CM13.2. Fredericks Park Play Space Construction Contract No. 22/01330

DATE	26 September 2023	**FIL REFERENCE**	FIL22/01330-02
CONFIDENTIAL	No		
FURTHER ENQUIRIES	Andrew Lawson City Projects	**PHONE**	6023 8111
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Purpose of Report

To recommend a preferred contractor for Contract No. 22/01330 Fredericks Park Play Space Construction, through a qualitative and quantitative assessment.

Background

Fredericks Park, also known as 'Turtle Park', is located beside the Bungambrawatha Trail, on the corner of Logan Road and Fairview Drive, North Albury. The Park underwent upgrades several years ago which included the installation of items such as a flying fox and net structures, shelters, BBQ, toilets and the turtle sculpture. However, some of the older play elements are now approaching the end of their effective life and require replacing.

Prior to further investment in Fredricks Park it was deemed appropriate to develop a master plan to assist in prioritisation of infrastructure for this important and highly visible parkland. Jeavons Landscape Architects were subsequently engaged to undertake the Fredericks Park Master Plan, which Council endorsed on 12 April 2021. Spiire were then engaged to develop the detailed design documentation of the play space construction based on the final Master Plan.

The key items included in the scope of this detailed design are as follows:

- new playground equipment, including a toddlers play area, junior play area and senior play area;
- three new shelters with picnic seating (one with a BBQ area);
- new seating;
- "learn to ride" area;
- basketball key;
- fitness area;
- new integrated footpath network; and
- associated landscaping works including concrete edging, seating, shade sails and reinstatement of turtle sculptures.

Tenders were invited for Contract No. 22/01330, and advertised in the Border Mail, Sydney Morning Herald and on Tenderlink. Tenders closed at 12 noon on Tuesday 22 August 2023.

The contract duration is estimated at 26 weeks and will be completed in the 2023/24 financial year.

Council's budget allocation for the project is $1.5M (including GST). This estimate was based on the original cost estimate of $1.47M completed by the consultant in March 2021. Due to the time elapsed since the original cost estimate, a revised estimate was requested and received in May 2023 valuing the works at $1.7M (including GST). This increase is primarily attributed to price escalations over that period.

A location plan is attached for information (see Attachment 2).

Tender Assessment

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

- Enviro Culture Services Pty Ltd (Ettamogah, NSW);
- Excell Gray Bruni Pty Ltd (Wodonga, VIC); and
- Wamarra Pty Ltd (Wagga Wagga, NSW)

All tenders were evaluated in accordance with Council's Procurement Policy and Guidelines. The assessment panel for the tender comprised of Sourcing Coordinator – Paul Dwyer, Project Engineer – Henry Clark, and Team Leader Parks & Recreation (Acting) – Mark Lee.

Conformity Check

A conformity assessment was undertaken to ensure all submissions received were in accordance with the contract documentation and specification.

Company	Pricing Details	Supporting Information	WHS Documentation	Comment
Enviro Culture Services Pty Ltd	Yes	Yes	Yes	Conforming
Excell Gray Bruni Pty Ltd	Yes	Yes	Yes	Conforming
Wamarra Pty Ltd	Yes	Yes	Yes	Conforming

As indicated above, all submissions were assessed as conforming tenders, and all companies are WHS registered with Council.

Qualitative Assessment

A qualitative assessment considered a range of issues including:

- past performance – 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 – 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 (30%)	Methodology & Program (30%)	Capacity (20%)	Capability (10%)	Local Benefit (10%)	Total (100%)
Enviro Culture Services Pty Ltd	24	24	16	9	7	80
Excell Gray Bruni Pty Ltd	24	14	16	7	7	68
Wamarra Pty Ltd	18	24	12	7	3	64

Enviro Culture Services Pty Ltd is a locally based company that has undertaken a number of similar playground and landscaping projects throughout the local region, including National Foresters Grove Play Space and Murray Park Play Space. They specialise in soft and hard landscaping, playground construction and minor earthworks.

Their current work commitments include Morris Rutherglen Landscape Upgrades (expected completion, November 2023) and Whitfield Community Reserve Redevelopment (expected completion, December 2023).

Referee reports indicated that Enviro Culture Services Pty Ltd met all project milestones and completed works ahead of schedule. The contractor is well-resourced and can deliver high-quality products. Worksite safety and environmental factors were consistently prioritised and effectively managed.

Enviro Culture Services Pty Ltd has previously completed the National Foresters Grove Play Space and Murray Park Play Space for Council. These projects were completed to a high standard.

Enviro Culture Services Pty Ltd submitted a 37 week works program, with a detailed methodology outlining all construction activities, design requirements and procurement processes. The submission includes procurement lead times on all required products which see works commencing on-site in early February 2024. It should also be noted that this works program includes a Christmas closure period. The company has provided Quality, WHS and Environmental policies as part of their submission.

All staff employed and subcontractors used are locally based, with most materials, plant and equipment sourced from the local region with speciality items not available locally being the exception. The company has also listed several local community groups, sporting groups and volunteer events which they sponsor.

