

## **TENDER RECOMMENDATION REPORT**

**TO: CHIEF EXECUTIVE OFFICER**

**CC: MANAGER INFRASTRUCTURE CAPITAL WORKS**

**FROM: DIRECTOR ASSETS**

**FILE REF: 24/309324**

**DATE: 07 October 2024**

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### **TENDER 24086: THE RENEWAL OF THE EXISTING BMX TRACK, MCCOY PARK, QUINNS ROCKS**

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#### **Issue**

To consider Tender No: 24086 for the renewal of the existing BMX Track at McCoy Park, Quinns Rocks.

#### **Background**

McCoy Park BMX Track is in the North-west corner of the park. It is understood that the track was first constructed in 2000 and resurfaced in 2008. It was scheduled for renewal in 2022/2023, and the procurement process was placed on hold due to community feedback and a petition against the refurbishment of the BMX Track. The track was decommissioned and flattened in October 2022 as it was no longer serviceable due to ongoing maintenance costs and safety concerns.

Council have now given direction to proceed with the refurbishment of the BMX Track.

#### **Detail**

Tender 24086 for the renewal of the existing BMX Pump Track at McCoy Park, Quinns Rocks was advertised on 15 June 2024 and closed on 16 July 2024. No addenda were issued.

Essential details of the proposed contract are as follows:

<b>Item</b>	<b>Detail</b>
Contract Form	Minor Works
Contract Type	Fixed Lump Sum
Contract Duration	7 months plus 12 months DLP
Commencement Date	November 2024
Extension Permitted	No

Tender submissions were received from the following companies:

Legal Name	Trading Name	Abbreviation
Common Ground Trails PTY LTD	Common Ground Trails PTY LTD	Common Ground
Three Chillies Design PTY LTD	Three Chillies Design PTY LTD	Three Chillies

### 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	*WHS demonstrated working documents	20%
3	*Demonstrated experience of tenderer and personnel performing the services	25%
4	*Methodology, resources and capacity for maintenance services	30%

All Tenderers must meet the City's minimum requirements (as determined by the City) for each of the qualitative criteria detailed above (\*) 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.

All tenders received were deemed to be conforming and were included in the evaluation process.

### 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.

Tenderers provided details of their environmental considerations within Schedule 3A, with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	1

**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.

Tenderers provided details of their “Buy Local” considerations within Schedule 3B, with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	2

**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.

Tenderers provided information specifying differing levels of actions in relation to indigenous reconciliation action with assessment resulting in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	1

**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.

Tenderers provided information specifying considerations for access and inclusion provisions with assessment resulting in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	2

### **Overall Sustainable Procurement Ranking Summary**

The overall assessment of the Sustainable Procurement criteria has resulted in the following overall ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	2

### **Evaluation Criteria 2 - Tenderer’s Safety Management Systems (20%)**

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.

Tenderers provided details of their safety management systems with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Three Chillies	1
Common Ground	2

### **Evaluation Criteria 3 - Demonstrated Experience of Tenderer and Personnel Performing the Services (25%)**

The tenderer’s relevant experience in demonstrating the achievement of meeting client expectations as presented in their tender submission were assessed to evaluate their capability to meet the requirements of the contract. Assessment of this criterion considered the tendering entity’s credentials to fulfil the requirements of the contract. The assessment of this criterion has resulted in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	2

### **Evaluation Criteria 4 - Methodology, resources and capacity for maintenance services (30%)**

The tenderer’s resources as presented in their tender submission were assessed to evaluate their capacity to meet the requirements of the contract. Assessment of this criterion considered the tenderer’s staff resources, vehicles, plant/equipment and

workshop support to manage the contract. The assessment of this criterion has resulted in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	2

### **Overall Qualitative Weighted Assessment and Ranking**

Tenderer's submissions were reviewed in accordance with the Procurement and Evaluation Plan. The overall assessment of qualitative weighted criteria resulted in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Common Ground	1
Three Chillies	2

### **Pricing for the Works Offered**

An assessment was made to determine the ranking based on the lump sum pricing provided with the tender documentation.

Based on the information provided, tenderers are ranked as follows:

<b>Tenderer</b>	<b>Ranking</b>
Three Chillies	1
Common Ground	2

### **Overall Value for Money Assessment and Comment**

The tender submission from Common Ground satisfied the overall VFM assessment in accordance with the assessment criteria and weightings as detailed in the PEP and is therefore recommended as the successful tenderer.

The selected tenderer was ranked highest in the qualitative criteria and second for price. **Confidential Attachment 1** provides additional commentary to support the recommendation.

### **Consultation**

Consultation was conducted in May 2024 and consisted of a mail out to residents within 400 meters of McCoy Park, Quinns Rocks. The letter contained information that the project was delayed while the City investigated concerns raised by the residents and that the concerns were considered by Council at the 19 March 2024 meeting. The information also provided a concept plan that addressed the resident's concerns including:

- A like for like shape and size track similar to the previously constructed track. (The concept plan was based on previous aerial photography and surveys)
- Inclusion of additional planting
- The use of appropriate materials to eliminate dust
- Playground fencing to prevent access by vehicles
- Additional amenities such as a drink fountain, bike rack and repair station

### 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 1.3 Facilities and activities for all

### Risk Appetite Statement

In pursuit of strategic objective goal 1, we will accept a Medium level of risk. The recent pandemic has challenged our previous event delivery, place activation and community connection processes, and the City accepts that meeting community expectations in a more restrictive environment needs flexibility and innovation if community connection is to develop and grow in contrast to social and individual isolation.

### Enterprise Risk Management Considerations

Risk Title	Risk Rating
ST-S23 Stakeholder Relationships	Medium
Accountability	Action Planning Option
Director Corporate Strategy and Performance	Manage

Risk Title	Risk Rating
CO-023 Safety of Community	Medium
Accountability	Action Planning Option
Director Community & Place	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 Common Ground is assessed with the financial capacity to meet the requirements of the contract.

#### Performance Risk

Common Ground have completed numerous works of similar nature for multiple Local Government Authorities over multiple years. This company has also completed works for the City of Wanneroo of a similar nature. Their capabilities and company structure show a high degree of certainty to complete the works as per the City’s requirements.

### Policy Implications

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

**Financial (Budget) Implications**

The table below summarise the available funding for the renewal of the BMX track at McCoy Park, Butler in the 2024/25 Capital Works Program.

**PR-4570 McCoy Park, Quinns Rocks – BMX Track Refurbishment**

Description	Expenditure	Budget
<b>Budget:</b>		
Allocated Capital Works Budget for 2024/25 (PR-4570)		\$670,500
<b>Expenditure:</b>		
Expenditure incurred to date	\$3,003	
Commitment to date	\$0	
Project management and professional fees	\$24,000	
Tender 24086 (this Tender)	\$494,050	
Construction Contingency	\$70,000	
Project budget savings to be adjusted		-\$79,447
<b>Total Expenditure</b>	<b>\$591,053</b>	
<b>Total Funding</b>		<b>\$591,053</b>

**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 Common Ground Trails Pty Ltd for Tender 24086, for the McCoy Park, Quinns Rocks – Refurbishment of BMX Track, as per the Fixed Lump Sum \$494,050.00 ex GST (including optional items 1, 2, 3 and 4) and as per conditions of tendering.**