

ITEM 8

TENDER T1000009 - LICENCE TO OPERATE DAPTO POOL KIOSK AND CASH COLLECTION SERVICES AGREEMENT

This report recommends acceptance of a tender for the Licence to operate Dapto Pool Kiosk and Cash Collection Services in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Council sought tenders for the kiosk operation and collection of entry fees on behalf of Council during the peak summer pool season (September through to April). The current licence and services agreement expired on 30 April 2021 at the conclusion of the current swim season and a new licence and services agreement is proposed for a further two-year term.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Tegy Transport Pty Ltd for the Licence to operate the Dapto Pool Kiosk for a term of two consecutive seasons, and pay a rental in the sum of \$4,200, excluding GST for the Licence to operate the kiosk.
- 2 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Tegy Transport Pty Ltd for the provision of Dapto Pool Cash Collection Services for a term of two consecutive seasons Council pay an amount of \$245,000, excluding GST through a Services Agreement for cash collection duties.
- 3 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 4 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: Blake Lampert, Property Services Manager (Acting)

Authorised by: Lucielle Power, Director Community Services - Creative and Innovative City (Acting)

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

Since the introduction of entry fees at the Dapto Heated Pool in the early 2000s, Council has licensed the operation of the Dapto Pool Kiosk including a service agreement for cash collection of entry fees at the pool. The proposed contract period is for two swim seasons commencing 11 September 2021 and expiring on 28 April 2023.

Tenders were invited for this project by the open tender method with a close of tenders of 10.00 am on 17 August 2021.

One tender submission was received by the close of tenders and the tender 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 Property and Recreation, Finance, Governance and Information, and Governance and Customer Service (Supply Chain) 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:

Criteria - Mandatory

Referees	Provision of satisfactory references from professional referees for provision of services of a similar size, scope and risk profile.
Bronze Medallion or equivalent	Tenderers and/or key personnel must provide evidence of or a commitment to obtain (within three months of commencing the Licence and Services Agreement), a Bronze Medallion qualification or equivalent. The tenderer must ensure one staff member is on site from 6am to 12 midday who holds a Bronze Medallion qualification or equivalent.
First Aid Certificate	Tenderers and all key personnel on site must provide evidence of or a commitment to obtain (within three months of commencing the Licence and Services Agreement), a current first aid certificate.
POS Training	Tenderers must commit to undertake training in Council's Point of Sale System
Armed Holdup Training	Tenderers must commit to undertake Armed Holdup Training (Coordinated by Wollongong City Council) within three months of commencing the Licence and Services Agreement.
Financial Capacity	Tenderers may be required to provide information required by an independent financial assessment provider engaged by Council. Council will review and determine whether such financial assessment is acceptable to Council and demonstrates the tenderer's financial capacity to undertake the works

Criteria - Assessable	Weighting
Cost to Council - Proposed payment per month for operation of cash collection facility	40 %
Proposed kiosk rental payable to Council per month	15 %
Demonstrated prior experience and satisfactory performance in undertaking cash collection services	10 %
Demonstrated prior experience and satisfactory performance in operation of takeaway food outlet	5 %
Proposed controls to ensure cash handing and reconciliation is consistent with Council's policies and procedures	15 %
Demonstrated Work Health & Safety Management System incorporating management of risks associated with cash handling, including armed robbery	5 %
Demonstrated Strengthening of Local Economic Capacity	10 %

The mandatory assessment criteria have been met by the recommended tenderer.

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of 5 in relation to the level of compliance offered by the tenders to each of the assessment criteria as specified in the tender documentation. The method then takes into account pre-determined weightings for each of the assessment criteria which provides for a total score out of 5 to be calculated for each tender. The tender with the highest total score is considered to be the tender that

best meets the requirements of the tender documentation in providing best value to Council. Table 1 below summarises the results of the tender assessment and the ranking of tenders.

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Tecy Transport Pty Ltd	1

PROPOSAL

Council authorise the engagement of Tecy Transport Pty Ltd to carry out the operation of the Dapto Pool Kiosk and Cash Collection Services at Dapto Heated Pool in accordance with the scope of works and technical specifications developed for the project.

