CM13.8. Albury Regional Skate Park Amenities Contract No. 22/02220

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CONFIDENTIAL	No		
FURTHER ENQUIRIES	Steve Millett Assets, Sustainability and Environment	**PHONE**	6023 8111
AUTHOR	Amshu Bhattarai		

Purpose of Report

To recommend a preferred contractor for the construction of new public amenities at the Albury Regional Skate Park through a qualitative and quantitative assessment.

Background

AlburyCity Council's Public Toilet Strategy 2020-2030 outlines the vision to ensure that we provide an accessible, sustainable, safe, and clean public toilet network that meets the current and future needs of our growing community. The Strategy outlined and prioritised a standalone public toilet upgrade and replacement program for public toilets at prominent locations within the city.

The Public Toilet Strategy did not specifically identify the Skate Park as a high priority location for improved public toilets, however the recent upgrade to the park facilities has resulted in a significant increase in community use. The nearest public toilets are currently at JC King Park and Bilson Park, but both locations create access difficulties for users at the Skate Park and Council has now received numerous requests from the community to install toilets at the site. It is therefore considered necessary to build a new public toilet at the Albury Regional Skate Park, which will be strategically located to also be accessed by users travelling along the Bungambrawatha Creek trail.

The Scope of Works consists of the construction of a new amenities building (Attachment 1) at the Albury Regional Skate Park comprising:

- three non-gender specific cubicles (including an ambulant cubicle) with two external hand basins;
- one all abilities facility with adult toilet, hand basin, a baby change table and a child toilet and hand basin; and
- one water drinking fountain and one precast concrete bench.

Public toilets are an essential service provided by the Council and are crucial in allowing the community to utilise public spaces for longer periods of time. The provision of gender-neutral toilets in this location is in accordance with Council's Public Toilet Strategy endorsed by Council in April 2020. Gender-neutral toilets not only make the toilets more accessible to all members of society, but create a safer environment for families with children, and benefit transgender and non-binary populations.

This Request for Tender (RFT) was conducted in accordance with the requirements of Council's Procurement Policy to identify a suitably qualified contractor to construct new public amenities based on designs provided by Council in the tender pack.

The Contract is a lump sum contract governed by the conditions of GC21 Edition 2 General Contract Conditions.

Tenders were invited for Contract No. 22/02220, New Public Toilets - Skate Park and advertised in the Border Mail, Sydney Morning Herald and on Tenderlink. Tenders closed at 12 noon on Tuesday 18 April 2023. Interested parties were able to access the proposed location as it is in a public park.

The construction duration is estimated at six months with completion programmed for early 2024. A project budget of $480K including GST is allocated for this contract within the 2023/24 financial year.

Tender Assessment

At close of the tender, submissions were received from the following three companies:

- Adaptive Trading Pty Ltd (Wagga Wagga, New South Wales);
- Binding Building Pty Ltd (Lavington, New South Wales); and
- MBS FM Pty Ltd (Fyshwick, ACT).

The tender assessment panel for the tender comprised Project Engineer – Bernie Almazan, Building Projects Officer – Amshu Bhattarai, Senior Design Lead – Douglas Howard, Sourcing Coordinator – Paul Dwyer and Team Leader Property and Building – Richard Boucher. All submissions were evaluated in accordance with Council's Procurement Policy and Guidelines.

Conformity Check

A conformity assessment was undertaken to ensure all submissions received were in accordance with the contract documentation and specification. A summary of assessment outcomes is found in the table below

Company	Pricing Details	Supporting Information	WHS Documentation	Comment
Adaptive Trading Pty Ltd	√	√	√	Conforming
Binding Building Pty Ltd	√	√	√	Conforming
MBS FM Pty Ltd	√	√	√	Conforming

Post tender clarifications were conducted regarded methodology, capability, and past work experience. Following the receipt of satisfactory responses, the panel deemed that all three submissions are adequate and compliant tenders.

Qualitative Assessment

A qualitative assessment considered a range of issues including:

- past performance – including referee checks, relevant experience, and expertise in performing same or similar projects;
- methodology and program – project methodology and proposed program;
- capacity – current and future commitments and workload;
- capability – including availability of resources, equipment, and contract management capabilities; and
- benefit to local region – social and community benefit to the Albury/Wodonga region.

