

162

18 CONFIDENTIAL ITEMS

18.2 LAMEROO TOWN CENTRE PROJECT - CENTRE PIVOT AWARD OF CONTRACT

RECOMMENDATION

That:

1. Pursuant to Section 90(2) & (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Chief Executive Officer, Manager Property and Development Services, Coordinator Executive Services, Coordinator Organisational Development and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 21 April 2021 for Agenda Item 18.2 Lameroo Town Centre Project - Centre Pivot Award of Contract;
2. The Council is satisfied that pursuant to section 90 (3) (k) of the Local Government Act 1999, the information to be received, discussed or considered in relation to the Agenda Item 18.2 Lameroo Town Centre Project - Centre Pivot Award of Contract is:
tenders for the supply of goods, the provision of services or the carrying out of works.
3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this Agenda Item 18.2 in confidence.

**MOVED COUNCILLOR NEVILLE PFEIFFER
SECONDED COUNCILLOR MICK SPARNON**

That:

1. Pursuant to Section 90(2) & (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Chief Executive Officer, Manager Property and Development Services, Coordinator Executive Services, Coordinator Organisational Development and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 21 April 2021 for Agenda Item 18.2 Lameroo Town Centre Project - Centre Pivot Award of Contract;
2. The Council is satisfied that pursuant to section 90 (3) (k) of the Local Government Act 1999, the information to be received, discussed or considered in relation to the Agenda Item 18.2 Lameroo Town Centre Project - Centre Pivot Award of Contract is:
tenders for the supply of goods, the provision of services or the carrying out of works.
3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this Agenda Item 18.2 in confidence.

CARRIED.

18.2 LAMEROO TOWN CENTRE PROJECT - CENTRE PIVOT AWARD OF CONTRACT

Responsible officer: Samuel Wellington, Manager Major Projects Delivery

Attachments: 1. Centre Pivot Structure Tender Evaluation

Section under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 90(2) & (3) of the <i>Local Government Act 1999</i> .
Sub-clause and Reason:	(k) - tenders for the supply of goods, the provision of services or the carrying out of works.

Executive Summary

The purpose of this report is to enable Council to enter into a contract for the supply and installation of the centre pivot structure as part of the Lameroo Town Centre Project.

Council has undertaken a formal tender process and has identified a preferred tenderer to undertake supply and installation as part of the Lameroo Town Centre Project. This report enables Council to consider this tender process and award Iguana Creative the contract for the supply and installation of the centre pivot structure.

RECOMMENDATION

That Council awards the contract for the supply and installation of the Centre Pivot Structure as part of the Lameroo Town Centre Project to Iguana Creative for a contract price of up to \$85,000 (ex GST).

MOVED COUNCILLOR PAUL IRELAND
 SECONDED COUNCILLOR REBECCA BOSELEY

That Council awards the contract for the supply and installation of the Centre Pivot Structure as part of the Lameroo Town Centre Project to Iguana Creative for a contract price of up to \$85,000 (ex GST).

CARRIED.

Background

Council previously resolved to develop masterplans for both the Lameroo Town Centre Project and the Pinnaroo Village Green Project. Council was successful in being awarded grant funding from both the Drought Community Programme Extension for Stage 1 and the Building Better Regions Funding for Stages 2 & 3.

Context

Following a competitive tender process, the design services contract for the Lameroo Town Centre Project was awarded to Birdseye Studios. Birdseye produced a masterplan and design for stage 1 that was endorsed by Council in late 2020.

Following this endorsement, the tender for the supply & installation of the centre pivot structure was put to market.

Policy and statutory implications

The Local Government Act 1999 is relevant to this matter.

Council's procurement policy is relevant to this report. The project team has ensured that the tender process meets the required obligations as per Council's procurement policy.

Issues

Council sought tenders for the centre pivot structure via Tenders SA. Four tenders were received for this element of the project.

They were received from:

- Iguana Creative
- LCS Landscapes
- Haynes Engineering
- Williams Metal Fabrications

The tenders received were assessed by the evaluation team, consisting of the Manager Major Projects Delivery, Manager Infrastructure Services, and Project Officer.

Two tenders were deemed to be non-conforming, as they did not meet the requirements of the tender specification. These tenders were:

- Haynes Engineering – Tender was submitted via email, as opposed through Tenders SA. Tenderer also did not fill out the RFQ documentation, and only submitted a one-page email response. This was deemed to not contain sufficient information required, and was deemed non-conforming, and was excluded from further evaluation.
- Williams Metal Fabrications – Despite the tender calling for tenderers to include an installation fee, this was excluded from the Williams Metal Fabrications quote. Therefore, this submission was deemed incomplete and non-conforming.

The remaining two quotes were from LCS Landscapes and Iguana Creative.

The evaluation process identified Iguana Creative as our preferred contractor.

On completion of award of contract, Council will execute a contract with Iguana Creative and they will commence delivery of the works, with the structure to be installed on-site by 30 June 2021, in line with other works.

