

## 5.4 CONSTRUCTION AND LANDSCAPING OF DAYTON DISTRICT OPEN SPACE - RFT22LH35

**Ward:** (Altone Ward) City of Swan

**Disclosure of Interest:** Nil

**Authorised Officer:** (Executive Manager Operations)

An attachment to this report is **CONFIDENTIAL** in accordance with section 5.23(2) of the *Local Government Act 1995* as it includes information regarding a contract which may be entered into by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed would reveal a trade secret or contains information about or of value to a person. Should Council seek to discuss the confidential information during the meeting, Council should resolve to move behind closed doors.

### KEY ISSUES

- The City sought tenders for RFT22LH35 – Construction and Landscaping of Dayton District Open Space
- A local public notice for the tender was published in The West Australian on 23 July 2022, at the City of Swan Libraries, on the City of Swan website, and sent via email from Tenderlink.
- Submissions were received from each of the following:
  - a) BE Projects (WA) Pty Ltd
  - b) D.B. Cunningham Pty Ltd t/a Advantearing Civil Engineers
  - c) Menchetti Consolidated Pty Ltd t/a MG Group WA
- The submission from D.B. Cunningham Pty Ltd t/a Advantearing Civil Engineers is the preferred submission based on the City's evaluation.

It is recommended that the Council selects the submission from D.B. Cunningham Pty Ltd t/a Advantearing Civil Engineers for RFT22LH35 – Construction and Landscaping of Dayton District Open Space.

### BACKGROUND

Dayton is located to the north of the Reid Hwy and east of Lord Street, forms part of the Swan Urban Growth Corridor and is a key population growth area for the City. The area's population is expected to reach approximately 14,000 people when fully developed. The

requirement to deliver new recreation facilities is driven by population growth coupled with a culture of high participation rates in physical activity.

The Dayton District Open Space project is guided and funded by a developer contribution scheme (DCP) for the provision of recreational facilities at both a neighbourhood and district level. Both neighbourhood and district facilities are to be co-located at one site totalling approximately 15ha.

The project will be delivered in two (2) stages, which are referred to as:

- (a) Stage 1: Dayton Neighbourhood Park; and
- (b) Stage 2: Dayton District Open Space.

Stage 1 is completed and tender RFT22LH35 is for the construction of Stage 2 only.

The City has sought tenders for a suitably qualified and experienced Contractor to undertake construction and landscaping for the Project.

## DETAILS

Item	Response
Contract term:	The contract shall be completed on supply of the requirements to the City's satisfaction.
Price basis:	Lump sum - fixed price
City approval to proceed to request:	Executive Manager, Operations
Request closing date:	31 August 2022
Offer validity expiry date:	29 November 2022
Expiry date of any existing contract:	N/A
Anticipated contract commencement date:	On award

## PROBITY

Stantons International was engaged to perform a probity audit of the tender process.

## SUBMISSIONS

Pre-qualification requirements for this request:

NIL

Submissions were received from each of the following:

Legal Entity Name	Trading/Business Name	ABN	Address
BE Projects (WA) Pty Ltd	BE Projects (WA) Pty Ltd	86 145 123 780	Perth, WA
D.B. Cunningham Pty Ltd	Advanteering – Civil Engineers	45 009 144 414	West Perth, WA
Menchetti Consolidated Pty Ltd	MG Group WA	90 126 134 147	Osborne Park, WA

#### EVALUATION PANEL

The evaluation panel included three voting members with representatives from two different business units.

In addition to the voting members, the evaluation panel included one non-voting member from Stantons International.

All evaluation panel members provided declarations of conflicts of interest with no conflicts being declared.

#### PRELIMINARY ASSESSMENT

The compliance and disclosure requirements for this request were:

Description of compliance criteria
Compliance with the requirements contained in the request
Compliance with the conditions of tendering contained in the request
Compliance with the delivery date/time of lodging the Tender
Compliance with and completion of the price schedule(s)
Compliance with the requirement to provide financial information as requested by the Principal as specified within clause 6.2.6
Compliance with the requirement to provide the relevant occupational safety and health documentation within the required timeframe as specified in Schedule A
Compliance with all necessary licences and registration.

All tenderers were deemed to be compliant and, therefore, passed through to qualitative assessment.

#### QUALITATIVE ASSESSMENT

The qualitative requirements for this request were:

Description of compliance criteria	Weighting
Demonstrate your organisations experience in supplying similar works and services	30%
Demonstrate the skills and experience of key personnel to be used in this project	30%
Provide an outline of the methodology to be used in supplying the Requirements	40%

#### EVALUATION SUMMARY

Submission	Price ranking	Qualitative ranking	Marginal cost benefit ranking
BE Projects (WA) Pty Ltd	2	3	3
D.B. Cunningham Pty Ltd t/a Advantearing Civil Engineers	1	1	1
Menchetti Consolidated Pty Ltd t/a MG Group WA Pty Ltd	3	2	2

The Evaluation Panel recommends the submission from D.B. Cunningham Pty Ltd t/a Advantearing Civil Engineers as the preferred submission based on the City's evaluation.

#### CONSULTATION

A local public notice for the tender was distributed as follows:

- Publication on the City of Swan public website
- Publication in the City of Swan libraries
- Publication in The West Australia, 23 July 2022
- Email notifications sent via Tenderlink.

#### ATTACHMENTS

Confidential attachment Construction and Landscaping of Dayton District Open Space - RFT22LH35

## **STRATEGIC IMPLICATIONS**

Strategic Community Plan 2021-2031

Objective G2.1 Improve capability and capacity

Council Policy POL-C-116 Procurement

## **STATUTORY IMPLICATIONS**

Local Government Act 1995 (WA)

Local Government (Administration) Regulations 1996 (WA)

Local Government (Functions and General) Regulations 1996 (WA)

## **FINANCIAL IMPLICATIONS**

Budget item description:	BCW District Park Active - Building & PRK District Park Active	
Combined budget::	\$17,454,480	
Total expenditure to date:	\$5,005	
Total commitments:	\$7,998	
Available budget:	2022/23	\$4,981,750
		\$12,459,727
Forward estimated amount(s)*:	2023/24	\$7,446,537

\*Forward estimated amount is a provisional amount and is subject to Council approval through the annual budgeting process.

The preferred tenderer's offer is:

- Within the current budget
- Within the forward estimated amount.

## **VOTING REQUIREMENTS**

Simple majority

## **RECOMMENDATION**

That the Council resolve to:

- 1) Select D.B. Cunningham Pty Ltd t/a Advanteering Civil Engineers as the preferred tenderer.
- 2) Accept the provisional sums of \$158,000.00 excluding GST located within Price Schedule A6.
- 3) Upon award of the contract, advise all tenderer's and update the City's public tender register in accordance with Local Government (Functions and General) Regulations 1996 (WA).

**CARRIED EN BLOC**