

19 CONFIDENTIAL ITEMS

19.2 LAMEROO POOL - AWARD OF CONTRACT

194

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 Corporate Services, Manager Infrastructure Services, Manager Property and Development Services, Manager Major Project Delivery, Coordinator Executive Services, Coordinator Organisational Development and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 17 November 2021 for Agenda Item 19.2 Lameroo Pool - 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 19.2 Lameroo Pool - 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 19.2 in confidence.

MOVED COUNCILLOR REBECCA BOSELEY

SECONDED COUNCILLOR TREVOR HANCOCK

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 Acting Chief Executive Officer, Acting Manager Corporate Services, Manager Infrastructure Services, Manager Property and Development Services, Manager Major Project Delivery, Coordinator Executive Services and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 17 November 2021 for Agenda Item 19.2 Lameroo Pool - 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 19.2 Lameroo Pool - 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 19.2 in confidence.

CARRIED.

19.2 LAMEROO POOL - AWARD OF CONTRACT

Responsible officer: Matthew Sherman, Manager Infrastructure Services

- Attachments:**
- 1. Lameroo Pool tender assesment**
 - 2. Pool drawing**

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 consider entering into a contract for the Lameroo Pool upgrade works. Council has worked with Crackerjack Consulting to undertake the tender process and to assess the tenders submitted.

The preferred tenderer for this project is TPS Aquatics for a tender price of \$2,599,000 (ex GST).

The Mayor with approval of two-thirds of the members present suspended the meeting procedures pursuant to regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013, for a period of 10 minutes to facilitate informal discussion in relation to Lameroo Pool – Award of contract at 7.21pm

Meeting procedures resumed at 7.32pm

RECOMMENDATION 1

That Council awards the contract to undertake the refurbishment of the Lameroo pool to TPS Aquatics for a contract price of \$2,599,000 (ex GST).

MOVED COUNCILLOR REBECCA BOSELEY

SECONDED COUNCILLOR PAUL IRELAND

That Council awards the contract to undertake the refurbishment of the Lameroo pool to TPS Aquatics for a contract price of \$2,599,000 (ex GST).

CARRIED.

RECOMMENDATION 2

That Council approves an upper limit of \$200,000 for contingencies noting the contract price does not include any allocation for project management or any project contingency to deal with any unforeseen circumstances.

**MOVED COUNCILLOR TREVOR HANCOCK
SECONDED COUNCILLOR ANDREW GRIEGER**

That Council approves an upper limit of \$200,000 for contingencies noting the contract price does not include any allocation for project management or any project contingency to deal with any unforeseen circumstances.

CARRIED.

RECOMMENDATION 3

That Council notes that the contract amount exceeds the total budget allocation of \$1,793,250 and is reliant on an additional budget allocation either in the 2021/2022 budget or 2022/2023 budget.

**MOVED COUNCILLOR NEVILLE PFEIFFER
SECONDED COUNCILLOR REBECCA BOSELEY**

That Council notes that the contract amount exceeds the total budget allocation of \$1,793,250 and is reliant on an additional budget allocation either in the 2021/2022 budget or 2022/2023 budget.

CARRIED.

Background

Council was successful in obtaining a \$850,000 grant through the Local Government Infrastructure Partnership Programme. This amount together with a carried forward amount of \$93,000 from 2020/2021 and a budget allocation of \$850,250 in the 2021/22 budget provides for a total budget allocation for the Lameroo Pool works of \$1,793,250.

Context

Crackerjack Consulting on behalf of Council went out to an open tender on 2 October 2021 with tenders closing 5.00pm 26 October 2021. The Manager Infrastructure Services attended the offices of Crackerjack on Friday 29 October 2021 to undertake an assessment of the tenders as submitted with Neil Davey (Crackerjack Consulting) and Brett Coshell (Coshell Architecture).

A total of 5 companies requested tender documents with 2 submitting prices being TPS Aquatics and Hydrilla.

