## CM13.6. Australia Park Car Park and Levee Construction Works Contract No. 21/02476

| | | | |
|---|---|---|---|
| **DATE** | 14 November 2023 | **FIL REFERENCE** | FIL21/02476-01 |
| **CONFIDENTIAL** | No | | |
| **FURTHER ENQUIRIES** | Andrew Lawson<br>Service Leader City Projects | **PHONE** | 6023 8111 |
| **AUTHOR** | Kyal Sharpe | | |

**Purpose of Report**

To recommend a preferred contractor for the construction of the Australia Park Car Park and Levee Construction project, through a qualitative and quantitative assessment.

**Background**

The Australia Park Car Park and Levee Construction project is being delivered by AlburyCity in partnership with the Australian Government (Local Roads and Community Infrastructure Program) and the NSW Government, under the Regional Growth Environment and Tourism Fund. The project is part of a wider range of projects identified within the Murray River Experience Master Plan that seek to improve our connection with the Murray River.

Australia Park is located on the southern side of Ebden Street and west of Wodonga Place, adjacent to Oddies Creek Park and the historic Turks Head Building. Australia Park is the first riverside park encountered following crossing the NSW/Victoria border into Albury, and is an important gateway to the public parkland areas adjoining the Murray River.

This project will increase flood protection to the city, as well as improve amenity for visitors to the riverside parks through increased car parking and accessibility. The scope of the works included in this contract is summarised below:

- realignment of a section of the South Albury Levee Bank;
- construction of an 80-space car park (with four accessible parks);
- reconstruction of Ebden Street, between Wodonga Place and the western turning area;
- landscaping, picnic shelter, tree planting and linking pathways;
- pedestrian bridge linking Oddies Creek Park and Australia Park;
- decommissioning and rehabilitation of old gravel car park;
- new service vehicle creek crossing; and
- associated water, sewer and electrical works.

Tenders were invited for Contract No. 21/02476 – Australia Park Car Park and Levee Construction Works, and advertised in the Border Mail, Sydney Morning Herald and on Tenderlink. Tenders closed at 12 noon on Tuesday 17 October 2023.

The contract duration is estimated at 30 weeks and will be completed across the 2023/24 and 2024/25 financial years.

Council's budget allocation for the project is $4.29M (including GST), which includes $1,066,148 of grant funding through the Local Roads and Community Infrastructure Phase 3 program (LRCI).

A location plan is attached for information (Attachment 1).

**Tender Assessment**

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

- Colin Joss & Co Pty Ltd t/a Joss Construction (Albury, NSW); and
- Excell Gray Bruni Pty Ltd (Wodonga, VIC).

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, Senior Project Engineer – Kyal Sharpe and Team Leader Project Delivery – Isaac Greene.

**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 |
|---|---|---|---|---|
| **Excell Gray Bruni Pty Ltd** | ✓ | ✓ | ✓ | Conforming |
| **Joss Construction** | ✓ | ✓ | ✓ | 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 – 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 (30%) | Methodology & Program (30%) | Capacity (20%) | Capability (10%) | Local Benefit (10%) | Total (100%) |
|---|---|---|---|---|---|---|
| Joss Construction | 30 | 30 | 20 | 8 | 8 | 96 |
| Excell Gray Bruni Pty Ltd | 24 | 24 | 16 | 8 | 8 | 80 |

**Joss Construction** is a locally based company (Albury NSW) with extensive experience in large scale construction projects. Projects recently completed by Joss Construction include the Wagga Wagga Multi Sports Cycling Complex ($13M), Duntroon Demolition and Car Park Works ($10M), Albury Courthouse ($6M), and Artle Smith Oval ($17M), amongst others.

The company's current work commitments include a total of 16 projects, ranging from $800K to $92M in value; this includes the Ian Barker Fields Stabilisation and Reconstruction Works project for Council. The five projects listed below are scheduled to reach completion prior to this project commencing:

- Flying Fruit Fly Circus, Albury – expected completion November 2023;
- Sacred Heart Primary School, Wagga Wagga – expected completion November 2023;
- Henschke Primary School, Wagga Wagga – expected completion December 2023;
- CSU Pump House, Wagga Wagga – expected completion December 2023; and
- Key Worker Accommodation, Balranald – expected completion January 2024.