The recommended tenderer has satisfied the Tender Assessment Panel that it is capable of undertaking the works to Council's standards and in accordance with the licence agreement and services agreement.

The recommended tenderer must provide cash collection services during the two seasons identified in the Table below commencing from 11 September 2021 to 29 April 2021 (Season 1), and 10 September 2022 to 28 April 2023 (Season 2).

As a result of the current Covid-19 lockdown restrictions the pool facility is currently closed in accordance with NSW Health Restrictions. These closures could potentially affect the commencement date of the licence and the service agreement. The draft agreement provided as part of the tender documentation will be adjusted accordingly.

SEASON 1	Start Date	Finish Date	Trading Hours
Winter	11/9/2021	17/9/2021	6am to 6pm (Monday to Friday) 7am to 2pm (Saturday and Sunday)
Shoulder	18/9/2021	29/10/2021	6am to 6pm (7 days)
High	30/10/2021	25/3/2022	6am to 7pm (7 days)
Shoulder	26/3/2022	24/4/2022	6am to 6pm (7 days)
Winter	26/4/2022	29/4/2022	6am to 6pm (Monday to Friday) 7am to 2pm (Saturday and Sunday)
SEASON 2	Start Date	Finish Date	Trading Hours
Winter	10/9/2022	16/9/2022	6am to 6pm (Monday to Friday) 7am to 2pm (Saturday and Sunday)
Shoulder	17/9/2022	28/10/2022	6am to 6pm (7 days)
High	29/10/2022	24/3/2023	6am to 7pm (7 days)
Shoulder	25/3/2023	24/4/2023	6am to 6pm (7 days)
Winter	26/4/2023	28/4/2023	6am to 6pm (Monday to Friday) 7am to 2pm (Saturday and Sunday)

NOTE - Cash collection to commence immediately when facility is opened by pool staff and the pool will be closed on Christmas Day, Good Friday and ANZAC Day.

Referees nominated by the recommended tenderer have been contacted by the Tender Assessment Panel and expressed satisfaction with the standard of work and methods of operation undertaken on their behalf.

CONSULTATION AND COMMUNICATION

- 1 Members of the Tender Assessment Panel
- 2 Nominated Referees
- 3 Governance
4. In accordance with Section 47 of the Local Government Act, 1993 (NSW), public notice of the proposal to grant the licence was provided to adjoining residents and a notice was placed on the land and in the newspaper in Council's pages, edition 28 July 2021. No submissions were received by the closing date of 25 August 2021.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal "we have a healthy community in a liveable city". It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2022	Annual Plan 2021-22
Strategy	5 Year Action	Annual Deliverables
5.2 Participation in recreational and lifestyle activities is increased.	5.2.1 A variety of quality public spaces and opportunities for sport, leisure, recreation, learning and cultural activities in the community.	Operate and maintain two heated swimming pools at Dapto and Corrimal.

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

Due diligence undertaken by Council on the prospective tenant has minimised any risk by ensuring that they meet standard requirements in respect of experience and demonstrated financial capacity to meet the requirements of the proposed licence.

SUSTAINABILITY IMPLICATIONS

The licence agreement and cash collection services agreement promotes the adherence to sustainability of the environment by ensuring the successful tenderer has an environmental management system focusing on reducing waste and single use packaging and products whilst complying with Council's policies.

FINANCIAL IMPLICATIONS

The recommended submission from Tecy Transport Pty Ltd provides for a commencement rent of \$300 per month (exclusive of GST) for the Licence to operate the kiosk equating to a total of \$4,200 based on a seven-month swim season over a two-year term.

In addition, Council will be responsible for payment to the tenderer of \$17,500 (exclusive of GST) per month equating to a total of \$245,000, excluding GST over a two-year term based on a seven-month swim season for the cash collection Service Agreement.

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

GL-7995 Dapto Heated Pool

CONCLUSION

Council should endorse the recommendations of this report as the recommended tenderer has submitted an acceptable tender for this project and on assessing the value of the contract, the panel was agreeable that the engagement of an external resource as outlined in this tender has been deemed the most cost effective to Council.