

7.4.2 TENDER FOR 2023-2024 PLAYGROUND UPGRADES AT CAMBRO ROAD, DIAMOND AVENUE, REMBRANDT DRIVE, MOUNT WAVERLEY RESERVE, PORTLAND STREET NORTH AND HIGHVIEW PARK AND ESCARPMENT - CF2023247

Responsible Manager:	Andrew Andonopoulos, Manager Capital Works
Responsible Director:	Jarrold Doake, Director City Services

RECOMMENDATION

That Council:

- 1. Awards the tender from Rainscapes Pty Ltd for Playground Upgrades at Cambro Road, Diamond Avenue, Rembrandt Drive, Mount Waverley Reserve, Portland Street North, and Highview Park and Escarpment, Contract No. 2023247 for a fixed Lump Sum of \$1,325,915.68 with an extra \$137,769.50 for Contingencies and \$5,779.40 for Provisional Items;**
- 2. Authorises the Chief Executive Officer to execute the contract agreement;**
- 3. Notes that the contract is anticipated to commence on 5 December 2023 and the expected completion date is 28 June 2024; and**
- 4. Notes that the anticipated project expenditure including the fixed Lump Sum, Project Management/ Delivery Fees and Provisional Items is \$1,399,895.55 with a further allocation of \$137,769.50 For Contingencies.**

(*Please note that all dollar figures are GST Inclusive unless stated otherwise).

INTRODUCTION

Council has conducted a tender for 2023247 - Playground Upgrades at Cambro Road, Diamond Avenue, Rembrandt Drive, Mount Waverley Reserve, Portland Street North, and Highview Park and Escarpment.

As part of its planning process for this tender, Council Officers considered its procurement options, including whether to go to market itself, participate in regional or sector collaboration or to access established contracts via other compliant Procurement agreements. Each of the sites are unique and each of the playgrounds have been designed to the specific conditions of the site and therefore the opportunity for collaboration was not applicable.

Council Officers recognised an opportunity in combining multiple projects requiring similar works in a single procurement package to attract a wider range of suppliers, incentivise potential efficiencies including pricing, programing, preliminaries/administration and material procurement whilst retaining the flexibility to award one or more projects to a single or multiple contractors.

BACKGROUND

Council has conducted a tender (2023247) for six play space renewals and one landscape upgrade at Highview Escarpment.

Council's Active Monash Department have identified through the Playground Condition Audit Report and Playground Development Program that these six play spaces required renewal. The proposed tendered works are for the renewal of existing play spaces and associated landscape and accessibility works.

A safety concern was identified at Highview Park Escarpment and these landscape works are required to address the safety of this site as well as improving the aesthetic appeal of the area.

The works and associated infrastructure include:

- Demolition of existing play spaces
- General earthworks
- Installation of new playground equipment and nature-based activity equipment
- Path works and improved accessibility to play spaces
- Park furniture
- Landscaping including new plantings
- Reinstatement
- Landscape establishment period.

NOTIFICATION

A public notice was placed in The Age newspaper on 16 September 2023 and the tender closed on 18 October 2023.

TENDERS RECEIVED

Five (5) tender submissions were received by the appointed closing time. The tenders received are listed below:

TENDERERS SUBMITTED	
1	Rainscapes Pty Ltd
2	Yellowstone Landscaping Pty Ltd
3	Planned Constructions Pty Ltd
4	Commercialscapes Pty Ltd
5	HL Landscapes Pty Ltd

TENDER CONFORMANCE

All submissions were assessed for their compliance with the tender conditions including the contractual terms and conditions and the requirements of the response schedules.

One submission was deemed non-conforming; and this submission was not evaluated further.

TENDER EVALUATION

All members of the evaluation panel signed Conflict of Interest and Confidentiality forms and no conflicts were raised.

The remaining conforming tenderers were assessed in accordance with the evaluation criteria published in the tender documentation:

Pass/Fail Assessment Criteria	Score
Quality Systems (if applicable)	Pass/Fail
OHS	Pass/Fail
Mandatory Insurances (if applicable)	Pass/Fail

KEY SELECTION CRITERIA		CRITERIA WEIGHTINGS	SUB WEIGHTINGS	SUB CRITERIA/RETURNABLE SCHEDULES LINK
40% NON-PRICE CRITERIA	Capacity and Capability	20%	5%	Experience
			5%	Resources
			5%	Risk Management
			3%	Legal Compliance
			2%	Performance and Innovation
	Project Timelines	10%	4%	Start and Completion timeframe
			6%	Proposed Program
	Sustainability (Mandatory)	20%	18%	Environmental Sustainability
			1%	Local Sustainability
			1%	Social Sustainability
PRICE (50%)	Price*	50%	50%	Comparison of Whole of Life Cost or Total Project Cost or Estimated Annual Cost

*Minimum 50% price weighting required unless Council approves otherwise.