Joss Construction's submission outlined a comprehensive delivery team with individuals who have direct experience in completing all components of the works, as well as other relevant construction industry experience. They have nominated additional project support resources to undertake technical, programming, health and safety, environment, and quality functions. The tender assessment panel considered the company's current commitments and available resources and deemed that, should Joss Construction be awarded this tender, it would have suitable capacity to undertake the works.

Joss Construction submitted a detailed construction program with a duration of 29 weeks. The submitted methodology was extensive, explaining all required construction activities, environmental controls, and traffic management.

Referee information indicated that Joss Construction has previously delivered high-quality projects in accordance with the technical requirements and client's expectations. Referees also suggested that the contractor is highly experienced in project delivery and has a professional and well-resourced team.

Joss Construction has indicated that the majority of materials, plant, equipment, and labour will be sourced from the local region. Their submission also indicated substantial community benefit within the local region through extensive sponsorship of various local sporting groups, volunteer organisations and community groups.

**Excell Gray Bruni Pty Ltd** is a locally based company (Wodonga VIC) with extensive experience across a wide range of civil infrastructure projects. The company has recently completed the Riverside Precinct ($9M) and Ernest Grant Park ($1.8M) projects for AlburyCity, as well as various other projects for public and private sector clients.

The company's current work commitments include the Centaur Road Reconstruction (expected completion, February 2024) and Southern View Drainage (expected completion, February 2024) projects for AlburyCity, Land 400 Puckapunyal (expected completion, February 2024), Corryong Stock Route (expected completion, February 2024) and Corryong Streetscape (expected completion, October 2024). The tender assessment panel considered the company's current commitments and available resources and deemed that, should Excell Gray Bruni Pty Ltd be awarded this tender, it would have suitable capacity to undertake the works.

Referee information indicated that Excell Gray Bruni Pty Ltd is a cooperative company with a demonstrated ability to coordinate various trades and materials to meet complex project requirements. Excell Gray Bruni Pty Ltd has recently completed the Riverside Precinct and Ernest Grant Park projects for Council, both of which were delivered to a high standard.

Excell Gray Bruni Pty Ltd submitted a detailed construction program with a duration of 19 weeks, which is considered optimistic. The submitted methodology addressed requirements of the RFT documentation, including all required construction activities, environmental controls and traffic management. Excell Gray Bruni also provided Quality, OHS, and Environmental policies as part of their submission.

All staff employed and subcontractors used are locally based, with 100% of materials, plant, and equipment sourced from the local region. The company also provides sponsorship to numerous local community groups, sporting groups, and fundraising events.

From the information provided, both 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 | Estimated Contract Value | Rating (100) |
|---|---|---|
| **Excell Gray Bruni Pty Ltd** | $3,547,853.63 | 100 |
| **Joss Construction** | $4,912,115.38 | 72 |

One tender received is within Council's budget allocation of $4.29M.

As detailed above, the submission from Excell Gray Bruni Pty Ltd was the most favourable from a cost perspective, being $1.36M (38%) more favourable than the submission from Joss Construction.

**Risk**

- **Business Risk** – financial risks are possible, most likely associated with scope creep or latent conditions as a result of subsurface conditions differing from those anticipated. However, these risks have been minimised through a clearly defined scope of works and extensive investigations during the design phase of this project.

- **Corporate Risk** – corporate risks are possible, primarily associated with disruptions to the surrounding facilities and closure of access to Noreuil Parade via Ebden Street. The project will contribute to increased car park usage at Noreuil Park, and any delays during construction will prolong the reduced car park capacity in the area, potentially impacting the AlburyCity brand.

- **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 by AlburyCity and will be required to implement a WHS Management Plan, relevant Safe Work Method Statements and safety inspections.

- **Environmental Risk** – a Review of Environmental Factors (REF) and associated investigations have been undertaken to identify any environmental risks and suitable measures to mitigate them (Attachment 2). The contractor will be required to implement extensive mitigation requirements to reduce the environmental risks of this project. These mitigation measures include the submission of a comprehensive Construction Environmental Management Plan (CEMP), inclusive of environmental control plans addressing environmental controls to be implemented. In particular, the CEMP will address erosion and sediment controls, tree protection, noise and air quality. In addition to the CEMP, the contractor is required to engage a qualified ecologist to supervise sensitive components of the works, and a qualified arborist to manage the removal of required vegetation.

