

**DIS130: CONTRACT C18018 CONSTRUCTION MULTI USE FACILITY  
– CENTENNIAL PARK EASTERN PRECINCT**

**Land Description** : 49-55 North Road, Albany.  
**Proponent / Owner** : City of Albany.  
**Report Prepared By** : Manager of Major Projects (A. McEwan)  
**Responsible Officers** : Executive Director Infrastructure and Environment (M. Thomson)

*Note: A Confidential Briefing Note has been distributed under separate cover in accordance with section 5.23 of the Local Government Act 1995(2)(e)(iii), being a matter that if disclosed, would reveal information about the commercial affairs of a person other than the Local Government.*

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023:
  - **Theme:** A Connected and Safe Built Environment.
  - **Objective:** To develop vibrant neighbourhoods which retain local character and heritage
  - **Community Priority:** Provide proactive planning and building services that support sustainable growth while reflecting our local character and heritage.
2. This item relates to the following elements of the City of Albany Corporate Business Plan 2017 to 2021:
  - **Theme:** A Connected and Safe Built Environment.
  - **Objective:** To develop vibrant neighbourhoods which retain local character and heritage
  - **Strategic Priority:** Major Projects, Centennial Park - Progress the Centennial Park development project and advocate for the release of Stage 2 funding (\$6.9M) plus the Environmental Wetlands/Water Catchment project.

**Maps and Diagrams:**



**In Brief:**

- Following a competitive tender process, Council approval is sought to award the tender for the Contract C18018 Construction Multi Use Facility – Centennial Park Eastern Precinct, to Wauters Enterprises.

**DRAFT MOTION**

**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT DIS130: Contract C18018 Construction Multi Use Facility – Centennial Park Eastern Precinct be ACCEPTED for consideration by Council as an urgent item in accordance with clause 3.5 of the Standing Orders Local Law 2012 (as amended).**

**RECOMMENDATION**

**DIS130: RESPONSIBLE OFFICER RECOMMENDATION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ACCEPT the tender from Wauters Enterprises and AWARD Contract C18018 Construction Multi Use Facility, Centennial Park Eastern Precinct following successful negotiation of final terms.**

**BACKGROUND**

3. The Centennial Park Sporting Precinct (CPSP) is an ongoing project tied to WA State Government, Department of Local Government, Sport and Cultural industries funding agreement with execution timetables relating to funding conditions and project details.
4. It is preferable to commence works at the earliest possible time, to ensure practical completion in accordance with funding requirements and to minimise disruption to the sporting clubs affected by the works.
5. The Multi Use Facility is a key element to the overall Centennial Park Sporting Precinct development and game day facility for Junior AFL, Albany Cycling Club and Albany Triathlon Club activities or events.
6. Tenders were called for the facility on the 12 September 2018 and closed on the 3 October 2018. It is important that construction works commence as early as possible to ensure practical completion in accordance with funding requirements and to minimise disruption to the sporting clubs affected by the project.
7. A confidential briefing note has been provided to outline the tender process and to provide additional detail concerning the individual tenders.

**DISCUSSION**

8. The project includes the following components:
  - a. Kiosk:
  - b. Storage:
  - c. Toilets and Change space:
  - d. Under covered area;
9. Key user groups have been engaged and involved in the development of the design for the Multi Use facility.
10. Approval of the Multi Use Facility construction works tender is now being sought.

11. A standard tender process was applied, ensuring the necessary accountability and transparency when considering submissions. The tender was evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall point score for the tender
12. The City of Albany advertised state-wide and locally for tenders.
13. A total of 33 sets of documents were downloaded from the City of Albany website.
14. The City received 6 completed tender documents and these were submitted to the Procurement and Contracts Office on/before the stipulated closing date and time.
15. Tenders were subsequently opened, the name of the tenderer/s were recorded in the tender register.
16. Evaluation of Tenders.

A tender panel evaluated tenders using the weighted (out of 10) criteria methodology. Criteria and weighting were evaluated in five key areas.