Alternate options

Council has the option not to proceed with the award of contract. If this was to occur, then this structure would not be delivered, and the playground would need to be reconfigured at additional expense.

Financial implications

The cost to undertake this piece of work is up to \$85,000.00 (ex GST)

Work Health and Safety and Risk implications

A site-specific project safety plan will be developed by Iguana prior the works being undertaken. This plan will be reviewed by Council as the project superintendent.

Council faces severe reputational risk and embarrassment if it does not progress this project.

Consultation

Council has undertaken public engagement through its consultants as well as separately. Council also has an established steering committees for this project – which has been involved in the design and development of the stage 1 designs.

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Centre Pivot Structure Tender Evaluation

Meeting held 07/04/2021 @ 11:30am – 4 Submissions Received

Panel Members:

Sam Wellington, Manager Major Projects Delivery

Matthew Sherman, Manager Infrastructure Services

Rachel Ridgway, Project Officer

Iguana – Cost \$86,325 (Exc GST)

- Submission demonstrated vast experience and capability for the work required.
- The RFQ template supplied was used, plus an additional second document
- All elements of the works required were included – fabrication, installation and a certification.
- Iguana designed the centre pivot structure and therefore have extensive knowledge of the piece.
- The submission noted the footings would be completed by LCS Landscapes, who are already engaged with the contract for the Stage 1 works for this project meaning there will be good consistency across the project.
- Iguana hold all necessary insurances.
- Schedule was provided with the timing of early-mid July – approx. 12 weeks – it was noted the schedule can be flexible in working with LCS Landscapes to insure a seamless installation.
- Overall price in submission was \$86,325 ex GST. The price included \$6,200 for swings which we have purchased directly by Council and therefore this cost can come out. The footings are excluded with Iguana recommending LCS Landscape complete these – a price will need to be sought to confirm the price for the footings although it is expected to be approx. \$3,000. Clarifications sought from Iguana.

LCS Landscapes - Cost \$93,825.60 (Exc GST)

- Submission demonstrated plenty of experience and capability for the work required.
- All elements of the works required were included – fabrication, installation and a certification.
- LCS Landscapes are the contracted works team for Stage 1 of the project that includes installation of the rest of the play space and therefore have extensive knowledge of the play space and the centre pivot piece. They will already be on site and are familiar with the town.
- LCS Landscapes would outsource fabrication of the piece to Iguana.
- LCS Landscapes hold all necessary insurances.
- Schedule was provided with the timing of early-mid July – approx. 12 weeks.
- Overall price in submission was \$93,825.60 ex GST – higher price than Iguana was determined as the key difference in submissions.

Haynes Engineering – Cost \$82,410 (Exc GST)

- Lack of detail and information included in submission – 1 page email.
- Submission was not done through Tenders SA.
- The RFQ template supplied was not used.

It was determined that this did not meet the requirements to be further assessed as a submission.

Williams Metal Fabrications – Cost \$63,327 (Exc GST)

- Background provided in submission demonstrated company has a high level of fabrication experience, having done some large projects previously.
- The RFQ template supplied was used and submitted with detail.
- Key concern was that the submission excluded installation. The RFQ was clearly named fabrication and installation of the Centre Pivot Playground Structure. The submission listed a

provisional sum for installation of \$9,000 ex. GST. Evaluators believed this amount would be insufficient for the work required for installation. If this submission was accepted Williams Metal Fabrications would still need to find a contractor for this installation work and having provided no details around this we would have no quality control on who was contracted and the quality of works supplied.

- Another concern was that the submission made no mention of providing the certification.
- Overall price \$63,327 (ex GST) which without firm installation prices & an inclusion for the costs for the certification of structure, this could not be assessed easily against the other prices as either high or low.

It was determined that this did not meet the requirements to be further assessed as a submission.

Recommendation:

The evaluation team's recommendation is to engage Iguana to deliver this work. Minor clarifications around some elements will be sought.

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18 CONFIDENTIAL ITEMS**18.2 LAMEROO TOWN CENTRE PROJECT - CENTRE PIVOT AWARD OF CONTRACT****RECOMMENDATION**

That having considered agenda Item 18.2 in confidence under section 90 (2) and (3) (k) of the Local Government Act 1999, the Council pursuant to section 91 (7) of the Act orders that the documents considered by the Council, including the officer's report and all minutes be retained in confidence. This order is to be reviewed at or before the ordinary Council meeting to be held in January 2022, as to if this order is to continue in operation.

MOVED COUNCILLOR PAUL IRELAND

SECONDED COUNCILLOR REBECCA BOSELEY

That having considered agenda Item 18.2 in confidence under section 90 (2) and (3) (k) of the Local Government Act 1999, the Council pursuant to section 91 (7) of the Act orders that the documents considered by the Council, including the officer's report and all minutes be retained in confidence. This order is to be reviewed at or before the ordinary Council meeting to be held in January 2022, as to if this order is to continue in operation.

CARRIED.