

## DIS250: TENDER C21001 – LOWER KING AND EMU POINT BOATING FACILITY UPGRADES

Land Description	: Public Marina/Boating facility
Proponent / Owner	: Department of Transport
Business Entity Name	: Department of Transport
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, Development & Environment (P Camins)

*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 or Corporate Business Plan informing plans or strategies:
  - **Theme:** 3 - Clean, Green and Sustainable.
  - **Objective:** 3.2 - To build, maintain and renew city assets sustainably.
  - **Community Priority:** 3.3.2 - Design, construct and maintain infrastructure cost effectively in a manner that maximises its life, capacity and function.

### Maps and Diagrams:

Emu Point Finger Jetty – Extent of work indicated by the red line



Lower King Boat Ramp and Finger Jetty – Extent of work indicated by the red line



**In Brief:**

- This item is to award the tender for the design and construction of Lower King and Emu Point Boating Facility upgrades.
- Two (2) complying tenders were received with Tenderer A being the recommended contractor.
- Design to commence in March 2021 with construction to be completed by mid-June 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 DIS250: TENDER C21001 – Lower King and Emu Point Boating Facility Upgrades be ACCEPTED for consideration by Council as an urgent item.**

**Reason:**

Tender C21001 closed post the agenda distribution for this meeting. This report has been submitted for Council consideration as an urgent item in order to have the upgrades commence as soon as possible.

**DIS250: 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 C21001 – Lower King and Emu Point Boating Facility Upgrades.**

**BACKGROUND**

1. The existing timber finger jetty at both Lower King and Emu Point facilities are in poor condition with significant corrosion in the head stocks. Due to their narrow, uneven and slippery condition not only are the existing jetties potentially dangerous but also do not cater for users with a disability. Recent upgrades to the Lower King boat ramp car park allowed for a second ramp to be installed which is now proposed as part of this project which will significantly increase the capacity at this well-used facility. Given that the existing ramp has significant defects it is proposed to be replaced as part of this project.
2. Grant funds have been secured from the State Government through the Recreational Boating and Fishing Scheme (RBFS) Grants Program to undertake the construction in the 2020-21 financial year.
3. Specification documentation was prepared by the City of Albany for a design and construct contract. The tender was open from 20 January to 17 February 2021.

**DISCUSSION**

4. A total of twenty-one tender documents were issued by the City of Albany.
5. Two (2) completed tender documents were submitted on or before the stipulated closing date and time.
6. 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	45%
Relevant Experience	30%
Demonstrated Understanding	20%
Corporate Social Responsibility	5%
<b>Total</b>	<b>100%</b>

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

Tenderers	Weighted Score
Tenderer A	600.81
Tenderer B	515.86

**GOVERNMENT & PUBLIC CONSULTATION**

8. All relevant Government departments including the Department of Indigenous Affairs and SWALSC have been consulted on the project. Public Transport Authority is a key stakeholder and will continue to be consulted throughout the design and implementation phase.
9. A request for tenders was published in the West Australian on Wednesday 20 January 2021 and the Albany Weekender on Thursday 21 January 2021.

**STATUTORY IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>People Health and Safety</b> <i>Existing infrastructure is potentially hazardous and does not comply with current design standards.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Progressively improve boating facility infrastructure and explore funding opportunities.</i>
<b>Finance</b> <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**

15. The value of this tender is in excess of \$500,000 and therefore the recommended tenderer requires approval from Council.
16. Grant funds have been secured from the State Government through the Recreational Boating and Fishing Scheme (RBFS) Grants Program to complete these proposed works in the 2020/21 financial year. Funds have also been allocated in the 2020-21 budget.
17. The overall budget for the project is \$560,000 (ex GST) which is made up of RBFS funding (\$420,000) with the remainder coming from municipal funds.

**LEGAL IMPLICATIONS**

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

**ENVIRONMENTAL CONSIDERATIONS**

19. There is potential to disturb sediment during construction causing water turbidity. Measures will be taken to minimise this during construction.
20. There is potential for silts removed during the construction of the boat ramps to contain acid sulphate soils. In this event any material removed will be neutralised and disposed of appropriately.

**ALTERNATE OPTIONS**

21. Council can accept or reject tenders as submitted.

## CONCLUSION

22. 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, demonstrated understanding and corporate social responsibility. Tenderer A is recommended to be awarded the Lower King and Emu Point Boating Facility Upgrade contract.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>• <i>Local Government (Functions and General) Regulations 1996</i></li> <li>• Council Policy – Purchasing</li> <li>• Council Policy – Buy Local (Regional Price Preference)</li> </ul>
<b>File Number (Name of Ward)</b>	:	C21001 (Kalgan and Breaksea Wards)
<b>Previous Reference</b>	:	N/A