The tendered prices submitted are listed below:

TPS Aquatics - \$2,599,000 - both pools fully tiled

Hydrilla- \$2,852,600 - both pools fully tiled

** All prices are ex GST

A detailed assessment of the tenders received is attached to this report. A breakdown of these figures is highlighted in the Tender Clarification section on page 7.

Policy and statutory implications

Council has a procurement policy and the tender process has been undertaken in accordance with the policy.

All Council purchases must be carried out in compliance with the Local Government Act 1999 (the Act). Section 49 (a1) of the Act requires Council to develop and maintain procurement policies, practices and procedures directed towards:

- Obtaining value in the expenditure of public money, and
- Providing for ethical and fair treatment of participants, and
- Ensuring probity, accountability and transparency in the procurement process.

Council is not obliged to accept the lowest tender or any tender.

Issues

Council has secured external funding for this project which has been executed as an agreement. Timeframes are important to this project and to meet these timeframes the project is required to be completed by mid-August 2022.

The works are proposed to be completed in a 180-day timeframe subject to unforeseen circumstances (i.e. weather events, product availability etc).

Project management (estimated cost of \$20,000 (Ex GST)) or any project contingency costs (estimated at between 5% and 10% of the total cost of the project, i.e. \$130,000 - \$260,000) are not included in the contract price.

The total additional budget that is likely to be required for this project (above the current budget allocation) is approximately in the range of \$800,000 to \$1,060,000.

There are cost savings that could be made which include painting the 25m pool rather than using tiles [TPS Aquatics] or using a pool liner [Hydrilla] for the 25m pool, however this option is not recommended by the engineer.

Alternate options

Council has applied for and accepted State Government grant money for this project. Council may decide not to accept the recommendation and undertake another tender process which will substantially delay the project and would significantly increase the likelihood of not meeting the funding timeframes.

Council may decide not to proceed with the project given the tenders are above the budget allocation, however, this is not recommended and would risk losing grant funding already allocated.

Financial implications

The final tender price as submitted without contingencies is \$2,599,000 (Ex GST). This is considerably over the current budget allocation of \$1,793,250 (ex GST).

Council could address this shortfall now and approve the additional funding required.

Council could also consider not undertaking or deferring other capital projects in the 2021/2022 budget.

Council could also recommend an allocation of funds for this project in the 2022/2023 budget considering that the works won't be completed until mid-August 2022.

Work Health and Safety and Risk implications

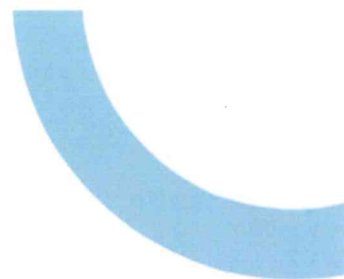
Work health and safety elements were addressed as part of the tender process by TPS Aquatics.

There is some reputational risk to council if it does not progress this project.

Consultation

Elected members approved the Lameroo Swimming Pool renewal project in its 2021/2022 Annual Business Plan and Budget which was subject to public consultation. Elected members also approved the submission of a grant for this project.

CONFIDENTIAL



PREPARED FOR
SOUTHERN MALLEE DISTRICT COUNCIL



TENDER ASSESSMENT FOR:
The provision for the Refurbishment of
Lameroo District Swimming Pool

Brett Coshell
E: BRETT@COSHELL.COM.AU

CONFIDENTIAL

TABLE OF CONTENTS

<i>TENDER</i>	3
<i>TENDER SUMMARY</i>	4
1. <i>Tenders REQUESTED</i>	4
2. <i>Tenders received</i>	4
3. <i>Site briefing</i>	4
4. <i>Tender Evaluation</i>	4
<i>TENDER ASSESSMENT</i>	5
<i>Tenders Opened</i>	5
<i>Assessment</i>	5
<i>Tender Clarificaitons</i>	7
<i>TENDER RECOMMENDATION</i>	8
<i>TENDER ADDENDA</i>	9
<i>TENDER DRAWINGS</i>	10

CONFIDENTIAL

TENDER

The Southern Mallee District Council (the **Council**) requested suitably qualified contractors to respond to the below tender that was printed in the Advertiser on 5th October 2021.