Company	Past Performance (35%)	Methodology & Program (25%)	Capacity (20%)	Capability (10%)	Local Benefit (10%)	Total (100%)
Binding Building Pty Ltd	26	19	15	8	9	77
MBS FM Pty Ltd	26	21	16	8	6	77
Adaptive Trading Pty Ltd	23	15	15	7	4	64

Binding Building Pty Ltd is based in Lavington and is a family-owned and operated business with a combined experience of over 75 years in the building industry. They are well-rounded in both residential and commercial construction, and employ a mixture of tried and tested methods, as well as new and innovative building trends. Binding Building Pty Ltd is a member of Master Builder's Australia and are fully licenced builders in New South Wales and Victoria.

Binding Building Pty Ltd has recently completed a $1.6M full heritage restoration of The Regent Cinema Albury which highlighted their expertise in preserving and reviving historical landmarks. The company has undertaken various projects involving the construction of toilet blocks throughout the City of Wodonga, contributing to the enhancement of public facilities in the area. These include construction of toilet blocks at Kookaburra Point, at Wodonga Racecourse and at Gateway Lakes.

According to the referee information, it has been indicated that Binding Building Pty Ltd is a reliable entity that has consistently achieved all project milestones. Moreover, it has demonstrated superior project management abilities throughout their engagements and is good at maintaining co-operative relationships between key stakeholders to the project.

Binding Building Pty Ltd's work methodology and program are logical with consideration given to site management layout, environmental and waste management strategies, with a realistic period of 16 weeks to complete the project. The company utilises an online WHS System to manage and maintain records of safety compliance which it says surpasses the requirements of the AS/NZS ISO 9001.

Their current work commitments include:

- extension/renovation at a dwelling in Centaur Road (anticipated completion October 2023); and
- renovation/extension at a dwelling in Mitchell Street, Bonegilla (anticipated completion August 2023).

The financial statement, compliance package and reference checks all corroborated that Binding Building Pty Ltd has the capacity to satisfactorily perform the work required under the RFT. Council collaboration with Binding Building Pty Ltd will enable invaluable knowledge and experience to be shared whilst fostering positive relationships within the local community. They have engaged the services of local contractors Border Gas and Plumbing, Grove Steel Solutions and KW Roofing.

As a local business, Binding Building Pty Ltd is committed to utilising nearly 100% local subcontractors, plant, equipment, and materials, to achieve their goal of supporting and promoting local businesses. In 2022, employees from Binding Building Pty Ltd participated in a 24-hour Sunshine Ride as a fundraiser for the Albury Wodonga Regional Cancer Centre. The company is also a major sponsor of a local Football/Netball club and actively participates in the club's activities.

MBS FM Pty Ltd is based in Fyshwick, ACT with a local office in Albury, and is a subsidiary of Monarch Building Solutions Group which is a privately owned business. It has a substantial portfolio of project management for local, ACT and federal government bodies.

All recent projects involve either commercial building construction, fit out, refurbishment or landscaping upgrades of up to $2.1M in value. Referee checks indicated that MBS FM Pty Ltd were exceptional at liaising with the stakeholders and problem solving. Referee information also indicated that MBS FM Pty Ltd were reliable, achieved all project milestones, and offered excellent project management skills. This contractor was recently awarded the Hovell Tree Amenities project by AlburyCity.

A detailed and comprehensive project program and methodology were provided with clear milestones and the linkages between the various components of the overall project. Their project program indicates a period of 16 weeks to complete the project. Detailed Project Management, Emergency Management and Traffic Management Plans were provided.

Notable similar projects completed by MBS FM Pty Ltd include $900K HMAS Harman Bathroom Refurbishment for Downer Defence, $500K Melba Copland Secondary School All Gender Bathroom and Bathroom Upgrades at Mount Stromlo High School. Their current work commitments include:

- Latchford Drying Barracks for Downer Defence (anticipated completion June 2023);
- Manuka Pool Fence Replacement for ACT Property Group (anticipated completion June 2023);
- Albury Pumphouse, Amenities and Boiler Room for Albury City Council; and
- Stromlo Leisure Centre Concrete Civil Works for ACT Property Group.

