

**ITEM 13 TENDER T1000075 - BELLAMBI BOAT RAMP AMENITIES**

Council called tenders for the replacement of the amenities building located at the Bellambi Boat Ramp. This report recommends that Council decline to accept the tender submitted for these works in accordance with Section 178(1)(b) of the Local Government (General) Regulation 2021.

The Tender Assessment Panel has concluded that the tender be declined as the submission received was non-conforming and it is anticipated that negotiations with the tenderer or any other party 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 the tender received for the Bellambi Boat Ramp Amenities and resolve to enter into negotiations with the tenderer or any other party 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 the tenderer or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those 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, firstly with the tenderer, and, in the event of failure of negotiations with that tenderer, any other party, with a view to entering 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.
- 4 A report describing the outcome of the procurement process be submitted to the next available Council meeting following the successful engagement of contractor or contractors.

**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**

The existing amenities located adjacent to the Bellambi Boat Ramp were constructed in the early eighties, is located in a harsh coastal environment, does not include accessible amenities and has reached its end of life.

Tenders were required to be invited for the construction of the new amenities block located at Bellambi Boat Ramp, Robert Cram Drive, Bellambi 2518. The main purpose of this work is to replace the existing amenities block with a prefabricated toilet block, comprising two accessible cubicles. Associated works include the installation of a larger septic system, installation of associated services, regrading of asphalt adjacent to the amenities building, carpark line marking and other minor infrastructure works.

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

One (1) tender was received by the close of tenders and 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
- 4 Tenderers have as a minimum an Environmental Management System Manual or Plan

**Assessable Criteria**

- 1 Cost to Council – 40%
- 2 Appreciation of scope of works and construction methodology – 10%
- 3 Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile, including staff qualifications and experience – 20%
- 4 Project Schedule – 5%
- 5 Environmental Management System – 5%
- 6 Workplace Health and Safety System – 5%
- 7 Proposed Subcontractors – 5%
- 8 Demonstrated strengthening of local economic capacity – 10%

**PROPOSAL**

The Tender Assessment Panel has concluded that the tender as submitted is non-conforming and exceeds the allocated budget for this project. The panel has recommended that the tender be declined, and negotiations be undertaken with the tenderer, or any other party, with a view to entering 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

**PLANNING AND POLICY IMPACT**

This report contributes to the delivery of Our Wollongong 2032 Goal 5 “We have a healthy community in a liveable city”. It specifically delivers on the following:

Community Strategic Plan 2032	Delivery Program 2022-2026
Strategy	Service
5.7 Provide an appropriate range of active and passive open spaces and facilities to cater for traditional and emerging recreational pursuits.	Public Health and Safety

## 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 moderate based upon Council's risk assessment matrix and appropriate risk management strategies will be implemented.

There are a number of community impacts along with environmental, safety, financial and reputational risks that should be considered if Council does not undertake the replacement of the Bellambi Boat Ramp amenities block and septic tank system.

## SUSTAINABILITY IMPLICATIONS

Economic sustainability implications are considered relevant to the amenities block and septic tank system at Bellambi Boat Ramp to reduce the ongoing maintenance costs and to improve the amenity of the area. This would lead to increased use by both local and out of area users, thereby increasing the health and wellbeing of our community.

The design for the new facilities includes the installation of a vandal-proof amenities block and a septic tank system with an increased capacity over the existing unit. These will provide a long-term, low maintenance finished product that also enhances the aesthetic appearance of the area and surrounding facilities.

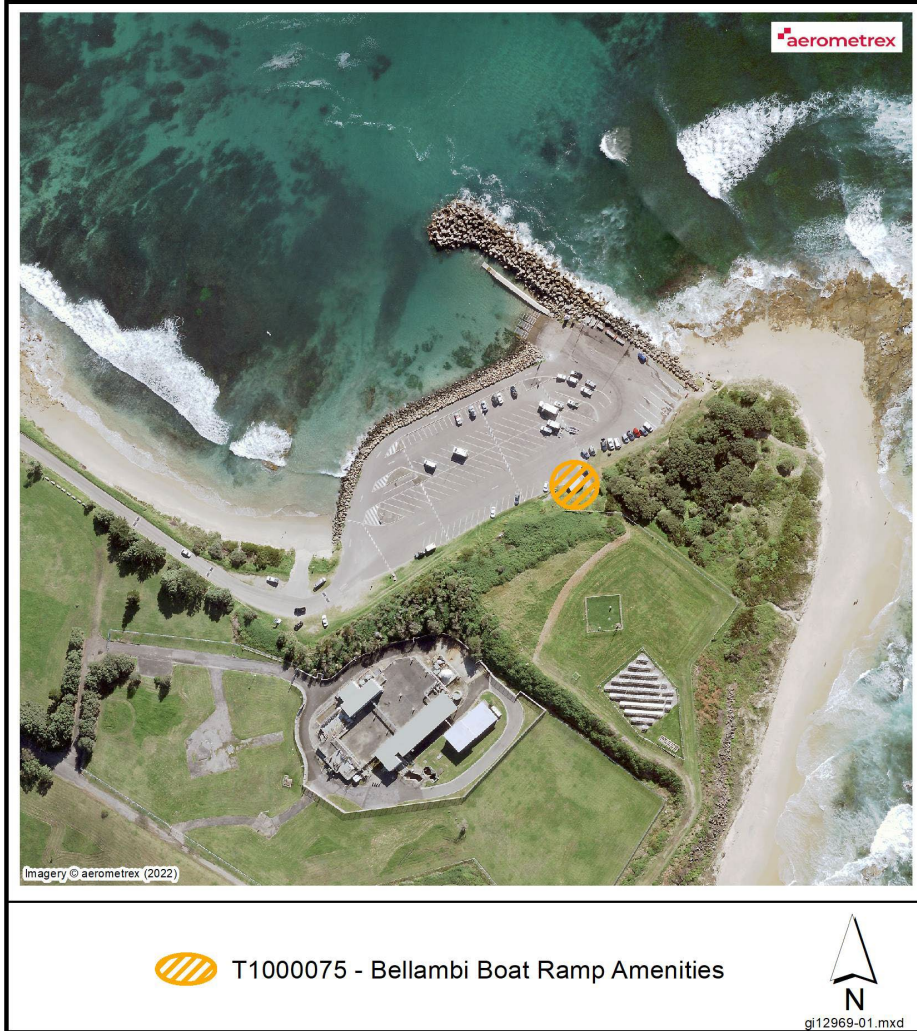
## FINANCIAL IMPLICATIONS


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

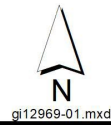
2022/23 Capital Budget

## CONCLUSION

It is anticipated that the best value outcome can be achieved via a direct negotiation with the tendering party, or any other party who has demonstrated a capacity and ability to undertake the works. Council should endorse the recommendations of this report.



 T1000075 - Bellambi Boat Ramp Amenities



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