Criteria	% Weighting
Relevant Experience	15%
Key Personnel Skills and Experience	15%
Demonstrated Understanding	15%
Corporate Social Responsibility	5%
Cost	50%

Tenderer	Total
Wauters Enterprises	657.40
Tenderer B	634.65
Tenderer C	611.47
Tenderer D	552.51
Tenderer E	492.18
Tenderer F	384.30

17. On the basis of the total evaluation score, the highest weighting being applied to cost, relevant experience, and demonstrated understanding the most suitable company is considered to be Wauters Enterprises.

**GOVERNMENT & PUBLIC CONSULTATION**

18. There is no consultation required for the award of the construction of the Eastern Precinct Football Stadium, Centennial Park.
19. The funding bodies will be advised with regard to the outcome of the tender process and timeframe for construction.
20. **Internal Business Unit Consultation:** The Centennial Park Project Control Group has representation from business units across the City of Albany, with regular updates provided to the Executive Management Team and Elected Members.
21. **Elected Members:** presentation of Centennial Park Stage 2 was undertaken on the following dates:-
  - a. 18 June 2018
  - b. 2 October 2018

22. **User Group Consultation:** A series of design workshops have occurred between the user groups, Roberts Gardiner Architects and The City of Albany on the 27 April 2018, 14 May 2018 and 16 August 2018 to establish needs and requirements and confirm design intent.

**STATUTORY IMPLICATIONS**

23. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$150,000.
24. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
25. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council’s decision.
26. Council Procurement Policy – tenders and quotes, and associated procedures is applicable to this report.
27. Voting requirement: **Simple Majority.**

**POLICY IMPLICATIONS**

28. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item

**RISK IDENTIFICATION & MITIGATION**

29. The risk identification and categorisation relies on the City’s Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Organisation’s Operations</b> <i>Failure to deliver project within specified timeframe</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Award the tender as soon as possible to ensure the project remains on track for delivery</i>
<b>Financial Risk</b> <i>Contractor not financial stable resulting in contractual issues.</i>	<i>Possible</i>	<i>High</i>	<i>Major</i>	<i>Undertake review of preferred tenderers financial position and credit check.</i>
<b>Reputation</b> <i>The tender is not awarded resulting in reputational damage.</i>	<i>Possible</i>	<i>High</i>	<i>Major</i>	<i>Award the tender and continue with delivery of the project.</i>
<b>Opportunity</b> <i>To provide a functional and attractive facility to provide amenity to the community and in particular improve opportunities for growth in junior sport.</i>				

**FINANCIAL IMPLICATIONS**

30. The value of this tender exceeds the budget allocation within the project and will require negotiation to reduce the scope in order to meet budget constraints.
31. In summary, the financial status of the project funding can be reported as follows;

Item	Funding Source	Amount (ex GST)
Centennial Park Stage 2 Project budget	State Govt	\$ 6,922,000.00
<b>Total</b>		<b>\$ 6,922,000.00</b>

32. A number of cost savings have been identified in non-essential areas of the project which will maintain the design intent and fit for purpose requirements of the users to keep the project cost to within the budget. Importantly, City staff are confident that a balance between function, quality and architectural integrity will be reached.
33. Reference is made to the confidential briefing note (attached) detailing project funding and risks concerning project delivery.

**LEGAL IMPLICATIONS**

34. Contractual terms for all aspects of this project will need to be rigorously applied

**ENVIRONMENTAL CONSIDERATIONS**

35. Environmental consideration in respect to the project has been made in the design and development stage and there are no issues in relation to this item.

**ALTERNATE OPTIONS**

36. The options are:-
- Council can accept the recommended tender,
  - Not approve any tender, or
  - Select an alternative tender.

**CONCLUSION**

37. On reviewing the submissions, Wauters Enterprises are deemed the most advantageous tenderer across the evaluation criteria for the construction of the Multi Use Facility - Centennial Park, Eastern Precinct. Their tender was well detailed and demonstrated a good understanding of the tender objectives.
38. This report recommends that the tender from Wauters Enterprises be accepted.

<b>Consulted References</b>	:	Local Government Act 1995 <i>(Functions and General) Regulations 1995 Council Policy – Purchasing Council Policy – Buy Local (Regional Price Preference)</i>
<b>File Number (Name of Ward)</b>	:	CP.DEC.40
<b>Previous Reference</b>	:	N/A