

ITEM 10

TENDER T19/03A - PRINCIPAL DESIGN CONSULTANT (ARCHITECT) FOR WARRAWONG DISTRICT COMMUNITY CENTRE AND LIBRARY

Council is proposing to construct a district level Community Centre and Library at King and Greene Streets, Warrawong to service the needs of that community. Council has called tenders to appoint the Principal Design Consultant (Architect) which signals the commencement of the design stage of this project.

This report recommends that Council decline to accept any of the tenders submitted for the provision of professional services for Principal Design Consultant (Architect) for Warrawong District Community Centre and Library in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005.

The Tender Assessment Panel has concluded that none of the tenders is acceptable for the reason that the tender documentation submitted was incomplete or significantly exceeded the tender budget estimate and it is anticipated that negotiations with the tenderers 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 clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for the provision of professional services for Principal Design Consultant (Architect) for Warrawong District Community Centre and Library and resolve to enter into negotiations with one or all of the tenderers 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 clause 178(4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to enter into negotiations with one or all of the tenderers 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 tenderers, and, in the event of failure of negotiations with those tenderers, 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.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Andrew Carfield, Director Infrastructure + Works

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

Tenders were required to be invited for the supply of principal design consultancy services for the design and documentation of the Warrawong District Community Centre and Library project. The project site is located on the corner of King and Greene Streets, Warrawong and encompasses the existing Warrawong Community Centre. A new facility is required to provide a district level integrated community centre and library to the southern suburbs area.

Tenders were invited by the selective tender method following an expression of interest process with a close of tenders of 10.00 am on 31 October 2019.

Five (5) tenders were received by the close of tenders and all tenders have 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, Library and Community Services, City Strategy, Finance and Governance and Customer Service Divisions.

The Tender Assessment Panel assessed all tenders in accordance with the following assessment criteria and weightings as set out in the formal tender documents:

Mandatory Criteria

- 1 Confirmation that contact details for referees as provided in the Expression of Interest remain current.
- 2 Confirmation that a conforming tender has been submitted, in addition to any non-complying tender/s or alternative tender/s.
- 3 Agreement to an independent financial assessment to demonstrate financial capability to undertake the works.
- 4 Acknowledgement of the project requirements and agreement to meet the requirements of the Specification for Design Services.
- 5 Acknowledgement of the requirement to hold and maintain third party accreditation for the duration of the services for Quality Management Systems, Work Health and Safety Management Systems and Environmental Management Systems.

Assessable Criteria

- 1 Cost to Council – 40%
- 2 Outline Services Delivery Plan – 25%
- 3 Proposed Key Personnel – 10%
- 4 Proposed Key Sub-Consultants – 10%
- 5 Demonstrated strengthening of local economic capacity – 5%
- 6 Scoring from previous Expression of Interest submission – 10%

The Tender Assessment Panel has reviewed the submissions and determined that four (4) of the tenders were non-conforming with the remaining conforming tender significantly exceeding the allocated budget for the design services.

PROPOSAL

The Tender Assessment Panel has concluded that none of the tenders is acceptable and has recommended that all tenders be declined and negotiations be undertaken with one or all of the tenderers, 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 2028 goal 5 “We have a healthy community in a liveable city”. It specifically delivers on the following:

| Community Strategic Plan | Delivery Program 2018-2021 | Operational Plan 2019-20 |
|--|---|---|
| Strategy | 3 Year Action | Operational Plan Actions |
| 5.1.5 Quality district level services, libraries and facilities are available to communities | 5.1.5.2 Renew community facilities and consider rationalisation, replacement or refurbishment to achieve facilities that are strategically located, good quality and meet identified community need | Plan for the Southern Suburbs Community Centre and Library at Warrawong |

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.

FINANCIAL IMPLICATIONS

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

2019/20, 2020/21 and 2021/22 Capital Budgets

CONCLUSION

Declining all tenders will enable the Tender Assessment Panel to undertake detailed negotiations with tenderers to ensure Council delivers best value to the community.

Council should endorse the recommendations of this report.