

TENDER RECOMMENDATION REPORT

TO: CHIEF EXECUTIVE OFFICER

CC: A/MANAGER PLACE

FROM: DIRECTOR COMMUNITY & PLACE

FILE REF: 24/158920 (47627)

DATE: 23 May 2024

TENDER 24044 CONSULTANCY SERVICES FOR PROVISION OF A PRELIMINARY FORESHORE MANAGEMENT PLAN

Issue

To consider Tender No: 24044 for the Provision of a Preliminary Foreshore Management Plan.

Background

Council adopted a Place-led Masterplan for the Yanchep Lagoon (the Masterplan) at its meeting on 27 August 2019 to provide a blueprint for all future development, amenity and activation initiatives within the Yanchep Lagoon and surrounding precinct (YLP).

In September 2022, the City released a Request for Quotation (RFQ) for a suitably qualified and experienced consultant to deliver a Foreshore Management Plan (FMP). However, after 2 deadline extensions, no responses were received.

Subsequently, Tender No. 23104 for the provision of a Masterplan Implementation Plan for the Yanchep Lagoon Masterplan was publicly advertised in July 2023. Due to a poor response to the tender the City made the decision to decline the tender due to insufficient budget in the 2023/24 financial year.

In February 2024 a proposal for the delivery of a Preliminary Foreshore Management Plan (PFMP) was endorsed by the Yanchep Masterplan Working Group on 14 February 2024.

The objective of the PFMP is to identify opportunities and constraints to implement the Yanchep Master Plan (2019) by analysing the existing land conditions and statutory requirements in relation to the proposed changes from the Masterplan.

The resulting plans & documentation will clearly identify new build form and car parking, as well as considering other environmental factors, sufficiently detailed to obtain Department of Planning Lands and Heritage (DPLH) commitment/approval, to allow the project to move to the next stage.

The next stage of the project (not included in this procurement) will be to engage a developer who would compete the final Foreshore Management Plan, (FMP), obtain formal approvals and commence the works.

Detail

Tender 24044 for the Provision of a Preliminary Foreshore Management Plan was advertised on 10 April 2024 and closed on 14 May 2024. 3 addenda were issued, 2 covering extensions of time and 1 to address bidder queries.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Consultancy Services
Contract Type	Lump Sum & Schedule of Rates
Contract Duration	6 Months
Commencement Date	3 June 2024
Expiry Date	November 2024
Extension Permitted	No

At close of Tender, a sole submission was received from The Trustee for UDLA Unit Trust (UDLA).

Probity Oversight

Oversight to the tender assessment process was undertaken by the City's Contracts Officer.

Tender submissions were evaluated in accordance with the Procurement and Evaluation Plan (**PEP**) which included the following selection criteria:

Item No	Description	Weighting
1	Sustainable (Corporate Social Responsibility) Procurement a) Environmental Considerations 5% b) Buy Local 10% c) Reconciliation Action Plan 5% d) Access and Inclusion 5%	25%
2	Work Health & Safety (WHS)	5%
3	*Experience, Capacity & Key Personnel	30%
4	*Scope & Methodology	40%

All Tenderers must meet the City's minimum requirements (as determined by the City) for each of the qualitative criteria detailed above (*) in order to be considered for further evaluation.

Pricing is not included in the qualitative criteria and is considered as part of the overall value for money assessment.

The submission from UDLA was deemed to be a compliant submission and subsequently evaluated as follows.

Evaluation Criteria 1 – Sustainable Procurement (25%)

Evidence of Sustainable (Corporate Social Responsibility) Procurement was assessed based on the Tenderer's responses provided to the Questionnaires within Schedules 3A, 3B, 3C and 3D which formed part of the tender documentation.

Sub Criteria a) Environmental Considerations (5%)

The City is committed to procuring goods and services that provide positive environmental, social and economic impacts over the entire life cycle of a product or service. Respondents are encouraged to provide credentials of any environmental claims of the goods and/or services submitted in this tender.

UDLA provided details of their environmental considerations within Schedule 3A.

Sub Criteria b) Buy Local (10%)

An assessment was made based on the response provided, detailing the following information:

- Location of tenderer's offices and workshops;
- Residential addresses of staff and company addresses of subcontractors;
- Purchasing arrangements through local businesses;
- Requirement for new employees arising from award of the contract.

UDLA provided details of their "Buy Local" considerations within Schedule 3B.

Sub Criteria c) Reconciliation Action Plan (RAP) (5%)

An assessment was made to determine the ranking based on the responses provided that relate to:

- RELATIONSHIPS - building positive relationships between indigenous and non-indigenous people;
- RESPECT – recognising the contribution of Indigenous people to Australia and learning more about the history, culture and diversity in a two-way communication process;
- OPPORTUNITIES – attracting, developing and retaining organisational talent to build opportunities for aboriginal employment, training, and development and mentoring.