Excell Gray Bruni Pty Ltd is a locally based company that has previously undertaken similar playground and landscaping projects throughout the local region, including the recently completed Ernest Grant Play Space and Car Park.

Their current work commitments include Livingston Benalla (expected completion, September 2023), Meridian Estate (expected completion, September 2023), Baranduda Playing Fields (expected

completion, September 2023), Centaur Road Reconstruction (expected completion, February 2024) and Corryong Streetscape (expected completion, March 2024).

Referees indicated that Excell Gray Bruni Pty Ltd typically meets all project milestones and demonstrates excellent time management. The contractor can utilise and allocate resources within all projects they deliver, resulting in good outcomes with minimal disruption to stakeholders. They also manage environmental and safety matters well.

Excell Gray Bruni Pty Ltd has previously completed the Albury Riverside Precinct, Keene Street Road Reconstruction – Stage 1, the Ernest Grant Park Car Park, Play Space and Skate Park, several stages of the Kerr Road Reconstruction, and the Elizabeth Mitchell/Thurgoona Drive Intersection upgrade for Council. These projects were completed to a high standard.

Excell Gray Bruni Pty Ltd submitted a 12 week works program which is considered extremely optimistic, with a brief methodology outlining required construction activities. Their methodology and works program do not include procurement, design services and pre-construction documentation, which will subsequently extend the tendered program. The company has also provided Quality, WHS and Environmental policies as part of their submission.

All staff employed and subcontractors used are locally based, with most materials, plant and equipment sourced from the local region with speciality items not available locally being the exception. The company has also listed several local community groups, sporting groups and volunteer events which they sponsor.

Wamarra Pty Ltd is based in Wagga Wagga, NSW, and has not completed any work in the local region.

Their current work commitments include Sunshine Hospital (expected completion, August 2023), 555 Collins Street (expected completion, August 2023), Arden Street Substation (expected completion, October 2023) and PURL – Parkville Station (expected completion, March 2024).

Referees indicated that Wamarra Pty Ltd meets all project milestones and demonstrates excellent time management, especially when dealing with project variations. The contractor can utilise and allocate resources within all projects they deliver. The contractor has previously been exposed to high profile projects with similar scope to this contract. They also manage environmental and safety matters well on-site. Wamarra Pty Ltd has not completed any previous work for Council.

Wamarra Pty Ltd submitted a 26 week works program, with a detailed methodology outlining all construction activities, design requirements and procurement processes. The submission includes procurement lead times on all required products which see works commencing on-site in late 2024. The company has also provided Quality, WHS and Environmental policies as part of their submission.

All staff employed and subcontractors used are based out of Wagga Wagga. Most materials required for this project will be sourced locally, however plant and equipment will not be sourced in the local region. Wamarra Pty Ltd has also listed several local community and sporting groups which they have sponsored in the past, with the option of re-sponsoring if successful with this contract. Wamarra Pty Ltd is an Aboriginal owned and operated business dedicated to opening doors for Aboriginal and

Torres Strait Islander communities and extending opportunities through up-skilling and training initiatives.

From the information provided, all companies demonstrate the required management systems, 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)
Enviro Culture Services Pty Ltd	$2,212,286.40	100
Excell Gray Bruni Pty Ltd	$2,517,289.87	88
Wamarra Pty Ltd	$2,838,595.10	78

The budget allocation for the project is $1.5M (including GST), with a revised cost estimate completed in May 2023 indicating a project cost of $1.7M (including GST). No submissions are within the allocated budget. Although the submitted tenders are all above the budget and estimate, they demonstrate a level of consistency and are considered reflective of the current market value for this project at the time of tender.

As detailed above, the submission from Enviro Culture Services Pty Ltd was the most favourable from a cost perspective, being $305K (14%) more favourable than Excell Gray Bruni Pty Ltd and $626K (28%) more favourable than Wamarra Pty Ltd.

The pre-tender cost estimate for the project was $1.7M (including GST), with an approved budget of $1.5M (including GST). The current budget allocation is understated in the order of $700K – 1,000K (including GST), and additionally, an estimated further provision of $200K will be required to facilitate project completion, including construction phase services, contingencies, variations, and project management overheads. It is therefore proposed that the current allocation shortfall of approximately $1.2M be accommodated through adjustments at future Quarterly Budget Reviews considering other project timing/scheduling, project savings and/or allocation of additional funds as required. Provision of this important project will deliver on an endorsed Council Master Plan and provide much needed park infrastructure for our community. It is also anticipated that current market conditions will remain for the short to medium term.

Risk

- **Business Risk** – financial risks are possible if latent/unknown construction issues are encountered. Geotechnical investigations, location of existing services, as well as environmental investigations have been undertaken to reduce this risk.

- **Corporate Risk** – this project is situated in a high profile area, adjacent to the Bungambrawatha Trail, North Albury Dog Park and Bunton Park and as such, will be visible to the community. This

project will increase amenity for the area and provide upgraded facilities. The risk area is considered low.

- **WHS and Public Risk** – WHS risks due to 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 undergo safety inspections. The contractor will implement traffic management plans and have restricted site access to provide a safe environment for the worksite and the community.