A review of MBS FM Pty Ltd financial statements indicates that they have the financial capacity to undertake this project. Considering their current commitments, MBS FM Pty Ltd will have sufficient resources to undertake the project. It also has available in-house trades and a local office from which it intends to supervise this contract.

MBS FM Pty Ltd has established a regional office at 549 Smollett Street, Albury, with their head office in the ACT. This expansion has been due to several staff being recruited in the Albury/Wodonga area to service their current work commitments and future projects. Indications are that should it be awarded this tender, the majority (80%) of materials, plant and labour will be sourced from the Albury local region. Most nominated subcontractors are from the Albury Local Government Area, with some specialist trades from Young, Fyshwick and Wangaratta.

Adaptive Trading Pty Ltd is based in Wagga Wagga and is a medium sized family-owned construction company that has undertaken several similar projects throughout New South Wales. These include construction of a new Changing Places facility for Wagga Wagga City Council, a new community building and amenities buildings for Lachlan Shire Council, and an Adult Changing Places facility at National Foresters Grove, Lavington.

Reference checks on past performance were completed and established that the tenderer has satisfactorily executed works and contracts of a similar nature as stated in their tender submission. Referee information indicated that Adaptive Trading Pty Ltd were well organised with their project management and offered solutions to every problem encountered during the project. Referee information also demonstrated that the company was cooperative and responsive to requests and dealt with any defects in a timely and efficient manner. Council's experience at National Foresters Grove was generally positive.

The company's work methodology and program are moderate with consideration given to basic construction steps and a period of 28 weeks to complete, which is comparably longer than alternative submissions received. Provided methodology appeared similar to previous submissions from Adaptive Trading Pty Ltd on other tenders. The company promotes its trading companies as being ISO certified for Safety (ISO 45001), Environment (ISO 14001) and Quality Assurance (ISO 9001).

Adaptive Trading Pty Ltd has recently completed the construction of new public amenities at National Foresters Grove for AlburyCity, which recently attained certification from Changing Places Australia. Their current work commitments include:

- $1.4M contract to construct new housing for Aboriginal Housing Office at Wilcannia (anticipated completion June 2023); and
- $0.76M Duke of Kent Community Building for Wagga Wagga City Council (anticipated completion June 2023).

The list of works above indicates that all the projects are due for completion prior to the anticipated commencement of the Skate Park amenities. The assessment panel considered these contractual commitments and deemed that Adaptive Trading Pty Ltd would have sufficient resources to undertake the project.

The company has a head office in Wagga Wagga and undertakes commercial construction projects throughout the Riverina area. It is committed to 80% of its subcontractors being employed locally, and 70% of plant and materials sourced locally. Their list of nominated subcontractors includes several local contractors familiar to Council, although its commitment to further developing skills and sponsorship of local groups is limited.

From the information provided, all the three tenderers have the required experience, construction plant, resources, and availability to provide AlburyCity with a quality product.

Quantitative Assessment (100%)

The lump sum tender prices and ratings relative to the lowest price are tabulated below.

Company	Contract Value (including GST)	Rating (100)
Binding Building Pty Ltd	$339,132	100
MBS FM Pty Ltd	$441,800	68
Adaptive Trading Pty Ltd	$525,546	57

The budget allocation for new public toilet facilities at the Albury Regional Skate Park for the FY 2023/24 is $480K (including GST). Tender submissions from Binding Building Pty Ltd for $339K (including GST) and MBS FM Pty Ltd at $442K (including GST) both fall within this budget allocation. The offer from Adaptive Trading Pty Ltd of $526K (including GST) is $46K (or 9%) over the allocated budget.

All tenderers provided sufficient documentation to demonstrate the implementation of suitable management systems, expertise, equipment, and resources to give AlburyCity a quality product and service. All submissions relied heavily on the use of local subcontractors to achieve completion of the work. All tenderers are WHS registered with Council or have supplied all required safety compliance documentation.

As detailed above, the submission from Binding Building Pty Ltd was the most favourable from a cost perspective, being $103K more favourable than MBS FM Pty Ltd and $187K less than Adaptive Trading Pty Ltd.