TENDER
Lameroo Pool

Requesting quotations by suitably qualified commercial pool contractors for the refurbishment of Lameroo Pool.

For tendering documents email:
brett@coshell.com.au

The works include full construction as documented for the Lameroo District Swimming Pool. As a summary the following works are included:

- Lameroo District Swimming Pool
- New concourse
- New equipment to plant room
- Remedial works to Main Pool and Toddler Pool
- New Splash pad with beach entry to Toddler pool
- New pipework and skimmer boxes
- Signage as detailed



CONFIDENTIAL

TENDER SUMMARY

1. TENDERS REQUESTED

The tender was open to any suitably qualified pool contractor. We had a request for the documents from the following:

1. Farley Pools
2. Hydrilla
3. Commercial Aquatics Australia
4. TPS Aquatics
5. Synergy Pool and Spa

2. TENDERS RECEIVED

Tenders were received on 26th October from the following tenderers:

- Hydrilla
- TPS Aquatics

We received no further correspondence from Farley Pools. Commercial Aquatics Australia withdrew on 14th October. Synergy Pool and Spa joined with TPS on their submission.

3. SITE BRIEFING

A site briefing was held on the 15th October

4. TENDER EVALUATION

In assessing the Tenders, we have considered the following criteria:

1. Price – final price and any breakdowns
2. Relevant Experience – demonstrate experience in similar projects
3. Track Record – demonstrate successful outcomes on previous projects
4. Technical Skills – staff CVs, systems and specific abilities relevant to this project
5. Methodology – how the scope of work will be managed
6. Management – quality systems and organisation
7. Business Finances – demonstrate financial and economic stability of the business

	Assessment Criteria	Weighting
1	Price	30%
2	Relevant Experience	20%
3	Track Record	15%
4	Technical Skills	15%
5	Methodology	10%
6	Management	5%
7	Business Finances	5%
	TOTAL	100%

CONFIDENTIAL

TENDER ASSESSMENT

Tenders Opened

Format	Sent by email		
DATE/TIME	Opened Friday 29 th October 2021, 10.15am		
Attendance	Matthew Sherman, Brett Coshell, Neil Davey		
Received	Tender Price	GST	Total (inc GST)
01. Hydrilla	\$2,507,100	\$250,710	\$2,757,810
Including Tiling			
02. TPS Aquatics			
Option 2a	\$2,856,408	\$285,641	\$3,142,049
Option 2b	\$2,780,408	\$278,041	\$3,058,449

Assessment

TENDERERS		Notes
01. Hydrilla		
01.01	Submitted complying offer	
01.02	Tiling included in value-added proposal	Need to include in Tender
01.03	Splash pad included in value added proposal	Need to include in Tender
01.04	Provided Tender form, Methodology, Value-Add proposals, WHS, Case Studies, Insurances, Key Personnel, Experience and Capacity, and QA	
01.05	Relevant experience – good Track record – good Technical skills – good Methodology – good Management – good Business Financials – n/a (insurance in place)	
02. TPS		
02.01	Submitted complying offer	
02.02	Pricing broken down into options – all tiled/epoxy, and new/existing toddlers pool	
02.03	Provided Pricing, CV, and Insurances	
02.04	No methodology – but previously worked on this site	
02.05	Relevant experience – good Track record – good Technical skills – good Methodology – n/a Management – n/a Business Financials – n/a	
02.06	Clarification of tender pricing required between tiled and epoxy as it appeared too low	Send revised costing

