

**DIS244: TENDER C20018 – CENTENNIAL CYCLE LINKS –
CONSTRUCTION OF CONCRETE PATHS**

Land Description	: Road Reserves (Lockyer Av, Symers St, Cockburn Rd & Campbell Rd)
Proponent / Owner	: City of Albany
Business Entity Name	: City of Albany
Supplementary Information & Councillor Workstation	: <i>Confidential Briefing Note has been distributed under separate cover.</i>
Report Prepared By	: Civil Engineering Officer (K Sutherland)
Responsible Officers:	: Executive Director Infrastructure & Environment (P Camins)

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 or Corporate Business Plan informing plans or strategies:
 - **Theme:** Clean, Green and Sustainable.
 - **Objective:** To build, maintain and renew city assets sustainably.
 - **Community Priority:** Design, construct and maintain infrastructure cost effectively in a manner that maximises its life, capacity and function.

Maps and Diagrams:

Location Plan - extent of project is indicated by the black lines.



In Brief:

- Tender award for the construction of Centennial Cycle Links.
- Two complying tenders received with Tenderer A being the recommended contractor.
- Construction is scheduled to commence in February 2020 with completion by end of April 2021.

RECOMMENDATION

DRAFT MOTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT in accordance with clause 3.5 of the City of Albany Standing Orders Local Law 2014 (as amended) Report Item DIS244: TENDER C20018 – Centennial Cycle Links – Construction of Concrete Paths be ACCEPTED for consideration by Council as an urgent item.

DIS244: RESPONSIBLE OFFICER RECOMMENDATION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council ACCEPT the tender RECOMMENDED by the evaluation panel in the Confidential Briefing Note and AWARD Contract C20018 – Centennial Cycle Links – Construction of Concrete Paths be ACCEPTED for consideration by Council as an urgent item.

BACKGROUND

2. The City of Albany published the Cycle City Albany 2014-2019 Strategy in October 2014. The strategy has a bold vision 'to transform Albany into one of Australia's best cycling destinations, including both on and off road cycling'. To achieve this, the strategy 'aims to improve cycling infrastructure, encourage cycling as a legitimate mode of transport, improve the culture surrounding cycling by encouraging 'sharing the road' and provide more cycle tourism'.
3. The need for a safe route between Albany Primary and Senior High Schools and the recently redeveloped centennial precinct, as well as the expanding youth precinct has been identified through both internal strategic planning as well as regular requests from members of the community.
4. It was proposed to provide connections of missing links in the path network suitable for shared use by all community members in the vicinity. The proposal was adopted by council and included in the 2019/20 budget.
5. Grant funds have been secured from the State Government through the Western Australia Bicycle Network (WABN) Grants Program and Local Roads and Community Infrastructure Program to undertake the construction in the 2019-20 financial year.
6. Design and specification documentation was prepared by the City of Albany to the stage of 'Issue for Tender'. The tender was open from 4 November to 2 December 2020.

DISCUSSION

7. A total of nine (9) tender documents were issued by the City of Albany.
8. Two (2) completed tender documents were submitted on or before the stipulated closing date and time.

9. The tenderers were evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below.

Criteria	% Weighting
Cost	50%
Relevant Experience	20%
Ability to Meet Required Timeframe	25%
Corporate Social Responsibility	5%
Total	100%

10. The following table summarises the top tenderers and their weighted scores:

Tenderers	Weighted Score
Tenderer A	677.98
Tenderer B	495.35

GOVERNMENT & PUBLIC CONSULTATION

11. All relevant Government departments including the Department of Indigenous Affairs and SWALSC have been consulted on the project. There are no issues with stage 1 proceeding.
12. Stage 2 requires further consultation and is impacted by the future Ring Road alignment. The City will be better positioned to determine as to whether stage 2 should proceed once the timing for the Ring Road project can be established.
13. A request for tenders was published in the West Australian on Wednesday 4 November 2020 and the Albany Weekender on Thursday 5 November 2020.

STATUTORY IMPLICATIONS

14. 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 \$250,000.
15. 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.
16. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

17. Councils Purchasing Policy (Tenders & Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
People Health and Safety <i>Interaction with motor vehicles and cyclists resulting in people being discouraged to cycle.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Progressively improve cycling infrastructure and explore funding opportunities.</i>
Finance <i>Non-compliance with contract or business failure</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Standard general conditions of contract protect the City by allowing for contract termination on the basis of failure to supply goods and services.</i>

FINANCIAL IMPLICATIONS

19. The value of this tender is in excess of \$500,000 and therefore the recommended tenderer requires approval from Council.
20. Grant funds have been secured from the State Government through the Western Australia Bicycle Network (WABN) Grants Program to complete these proposed works in the 2019/20 financial year. Funds have also been allocated in the 2019-20 budget.
21. The budget for the project is \$750,000 (ex GST) which is made up of Western Australia Bicycle Network (WABN) Grants Program (\$185,000), Local Roads and Community Infrastructure Program (\$200,000) with the remainder coming from municipal funds.

LEGAL IMPLICATIONS

22. There are no legal implications associated with this item.

ENVIRONMENTAL CONSIDERATIONS

23. Some street trees will be removed as part of these works. No remnant vegetation will be impacted.

ALTERNATE OPTIONS

24. Council can accept or reject tenders as submitted.

CONCLUSION

25. On reviewing the submissions, the evaluation team assessed Tenderer A as being the most suitable tenderer across the evaluation criteria in terms of cost, relevant experience, ability to meet required timeframe and corporate social responsibility. Tenderer A is recommended to be awarded the Centennial Cycle Links – Construction of Concrete Paths contract.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government (Functions and General) Regulations 1996</i>• Council Policy – Purchasing• Council Policy – Buy Local (Regional Price Preference)
File Number (Name of Ward)	:	C20018 (Frederickstown Ward)
Previous Reference	:	N/A