Risk

- **Business Risk** – financial risks during construction are possible due to extreme weather conditions, adverse ground conditions and availability of resources. These risks will be minimised through a defined scope of works, geotechnical investigations and contingencies included in the tender documentation.

- **Corporate Risk** – Council has received multiple requests from the community to install new public toilets at the Albury Regional Skate Park. If the facilities are unable to be delivered, it could be interpreted as an indication that the Council is failing to listen to requests from our community.

- **WHS and Public Risk** – WHS risks from the construction works will be controlled in accordance with AlburyCity procedures. The contractor will be WHS registered with AlburyCity and will be required to implement relevant Safe Work Method Statements and safety inspections.

- **Environmental Risk** – a review of Environmental Factors commissioned by Council (Attachment 2) identified the need to establish a tree protection zone prior to commencing works to minimise the impact on nearby vegetation. This formed part of the construction brief.

- **Delivery Program Risk** – project construction commencement has been delayed from FY2022/23 to the following year because of the highly competitive local market conditions for construction projects and the availability of labour and materials. However, to minimise risks associated with constructing the Albury Skate Park public toilets, a comprehensive schedule, methodology, and budget that allow for timely and cost-effective completion has been developed.

Community Engagement

By improving the public amenities in this location Council will be facilitating improved experiences to residents and visitors, offering greater accessibility to a wide cross section of the community.

Towards Albury 2050 relevant themes.

A Growing Sustainable Economy
1.1 Albury is a liveable city supporting sustainable population growth through the provision of high-quality infrastructure, industry-leading services, and high levels of amenity.

A Caring Community
3.2 Albury is a welcoming, caring, and healthy community with an emphasis on physical, mental and spiritual wellbeing.
3.5 Albury is a safe, inclusive and accessible region for our entire community.

Public Toilet Strategy 2020-2030.

The vision is to ensure that we provide an accessible, sustainable, safe, and clean public toilet network that meets the current and future needs of our growing community.

Council's investment in public toilets has also been part of public consultation through recent budget reviews and processes.

Summary

The scoring for the qualitative and quantitative assessment is summarised in the following table:

Company	Quantitative	Qualitative
Binding Building Pty Ltd	100	77
MBS FM Pty Ltd	68	77
Adaptive Trading Pty Ltd	57	64

From a qualitative perspective, the submissions from Binding Building Pty Ltd and MBS FM Pty Ltd were deemed equally advantageous, largely as a result of a more comprehensive methodology and availability of a local office from which to supervise subcontractors. They both have the required management systems, experience, resources, and availability to successfully undertake this project.

From a quantitative assessment it was determined that the offer from Binding Building Pty Ltd was the best value for money and within the allocated Council budget. A further assessment identified that Binding Building Pty Ltd offers enhanced project supervision through a local office and positive feedback from the completion of previous similar projects on behalf of the City of Wodonga.

Based upon the qualitative and quantitative assessments undertaken, the panel considers that the submission from Binding Building Pty Ltd to be the best value for Council to deliver this project.

Conclusion

Since the opening of the upgraded Albury Regional Skate Park, Council has received multiple requests for a new public toilet facility as existing toilets at nearby JC King Park and Bilson Park provide access challenges. Dedicated toilet facilities focused on user groups at the Skate Park will provide an essential service to the community, and also benefit active transport users travelling along the Bungambrawatha Creek trail network. Council invited tenders for the provision of New Public Toilets at the Skate Park and received three conforming submissions. From the information provided, all three tenderers have the required experience, construction plant, resources, and availability to provide a quality product.

A quantitative and qualitative assessment indicated that the submission from Binding Building Pty Ltd met the requirements of the request for tender and provided the best value to Council. Their tendered price of $339,131.94 including GST is within the budget allocation of $480,000 including GST.

Recommendation

That Council accepts the tender from Binding Building Pty Ltd for the lump sum Contract No. 22/02220 for the Construction of Public Toilets at the Albury Regional Skate Park for the contract value of $339,131.94 (including GST).

Attachments

1. Architectural Images (DOC23/256502).
2. Review of Environmental Factors Report (DOC23/147421).