- **Delivery Program Risk** – standard delivery program risks are possible, such as delays due to inclement weather, delays due to latent conditions and contractor-caused delays.

**Community Engagement**

Australia Park is a gateway to the Albury Riverside Precinct and is a key component of the Murray Riverside Experience Master Plan that was adopted by Council in 2007. This Master Plan seeks to strengthen the relationship between the community and the Murray River, providing greater access to the River, and improved amenities and diversity of experiences.

In early 2017, a proposal and breakdown of proposed car parking spaces across the entire Riverside Precinct was presented to Council, including 100 additional spaces within Australia Park. This was subsequently adopted by Council in June 2017. Community consultation was then initiated to gain community feedback in relation to the Draft Riverside Precinct Concept Plans through a ‘Have your Say’ process, with 562 residents participating.

The community response was overwhelmingly positive, with 91% of respondents supportive of plans to 'further improve facilities, parking and pedestrian connectivity between Australia Park, Oddies Creek Play Space and the other riverside park areas'. This information was presented to Council in August 2017 with project endorsement.

Realignment and reconstruction of the flood levee is being undertaken as part of a larger design review and upgrade in South Albury. The new levee and retaining wall will be constructed to current standards, to meet the 1% AEP flood requirements and improve the flood protection in this part of the city.

The project is consistent with various themes within the Towards Albury 2050 Community Strategic Plan, which has undergone extensive community consultation prior to adoption.

The project aligns with outcomes contained within Towards Albury 2050 including:

*1.2* Albury *has an accessible, integrated transport network that connects our city through safe and efficient travel options.*

*1.2.1 Effectively plan, upgrade, and maintain our network of roads, bridges, cycleways, footpaths, walkways, and street lighting*.

*2.4 Albury is a recognised leader in the protection, conservation and management of our natural assets.*

*2.4.3 Acknowledge our connection to the natural environment by providing opportunities for the community to connect and respectfully enjoy our natural surroundings.*

The Australia Park project is also included in the Four-Year Delivery Program, which underwent extensive community consultation prior to adoption by Council.

To keep the community informed of the construction progress, the project has been included in the Major Projects section of the website, and frequent updates will be made through News from AlburyCity and via social media.

**Summary**

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

| Company | Quantitative | Qualitative |
|---|---|---|
| **Excell Gray Bruni** | 100 | 80 |
| **Joss Construction** | 72 | 96 |

From the qualitative assessment, both companies have the required management systems, experience, resources, and availability to successfully undertake this project.

From a quantitative perspective the submission from Excell Gray Bruni Pty Ltd was assessed as being the most advantageous. The submission was $1.36M (38%) more favourable than the submission from Joss Construction.

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

**Conclusion**

Council invited tenders for Australia Park Car Park and Levee Construction and received two submissions.

Australia Park is located adjacent to Oddies Creek Park and the historic Turks Head Building. Australia Park is an important gateway to the public parkland areas adjoining the Murray River. This project will increase flood protection for the city as well as improve car parking capacity and overall amenity for visitors to the Riverside Precinct.

Key components of the Australia Park project are the upgrade and realignment of the South Albury Flood Levee, and the construction of an 80-space landscaped car park to provide improved amenity for the Oddies Creek Play Space, Australia Park, Noreuil Park and the wider Riverside Precinct. Additionally, a new linking pedestrian bridge will be installed to connect the new car park to Oddies Creek Play Space, as well as improved landscaping, connecting paths, and a new picnic shelter.

A quantitative and qualitative assessment indicated that Excell Gray Bruni Pty Ltd was the most favourable submission. Their tendered price of $3,547,853.63 (including GST) is considered value for money and the most advantageous for Council.

**Recommendation**

That Council accepts the tender from Excell Gray Bruni Pty Ltd, for Contract No. 21/02476 – Australia Park Car Park and Levee Construction, for the lump sum amount of $3,547,853.63 (including GST).

**Attachments**

1. Locality Plan (DOC23/418545).
2. Review of Environmental Factors Report (DOC23/369598).