

**1.3: CONTRACT C12017 – TENDER FOR CONSTRUCTION OF PADRE WHITE LOOKOUT**

<b>Land Description</b>	: Lot ALBANY 01449 Vested in City of Albany Reserve No. 16692
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Responsible Officer</b>	: Manager Major Projects (A McEwan)

**Maps and Diagrams:**

Nil

**IN BRIEF**

- This tender for Construction Contractors Services for the Padre White Lookout is for the delivery of construction of the lookout and associated infrastructure upgrade.
- H+H Architects have been appointed as the Superintendent to act on The City's behalf during the construction phase of the project and will administer the contractual requirements.
- A decision is required in order to award a construction contract and commence works, achieving a completion prior to ANZAC Day 2013.

**RECOMMENDATION**

**ITEM 1.3: RESOLUTION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR CALLEJA**

**THAT Council award the tender for construction of Padre White Lookout to Robinson Buildtech for \$1,057,982.91 including GST.**

**CARRIED 11-0**  
**ABSOLUTE MAJORITY**

**BACKGROUND**

1. In 2006 the Mounts Management Concept Plans for Mount Clarence was adopted by Council. Detailed design and interpretive detail for the Mount Clarence precinct was actioned, with this documentation being proposed to be used as the basis for the funding applications and construction programmes leading to the ANZAC 2014/15 Centenary.
2. The Padre White Lookout was identified in the Mount Management Plans to undergo an infrastructure upgrade which forms part of the ANZAC Centenary – Mount Clarence Infrastructure Improvement Project.
3. The proposed Padre White Construction Project as set out in SCM 1 May 2012 was accepted by Council at Special Council Meeting 1 May 2012, item 6.1 background serves as an introduction which details the relevant history of the matter that lead to the reason for the report.

20/11/2012

\*\*REFER DISCLAIMER\*\*

4. The Premier of Western Australia visited Albany on 16 August 2012 and announced funding for the Anzac Centenary from the Western Australian Government. The announcement included a sum of \$5.84 million for restorative works to be undertaken on Mt Clarence.

### DISCUSSION

5. The City of Albany advertised locally and at a state level seeking tenders for the Construction of Padre White Lookout at Mt Clarence.
6. A total of 23 sets of documents were downloaded from the City of Albany tender website. Two completed tender documents were submitted to the Procurement and Contracts Office on/before the stipulated closing date and time. Tenders were subsequently opened, the name of the tenderer/s were recorded in the tender register and logged into Records.
7. Evaluation of Tenders.
8. The tender panel evaluated tenders using the weighted (out of 10) criteria methodology. Criteria and weighting were evaluated in four key areas;

Criteria	% Weighting
Cost	40%
Key Personnel and Relevant Experience	20%
Demonstrated Understanding	30%
Other considerations	10%
<b>Total</b>	<b>100%</b>

9. Key Personnel and Relevant Experience
- Directly related similar project
  - Key staff and management have direct relevant experience
  - Indicated detailed understanding of project
  - Detailed areas of concern with tender document
  - Strong track record with complex/different remote projects
10. Demonstrated Understanding
- Detailed program provided
  - Safety system indicates training commitment
  - Project specific comments and planning undertaken with tender
  - General but detailed safety process supplied
11. Other considerations
- Generic plan with some issues outlined
  - No statement of specific environ issues
  - QA in place no plan supplied with the tender
12. On the basis of the total evaluation score, the most suitable company is considered Robinson Buildtech.

Tenderer	Total
Robinson Buildtech	565.98
Tectonics	500.97

13. The tender submitted by Robinson Buildtech addressed all areas satisfactorily, there were no deficiencies. The tender met all criteria and was deemed to be a conforming tender.
14. Howard and Heaver Architects comments (file ref EF1277519) “our evaluation indicates a strong score for Robinson Buildtech, their submission indicates direct experience on similar projects by both the company and the team allocated to this project. They also indicate an in depth analysis of the tender documents and the project which the lowest tenderer, Tectonics Constructions, have not conveyed within their tender submission. This is a complex and high profile project with a high degree of risk, and based on the submissions and the evaluation process we recommend awarding the project to Robinson Buildtech.