** If it is agreed that the Sustainability weighting is less than 20%, the minimum Price weighting must then be 60%.

DISCUSSION

The following information supports the Tender Evaluation Panel's (TEP) recommendations.

Tender pricing was requested separately for each of the six play space renewals and landscape upgrade, including a list of optional provisional items, allowing Council the flexibility to award the tender as a complete package or separately based on the submissions received and subject to available funding as well as capacity of tenderers to deliver the works.

The TEP requested a proposed detailed program from Rainscapes Pty Ltd (Rainscapes) in support of their nominated construction/completion dates for these works to demonstrate their ability to deliver multiple projects should they be awarded all projects. The program was reviewed and the TEP finalised their assessment & scores. The TEP ranked Rainscapes highest overall for all seven sites.

Rainscapes submitted the most competitive price for each of the seven sites and also offered a 3% discount if awarded all six projects, providing a further saving of \$41,007.68 (GST Incl.) for the six sites.

The TEP panel determined that a tender interview should be conducted for the highest ranked tenderer, Rainscapes. The interview questions assessed the tenderer's experience working on similar projects to the playground upgrade proposed, construction methodology, program timelines and risk management. The tenderer demonstrated a good understanding of the works providing detail on similar projects and their methodology to work in three stages, two projects per stage serviced by two teams of three or four fulltime staff to deliver all six sites by the end of June 2024. They had factored in realistic lead times of the play equipment and demonstrated an ability to work across multiple sites at once.

Three reference checks were conducted comprising two municipalities and one commercial builder (school project). All referees said Rainscapes had good quality workmanship, communicated well and had little to no variations with each of the projects. All stated they would work with them again.

An independent financial assessment was undertaken by Corporate Scorecard on Rainscapes as the combined value of the three projects proposed to be awarded to this contractor exceeds \$1M.

An independent financial assessment was conducted on the preferred contractor by Corporate Scorecard and reviewed by the Chief Financial Officer with the following additional controls incorporated into the contract to reduce the risk exposure to council and which is deemed to be satisfactory for the delivery of the contract.

In addition to the 5% bank guarantee as security & acknowledging that this is a traditional construction only contract with Council's payment terms of 30 days nett from payment claim so any payment would be valued against works completed up to the claim date before payment is made, the following conditions and controls will be incorporated into the contract which have been accepted by Rainscapes in writing:

- Ordering of play equipment and payment of deposit to supplier; within the first 2 weeks of acceptance of tender and provide council with evidence of payment and remittance advice from their equipment supplier for the equipment.
- Signing a Statutory Declaration confirming payment of all subcontractors at the time of any progress claims as evidence prior to Council progress payment being approved.

The final evaluation ranking (including the price and non-price evaluation criteria) had Rainscapes Pty Ltd ranked highest and as such the evaluation panel recommends Rainscapes Pty Ltd as representing the best value outcome for Council and that they be awarded this tender.

FINANCIAL IMPLICATIONS

Provision has been made in the adopted 2023/24 Capital Works Budget for these projects as follows:

PROJECT BUDGET ALLOCATION	\$ GST Excl.	\$ GST Incl.
Project A: C09577 Cambro Road Reserve Playspace Upgrade Construction	\$125,547	\$138,101.70
Project B: C09578 Diamond Avenue Reserve Playspace Upgrade Construction	\$125,547	\$138,101.70
Project C: C09579 Rembrandt Drive Reserve Playspace Upgrade Construction	\$125,547	\$138,101.70
Project D: C09587 Mount Waverley Reserve Playspace Upgrade Construction	\$346,211	\$380,832.10
Project E: C09581 Portland Street North Reserve Playspace Upgrade Construction	\$270,211	\$297,232.10
Project F: C09580 Highview Park Playspace Upgrade Construction (\$270,211) & C09509 Highview Park Escarpment Landscape Works (\$141,000)	\$411,211	\$452,332.10
TOTAL BUDGET	\$1,404,274	\$1,544,701.40

