

DIS326: PANEL OF SUPPLIERS – PROVISION OF BRICK PAVING AND/OR CONCRETE LAYING SERVICES

Proponent / Owner	: City of Albany
Attachments	: Commercial in Confidence - Confidential Briefing Note
Report Prepared By	: Senior Civil Engineering Officer (A Greenwood)
Authorising Officer:	: Executive Director Infrastructure, Development & Environment (P Camins)

CONFIDENTIAL ATTACHMENT

It is recommended that if discussion is required in regards to details contained within the Confidential Attachment, that the matters are discussed behind closed doors, in accordance with section 5.23(2)(c) & (e)(ii) of the Local Government Act 1995, being: a contract which may be entered into and information that has commercial value.

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2032:
 - **Pillar:** Place
 - **Outcomes:** 10: A safe, sustainable and efficient transport network.
 - **Objective:** 10.1: Improve road safety, connectivity and traffic flow.

In Brief:

- Following a competitive tender process, Council approval is sought to award the tender for the Contract C22017 - Panel of Suppliers – Provision of Brick Paving and/or Concrete Laying Services.
- The contract shall be in force from 1st December 2022 or date of award (whichever occurs latest) for a period of twelve (12) months, with mutually agreed and price negotiated option to extend for a further twelve (12) months, in accordance with the Specification to the Principal's satisfaction.

RECOMMENDATION

**DIS326: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council AWARD Contract C22017 – PANEL OF SUPPLIERS – PROVISION OF BRICK PAVING AND/OR CONCRETE LAYING SERVICES to the tenderers recommended by the evaluation panel, as detailed in the Confidential Briefing Note attached to this report.

BACKGROUND

1. The City's current panel of suppliers contract with Black & White Concrete and South City Paving is due to expire 30th November 2022. It is therefore necessary to establish a new panel contract for the provision of brick paving and/or concrete laying services.
2. Tender documentation was prepared and tenders were called for C22017 - Panel of Suppliers – Provision of Brick Paving and/or Concrete Laying Services.
3. The tender was open from 7th September 2022 to 28th September 2022.

DISCUSSION

4. A total of eleven (11) tender documents were issued by City of Albany.
5. Three (3) complete tender documents were submitted on or before the stipulated closing date and time. This included two (2) that were submitted for laying of concrete only and one (1) that was submitted for laying of brick paving only.
6. The tenders 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	45%
Relevant Experience	20%
Tenderer’s Resources including Personnel Particulars	15%
Demonstrated Understanding	15%
Corporate Social Responsibility	5%
Total	100%

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

Tenderer	Weighted Score
Tenderer A (laying of concrete only)	581.72
Tenderer B (laying of concrete only)	558.28
Tenderer C (laying of brick paving only)	491.67

GOVERNMENT & PUBLIC CONSULTATION

8. A request for tenders was published in *The West Australian* on Wednesday 7th September 2022 and *The Extra* on Friday 9th September 2022.

STATUTORY IMPLICATIONS

9. 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.
10. 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.
11. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council’s decision.

POLICY IMPLICATIONS

12. Council’s Purchasing Policy (Tenders & Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Operations: Contract not awarded may result in delays in delivering the capital works program.	Unlikely	Major	High	This Contract is awarded so the Scheduled Works can be completed.
Financial. Contract not awarded may result in carry overs of scheduled works to the next financial year.	Unlikely	Major	High	This Contract is awarded to the recommended Contractor giving the City flexibility to deliver the capital works program.
Legal & Compliance. Non-compliance with Contract or business failure.	Unlikely	Moderate	Medium	General conditions of contract allow for contract termination on the basis of failure to supply goods and services.
Reputation. Community expectation of completion of the capital works program.	Possible	Insignificant	Low	Community are advised of any work delays.

FINANCIAL IMPLICATIONS

14. Based on the existing panel the value of this tender for the period of the panels operation is likely to be in excess of \$500,000 and therefore approval is referred to Council for consideration.
15. More detailed information regarding the financial implications are contained in the Confidential Briefing Note.
16. The costs for individual jobs procured using the panel will be included in the specific budget line item for each particular project.

LEGAL IMPLICATIONS

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

ENVIRONMENTAL CONSIDERATIONS

18. There are no environmental considerations associated with this item.

ALTERNATE OPTIONS

19. The options are:
 - a. Council may choose to accept the recommended tender; or
 - b. Not approve any tender.

CONCLUSION

20. It is recommended, based on the evaluation scoring, clarification and financial check processes, that the tender be awarded to Tenderers A, B and C.

Consulted References	<ul style="list-style-type: none"> • Local Government (Functions and General) Regulations 1996 • Council Policy – Purchasing • Council Policy – Buy Local (Regional Price Preference)
File Number (Name of Ward)	C22017 (All Wards)
Previous Reference	C20015 – Current panel contract for the provision of brick paving and/or concrete laying services.