- **Environmental Risk** – a Review of Environmental Factors (REF) and associated studies has been undertaken for these works to identify any risks and suitable measures to mitigate them (see Attachment 1). The conditions of the REF will be adhered to, including the implementation of a Construction Environmental Management Plan. An erosion and sediment control plan will be in place for the entirety of the project.

- **Delivery Program Risk** – standard risks associated with construction are possible, including delays due to inclement weather and changes due to latent/unknown construction issues. To minimise potential delays and unknown factors, site investigations were completed during the design phase of this project.

Community Engagement

The community was given the opportunity to provide their suggestions for Fredericks Park through an online engagement platform – Social PinPoint to "Have Your Say" into the design of the Master Plan. This consisted of a survey and ideas wall where people could more actively engage and provide their input. A number of written responses were received from the community through the "Have Your Say" process for Fredericks Park which were considered by Jeavons Landscape Architects whilst developing the Fredericks Park Master Plan.

Following endorsement of the draft Master Plan at the Council Meeting held on 14 December 2020, the draft Fredericks Park Master Plan was placed on public exhibition, which concluded on 29 January 2021. Copies of the draft Fredericks Park Master Plan were made available at the LibraryMuseum, Lavington Library, Council Offices and on the AlburyCity website. To promote the public exhibition period, surrounding residents were notified of the public exhibition period through a letterbox drop, whilst broader awareness occurred through an advertisement placed in the Border Mail, and promotion using social media posts. The draft Fredericks Park Master Plan was also tabled at the Albury Access Committee meeting for consideration.

The project is also supported by a number of themes included in Towards Albury 2050.

Theme One – A Growing Sustainable Economy

1.8 Albury's infrastructure and assets are well managed and maintained.
  1.8.1 Determine infrastructure and service levels through balancing community needs, future growth, sustainability and heritage values.

Theme Three – A Caring Community

3.2 Albury's key community safety indicators continuously improve.
3.2.1 Develop and implement strategies to improve community safety and amenity.

3.3 The health and wellbeing of the Albury community improves.
3.3.4 Ensure appropriate infrastructure including accessible path networks/encourage active lifestyles.

3.4 Albury offers a diverse and accessible range of facilities and activities for all ages.
3.4.1 Improve access for all – in relation to systems and processes, transportation, civic buildings, community facilities and parks.
3.4.3 Promote and encourage healthy lifestyles through development and efficient use of sporting, recreational, educational and cultural facilities, and infrastructure.
3.4.5 Increase and promote activities and infrastructure available for children and young people.

The project was subsequently included in the 2023/24 Delivery Program, which was endorsed by Council following public exhibition.

Summary

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

Company	Quantitative	Qualitative
Enviro Culture Services Pty Ltd	100	80
Excell Gray Bruni Pty Ltd	88	68
Wamarra Pty Ltd	78	64

From the qualitative assessment, all companies have the required management systems, experience, resources and availability to successfully undertake this project. The submission from Enviro Culture Services Pty Ltd was considered the most favourable in terms of methodology, program, capability and capacity.

From a quantitative perspective the submission from Enviro Culture Services Pty Ltd was assessed as being the most advantageous. The submission was between $305K (14%) and $626K (28%) more favourable than the other submissions.

Therefore, based on the qualitative and quantitative assessments, it is deemed that the submission from Enviro Culture Service Pty Ltd provides the best value for Council to deliver this project.

Although the tender pricing received aligns with the current market, the budget allocation (2023/24) is understated in the order of $1.2M (including GST). It is proposed that the current allocation shortfall be accommodated through adjustments at future Quarterly Budget Reviews considering other project timing/scheduling, project savings and/or the allocation of additional funds as required.

Conclusion

Fredericks Park is located beside the Bungambrawatha Trail, on the corner of Logan Road and Fairview Drive, North Albury. Much of the play elements are now approaching the end of their effective life and require replacing.

Council endorsed the Fredericks Park Master Plan at its meeting on 12 April 2021, which included the construction of a new play space.

Council invited tenders for Contract No. 22/01330 Fredericks Park Play Space Construction and received three submissions.

The key items included in the scope of this tender are as follows:

- new playground equipment, including a toddlers play area, junior play area and senior play area;
- three new shelters with picnic seating (one with BBQ area);
- new seating;
- “learn to ride” area;
- basketball key;
- fitness area;
- new integrated footpath network; and
- associated landscaping works, including concrete edging, seating, shade sails and reinstatement of turtle sculptures.

A quantitative and qualitative assessment indicated that Enviro Culture Services Pty Ltd was the most favourable submission. Their tendered price of $2,212,286.40 (including GST) is considered value for money and the most advantageous for Council.

Recommendation

That Council:

a. accepts the tender from Enviro Culture Services Pty Ltd for Contract No. 22/01330 Fredericks Park Play Space Construction, for the lump sum value of $2,212,286.40 (including GST); and

b. approves the allocation of $1.2M (including GST) in additional project funding at future 2023/24 Quarterly Budget Reviews to complete the project.

Attachments

1. Review of Environmental Factors Report (DOC23/377932).
2. Location Plan – Fredericks Park Play Space Construction (DOC23/377931).