UDLA provided information specifying differing levels of actions in relation to indigenous reconciliation action within Schedule 3C.

Sub Criteria d) Access & Inclusion Plan (AIP) (5%)

An assessment was made to determine the ranking based on the responses provided that relate to:

- People with disabilities having the same buildings and facilities access opportunities as other people;
- People with disabilities receiving information in a format that will enable them to access information as readily as other people are able to access it;
- People with disabilities receiving the same level and quality of service from staff as other people receive;
- People with disabilities having the same opportunities as other people to make complaints;
- People with disabilities having the same opportunities as other people to participate in any employment opportunities.

UDLA provided information specifying considerations for access and inclusion within Schedule 3D.

Evaluation Criteria 2 - Tenderer's Safety Management Systems (5%)

Evidence of WHS management policies and practices was assessed from the tender submissions. The assessment for safety management was based on the tenderer's responses to a specific questionnaire included within the tender documentation.

UDLA provided details of their safety management systems within Schedule 2 and satisfied the City's WHS requirements.

Evaluation Criteria 3 – Experience, Capacity & Key Personnel (30%)

UDLA demonstrated a high level of relevant experience, capacity and key personnel as presented in their tender submission to meet the requirements of the contract.

Evaluation Criteria 4 - Tenderer's Scope and Methodology (40%)

UDLA demonstrated a very good understanding of the scope; and a thorough articulation of the approach that will be taken to completing requirements of the contract.

Pricing for the Goods/Services/Works Offered

UDLA provided lump sum pricing and schedule of rates to the relevant stages of the proposed services.

Overall Assessment and Comment

UDLA satisfied the assessment criteria and weightings as detailed in the Procurement and Evaluation Plan and is therefore recommended as the successful tenderer.

The award of contract is subject to negotiation of the contract works and tendered lump sum pricing. Please refer to the Confidential Attachment to this recommendation for further details to the proposed negotiation.

Statutory Compliance

Tenders were invited in accordance with the requirements of Section 3.57 of the *Local Government Act 1995*. The tendering procedures and evaluation complied with the requirements of Part 4 of the *Local Government (Functions and General) Regulations 1996*.

Strategic Implications

The proposal aligns with the following objective with the Strategic Community Plan 2021-2031:

“Goal 1 An Inclusive and Accessible City with Places and Spaces that Embrace All

Priority 1.2 Value public spaces and places

Risk Appetite Statement

The City seeks to pursue initiatives that activate distinctive places and supports improvements made to local amenities that retain or complement natural landscapes within the built environment. Driven by the need to engage and provide flexible

facilities, public spaces and programs for all, and a range of choices for people to actively learn and discover, the City will use the relevant data and information to accept a greater risk whilst still meeting public safety and health requirements.

Enterprise Risk Management Considerations

Risk Title	Risk Rating
ST-S04 Integrated Infrastructure & Utility Planning	Low
Accountability	Action Planning Option
Director Planning & Sustainability and Director Assets	Manage

Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Medium
Accountability	Action Planning Option
Director Planning & Sustainability and Director Assets	Manage

Financial and Performance Risk

Financial Risk

A financial risk assessment was undertaken by Equifax Australasia Credit Ratings Pty Ltd as part of the tender evaluation process and the outcome of this independent assessment advised that **UDLA** is assessed with the financial capacity to meet the requirements of the contract.

Performance Risk

UDLA have no history of disputes or claims within the last 5 years and has not been issued any notices of default within the same period. They have previously completed 3 projects with the City at Wanneroo BMX Club, Charnwood Park and Cabrini Park, all of which were completed within budget and on time.

Independent reference checks have also indicated that the recommended tenderer has excellent communication and project management skills, they are proactive in their engagement and consultation and would be highly recommended for a project like the Yanchep Foreshore Management Plan.

Policy Implications

Tenders were invited in accordance with the requirements of the City's Purchasing Policy.

Financial (Budget) Implications

The costs associated with the proposed services are included in the Place Planning – Materials and Contracts – Local Area Planning Community Engagement – Consulting Fees Expenses - Operational Budget.

Recommendation:

That the CHIEF EXECUTIVE OFFICER, in accordance with Delegation 1.1.13 - Choice of Most Advantageous Tender of the Delegated Authority Register for the awarding of tenders ACCEPTS the tender submitted by UDLA for Tender 24044 for the Provision of Consultancy Services for a Preliminary Foreshore Management Plan; subject to formal negotiations of the project scope and lump sum pricing resolving to the mutual satisfaction of the City and UDLA.