Estimated Project Expenditure Based Upon Rainscapes Pty Ltd Submission		
Project A: Cambro Road Reserve		
Tender Price	\$117,282.70	\$129,010.97
Contingency	\$10,740.00	\$11,814.00
Project Management/Delivery Fees	\$9,000.00	\$9,900.00
ANTICIPATED PROJECT EXPENDITURE – Project A	\$137,022.70	\$150,724.97

BUDGET ALLOCATION FOR PROJECT A	\$125,547.00	\$138,101.70
BUDGET SHORTFALL – PROJECT A	\$11,475.70	\$12,623.27

<i>Project B: Diamond Avenue Reserve</i>		
Tender Price	\$104,468.52	\$114,915.38
Contingency	\$10,740.00	\$11,814.00
Project Management/Delivery Fees	\$9,000.00	\$9,900.00
ANTICIPATED PROJECT EXPENDITURE – Project B	\$124,208.52	\$136,629.38
BUDGET ALLOCATION FOR PROJECT B	\$125,547.00	\$138,101.70
BUDGET SURPLUS – PROJECT B	\$1,338.48	\$1,472.32

<i>Project C: Rembrandt Drive</i>		
Tender Price	\$108,544.94	\$119,399.43
Contingency	\$9,500.00	\$10,450.00
Project Management/Delivery Fees	\$9,000.00	\$9,900.00
ANTICIPATED PROJECT EXPENDITURE – Project C	\$127,044.94	\$139,749.43
BUDGET ALLOCATION FOR PROJECT C	\$125,547.00	\$138,101.70
BUDGET SHORTFALL – PROJECT C	\$1,497.94	\$1,647.73

<i>Project D: Mount Waverley Reserve</i>		
Tender Price	\$326,735.29	\$359,408.92
Contingency	\$35,000.00	\$38,500.00
Project Management/Delivery Fees	\$15,000.00	\$16,500.00
ANTICIPATED PROJECT EXPENDITURE – Project D	\$376,735.29	\$414,408.82
BUDGET ALLOCATION FOR PROJECT D	\$346,211.00	\$380,832.10
BUDGET SHORTFALL – PROJECT D	\$30,524.29	\$33,576.72

<i>Project E: Portland St North Reserve</i>		
Tender Price	\$222,688.24	\$244,957.06
Contingency	\$23,265.00	\$25,591.50
Project Management/Delivery Fees	\$13,000.00	\$14,300.00
ANTICIPATED PROJECT EXPENDITURE – Project E	\$258,953.24	\$284,848.56
BUDGET ALLOCATION FOR PROJECT E	\$270,211.00	\$297,232.10

BUDGET SURPLUS – PROJECT E	\$11,257.76	\$12,383.54
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<i>Project F: Highview Park and Escarpment</i>		
Tender Price	\$325,658.63	\$358,224.49
Provisional Items	\$5,254.00	\$5,779.40
Contingency	\$36,000.00	\$39,600.00
Project Management/Delivery Fees	\$13,000.00	\$14,300.00
ANTICIPATED PROJECT EXPENDITURE – Project F	\$379,912.63	\$417,903.89
BUDGET ALLOCATION FOR PROJECT F	\$410,211.00	\$451,232.10
BUDGET SURPLUS – PROJECT F	\$30,298.37	\$33,328.21
OVERALL ANTICIPATED EXPENDITURE (6 SITES)	\$1,403,877.32	\$1,544,265.05

The total lump sum price of the six sites is \$1,544,265.05(GST Incl.) with Cambro Road, Rembrandt Drive and Mount Waverley Reserve having a budget shortfall and Diamond Avenue, Portland Street North and Highview Park & Escarpment showing an anticipated surplus. There is however an adequate overall budget allocation of \$1,544,701.40 across the six sites. Therefore, it is proposed to use funding across the six projects to fund any shortfall on any individual projects.

SUSTAINABILITY OUTCOMES

As part of Council’s commitment to sustainability this project involves the use of:

- Reuse of soil and soft fall much on site;
- Recycled mulch for garden beds;
- Recycled concrete;
- Recycled plastic bollards to be used;
- Timber, steel, and plastic from play equipment will be recycled;
- Contractor to optimise work schedule and travel to reduce fuel consumption;
- Contractor has an upgraded fleet of vehicles with comprehensive maintenance regime;
- Use of battery powered tools; and
- Use of local subcontractors where possible such as plant suppliers and drainage supplies.

Rainscape is prepared to engage with Expanding Horizons: Overcoming Barriers for Employment which is an initiative with Council and Holmesglen Institute to assist businesses to employ and retain people living with disability.

CONCLUSION



That Council approves the recommendations contained within this report.



ATTACHMENT LIST

Nil