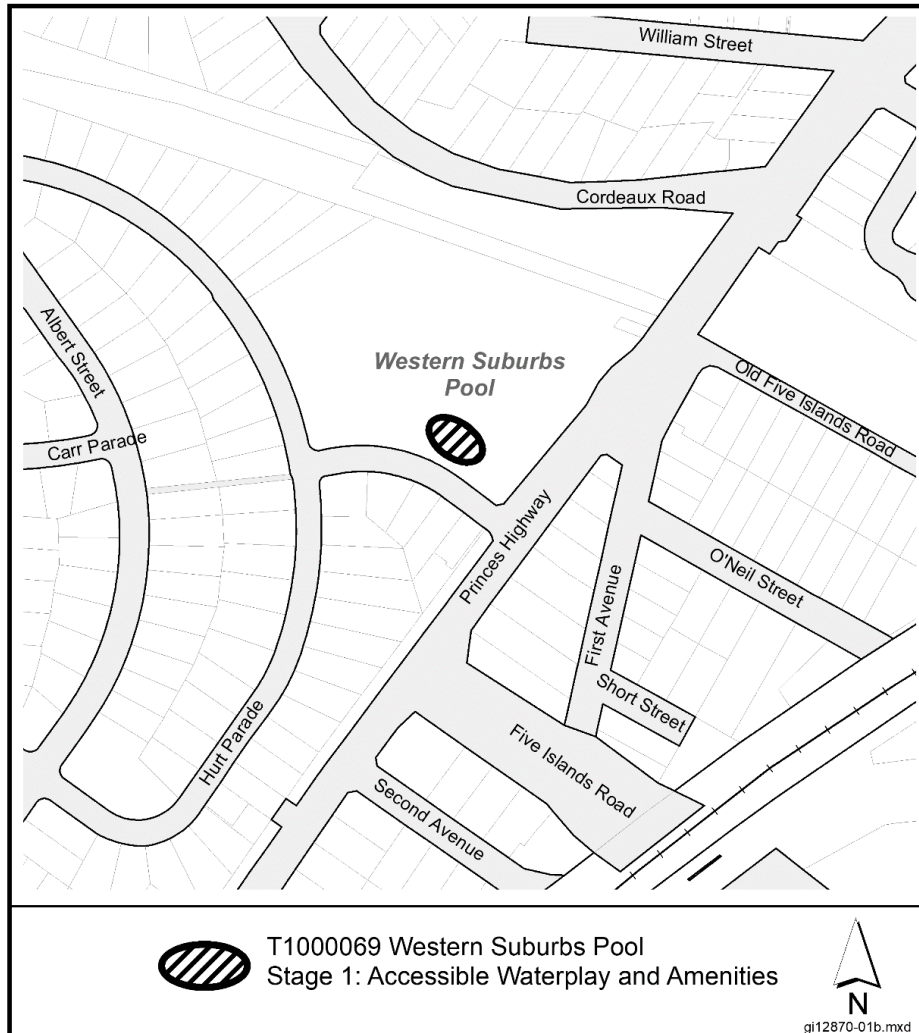
It is proposed that the total project be funded from the following source/s as identified in the Operational Plan –

2022/23 Capital Budget

CONCLUSION

It is anticipated that the best value outcome can be achieved via a direct negotiation with suitably qualified parties who have demonstrated a capacity and ability to undertake the works. Council should endorse the recommendations of this report.





T1000069 Western Suburbs Pool
Stage 1: Accessible Waterplay and Amenities



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