

EI22/4008 – PROVISION OF DESIGN AND CONSTRUCT SERVICES FOR THE POINT WALTER MOUNTAIN BIKE TRAIL PROJECT (REC) (CONFIDENTIAL ATTACHMENT)

Ward : Bicton-Attadale-Palmyra
 Category : Operational
 Subject Index : Tender
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : T22/3962 Dyoondalup Point Walter Mountain Bile Facility (15 March 2022)
 Works Programme : Parks Capital Works
 Funding : Capital Works Budget
 Responsible Officer : Mario Murphy
 Manager City Buildings

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

To recommend the acceptance of a tender submitted for the Provision of Design and Construct Services for the Point Walter Mountain Bike Trail Project.

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BACKGROUND

The City of Melville is seeking to engage a suitably qualified and experienced Consultant/Contractor to provide design and construct services to build a facility based on the Concept Design as identified in the Master Plan for Point Walter Mountain Bike Trail Project.

This project has a fixed budget based on the opinion of probable costs provided for the design and construction of the concept which is \$1.2M inclusive of design documentation, approvals, and fees.

The opinion of probable cost information was provided to Tenderers with the request on the basis of the facility being built during the 2022-23 financial year.

The funding associated with this tender will be provided in full by the Federal Government as part of the Local Roads and Community Infrastructure (LRCI) grants program.

The Contractor will be required to provide all labour, plant, machinery, materials, intellectual property, supervision, administration, research, and pay all fees and charges and other disbursements necessary to carry out the design and construction services required under the proposed contract.

The design of the Point Walter Mountain Bike Facility shall include the following components as depicted in the concept plan, in a cohesive manner with existing facilities, services and uses of the greater Point Walter Reserve:

- Pump Track
- Learn to Ride Track
- Jump Park
- Skills Loop/Gravity Trails
- Trail heads.

The project area will also be rehabilitated and revegetated with native plant species to increase vegetation cover and provide shade and habitat.

DETAIL

Responses were received from the following organisations:

- a) Common Ground Trails Pty Ltd
- b) Menchetti Consolidated Pty Ltd T/as MG Group WA

All Respondents properly addressed the Compliance and Disclosure Requirements and were processed through to Qualitative Assessment.

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The City set the following qualitative criteria and weightings.

Demonstrated Experience	35%
Key Personnel	20%
Environmental Sustainability	10%
Aboriginal Business or Disability Enterprise	5%
Methodology	20%
Suitability of Product	10%
Total	100%
Percentage to be shortlisted	60%
Price	Non-weighted

The qualitative scores were achieved by joint agreement of the Evaluation Panel members at the evaluation meeting after each panel member had scored the submission individually.

The recommended Respondent achieved a qualitative score of 85.56% against the following criteria:

- i) Demonstrated Experience
The Respondent provided the required information against this criterion. Examples provided were relevant to the services that will be delivered under this Contract. The Respondent also provided detail regarding how it previous projects were directly relevant to this request.
- ii) Key Personnel
The Respondent provided the required information against this criterion. The information provided shows that they have sufficient capacity and suitable personnel to carry out the works required under this Contract.
- iii) Environmental Sustainability
The Respondent provided the required information against this criterion. They provided their environmental policy, and some great environmental initiatives as well as actions to mitigate negative environmental impact.
- iv) Aboriginal Business or Disability Enterprise
The Respondent uses Aboriginal Subcontractors.
- v) Methodology
The Respondent provided a very thorough and relevant response to this criterion.
- vi) Suitability of Product
The Respondent provided the required information against this criterion and meets the City's requirement under the Request.

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The Evaluation Panel reviewed all Respondents' offers and prepared an Evaluation Report, identifying the recommended Respondent. The recommendation was supported by the Contract and Tender Advisory Unit (CTAU) and is put forward as part of the recommendation to the Council.

The Evaluation Report and associated confidential attachments were distributed to Elected Members under confidential cover.

Individual feedback will be issued to each unsuccessful Respondent.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

The City engaged a consultant to develop a Concept Plan in 2021 and extensive Community consultation on this proposal was undertaken in Feb 2022, with 93% support, 6% did not support, and 1% did not say, from 389 submissions. Concerns raised mostly around Bush Forever status, anti-social behaviour, rider safety, cost of infrastructure and design elements.

II. OTHER AGENCIES / CONSULTANTS

Consultation is also being run in parallel with various State Government and approval agencies, which so far include:

- Department of Biodiversity Conservation and Attractions (DBCA) – Rivers and Estuaries team
- Department of Planning Lands and Heritage (DPLH) - Aboriginal Heritage team
- DPLH - Bush Forever team

Whilst DPLH has advised that no formal Aboriginal Heritage approvals are required, the City is developing a list of relevant local Aboriginal Elders associated with the Dyoondalup Foreshore area to undertake consultation with and seek feedback. The City has will also consult with the Commonwealth War Graves Commission due to the proximity of the proposal to a memorial site.

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1)

"A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services".

Delegated Authority – DA-117 Authority to Sign Documents will be exercised to execute the Contract.

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FINANCIAL IMPLICATIONS

As detailed in confidential attachments.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic Implications of these works relate only to the consequences of not procuring the Services through a tender, the WALGA Preferred Supplier Program or another Local Government, which would result in the City being in breach of the *Local Government (Functions and General) Regulations 1996*.

There are no residual risk implications following the invitation and evaluation process conducted for this item.

POLICY IMPLICATIONS

Council policy CP-023 Procurement of Products or Services, applies to this process.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

No alternate options have been identified.

CONCLUSION

The CTAU is satisfied that the recommended respondent has demonstrated that they have relevant experience, necessary key personnel and follows a methodology in line with the City's expectations.

OFFICER RECOMMENDATION (4008)

APPROVAL

That the Council:

- 1. Accept the recommendation as contained in the Confidential Attachment – RFT212235 Contract and Tender Advisory Unit Minutes, and**
- 2. Upon resolution of the recommendation, directs that the successful respondents' names and anticipated contract value be inserted below this point 2, awarded;**