### GOVERNMENT CONSULTATION

15. There is no government consultation required for the appointment of the Construction Contractor for the Padre White Lookout.

### PUBLIC CONSULTATION / ENGAGEMENT

16. There is no public consultation required for the appointment of the Construction Contractor for the Padre White Lookout.

### STATUTORY IMPLICATIONS

17. *Local Government Act 1995*, in accordance with Division 2 – Section 11 of the *Local Government (Functions and General) Regulations 1996* requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$250,000.
18. 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.

### STRATEGIC IMPLICATIONS

**Key Focus Area**

*Lifestyle and Environment*

**Community Priority**

*Preservation of Albany’s uniqueness*

**Proposed Strategies**

*Retain Albany’s unique heritage aspects (ANZAC story, first European settlement, Indigenous history).*

### POLICY IMPLICATIONS

19. Council Policy – Purchasing Policy (Tenders and Quotes) as it relates to Tenders and a Major Purchase.

\*\*REFER DISCLAIMER\*\*

**RISK IDENTIFICATION & MITIGATION**

20. The risk identification in the City's Risk Management Framework, as it relates specifically to the awarding of the tender for Construction of Padre White Lookout.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Council rejects/fails to support recommendation for tender award</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Detailed Council agenda item</i>
<i>Construction tender responses higher than cost estimate</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Peer review of documentation before going to tender, negotiation with lowest tenderer</i>
<i>No tender meets minimum requirements</i>	<i>Rare</i>	<i>Severe</i>	<i>Medium</i>	<i>N/A. Project cannot proceed without a successful tender</i>

**FINANCIAL IMPLICATIONS**

21. The value of this tender is in excess of \$250,000 and therefore the approval is referred to Council for consideration.
22. The tender was checked for arithmetical errors, and corrections were made as appropriate. A summary of the tenderer/s financial offer as submitted and corrected, is included in the table below.

TENDERER	TENDER AMOUNT (EX GST)	CORRECTED TENDER AMOUNT (EX GST)
Builder	\$961,802.65	\$961,802.65
<b>TOTAL</b>		<b>\$961,802.65</b>

<b>FUNDING STREAM</b>	
Budget account 3804	\$207,677 ex GST
GSDC Funding Commitment	\$200,000 ex GST
State Government Funding (Padre White Allocation)	\$565,495.65 ex GST
<b>Project Total Budget</b>	<b>\$973,172.65 ex GST</b>
<b>EXPENDITURE</b>	
Superintendent Budget	\$9450.00 ex GST
Construction Tender	\$961,802.65 ext GST
Total Expenditure to Date (Planning and Building Licences)	\$1920.00 ex GST
<b>TOTAL COST</b>	<b>\$973,172.65 ex GST</b>

23. The tenderer has the highest tender score and meets the total project budget. The considerable specific experience demonstrated in their tender submission and H+H Architects recommendation clearly demonstrates the offer from Robinson Buildtech as providing the best experience, quality and value to Council.

**LEGAL IMPLICATIONS**

24. Nil.

**ALTERNATE OPTIONS**

25. The options are:

- Council can elect to approve the recommended tender
- Not approve any tender, or
- Appoint a different submitted tender.

26. Any variation from the recommended tender would need to be motivated as a variation of the current Procurement Policy and tender assessment guidelines.

**SUMMARY CONCLUSION**

27. This tender for Construction Contractors Services for the Padre White Lookout is for the delivery of construction of the lookout. On the basis of tender evaluation score the recommended tenderer is Robinson Buildtech, as their submission represents the best experience, quality and value to Council for this project.

<b>Consulted References</b>	:	<a href="#">Purchasing Policy CM.STD.7/NP072938_5</a>
<b>File Number (Name of Ward)</b>	:	<a href="#">PR.DEC.4 Synergy File Number</a>
<b>Previous Reference</b>	:	<a href="#">SCM 01/05/12 - Item 6.1</a>