LAMEROO POOL

CONFIDENTIAL

Weighted Assessment of Tenders

Initial Assessment at the Tender Opening Meeting

	Assessment Criteria	Weighting	TPS	Hydrilla
1	Price	30%	25	20
2	Relevant Experience	20%	19	12
3	Track Record	15%	14	9
4	Technical Skills	15%	14	12
5	Methodology	10%	9	8
6	Management	5%	5	4
7	Business Finances	5%	4	3
	TOTAL	100%	90	68

Revised Assessment during assessment of Tenders based on submitted documents

	Assessment Criteria	Weighting	TPS	Hydrilla
1	Price	30%	25	20
2	Relevant Experience	20%	19	12
3	Track Record	15%	14	9
4	Technical Skills	15%	14	12
5	Methodology	10%	0	8
6	Management	5%	5	4
7	Business Finances	5%	4	3
	TOTAL	100%	81	68

Revised Assessment during post clarifications

	Assessment Criteria	Weighting	TPS	Hydrilla
1	Price	30%	25	20
2	Relevant Experience	20%	19	12
3	Track Record	15%	14	9
4	Technical Skills	15%	14	12
5	Methodology	10%	9	8
6	Management	5%	5	4
7	Business Finances	5%	4	3
	TOTAL	100%	90	68

CONFIDENTIAL

Tender Clarifications

Both tenderers were contacted to provide further clarifications and to ensure that we could compare equally between the two.

TENDERERS	PRICE
03. Hydrilla	
03.01 Items – Full tiled option	Costs (\$) EX GST
Tender price	2,507,100
Splash pad including tiles	86,000
Completed tiled 25 and LTS	285,000
Total	2,878,100
03.02 Items – Epoxy painted	Costs (\$) EX GST
Tender price	2,507,100
Splash pad – concrete finish	60,500
Total	2,567,600
03.03 Using the above information to compare with TPS	
Price for the fully tiled and existing Toddler's pool works	\$2,852,600 + GST
04. TPS	
04.01 Revised price for the fully tiled and existing Toddler's pool works	\$2,599,000 + GST
04.02 <u>Subject to the following changes:</u>	
Revised gutter detail	
SWR pipe work outside of gutter	
Pre-cast concrete balance tanks with PVC turrets and access lids	
Existing Toddler's pool with wet deck only shallow end	
Gutter tiling deleted and epoxy coat (<i>gutters only</i>)	
Change Pool Pod to Astral platform lift (\$75k vs \$55k)	
Delete cyanuric acid mixing tank and system, manual dosing required	
Reuse existing chemical dosing were possible	
Assumed free dumping at local council waste station	
Contract with no retention	
CITB fees paid by council if required	
Invoices paid 14 days for EOM	
04.03 <u>Possible further savings</u>	
Consider reducing number of FWR (<i>filter water return</i>) inlets or delete central line (-\$100K) altogether	
Consider reducing FWR pipe diameter 200mm to 150mm	
Single layer of mesh in concrete concourse	
04.04 <u>On phone clarification (4/11/21):</u>	
Above Edge tiling of wet deck and finger grip and water line tiles, the rest (below water line) epoxy coated – saving \$71,000	

CONFIDENTIAL

TENDER RECOMMENDATION

A total of two (2) complying tenders were received within the agreed submission date. The spread was close and there were minimal questions throughout the process.

The tenders that were received were of good quality.

The relevant experience, track record and technical skills were demonstrated by both TPS and Hydrilla, however, TPS provided more detailed breakdowns and further information in their tender clarifications.

Insurance details were provided by both Hydrilla and TPS.

Our initial consideration is pricing, which accounts for 30% of the weighting of the assessment. Due to the various options, it was difficult to provide comparable prices, however, once we had achieved a reasonable comparison, the lowest price was **TPS Aquatics**.

CONFIDENTIAL

TENDER ADDENDA

The following Addenda were issued to all Tender applicants.

Number	Information	Issued
1	Site Visit Planned	13/10/2021
2	Site Visit Rescheduled	14/10/2021
3	Alternative Site Visit	14/10/2021

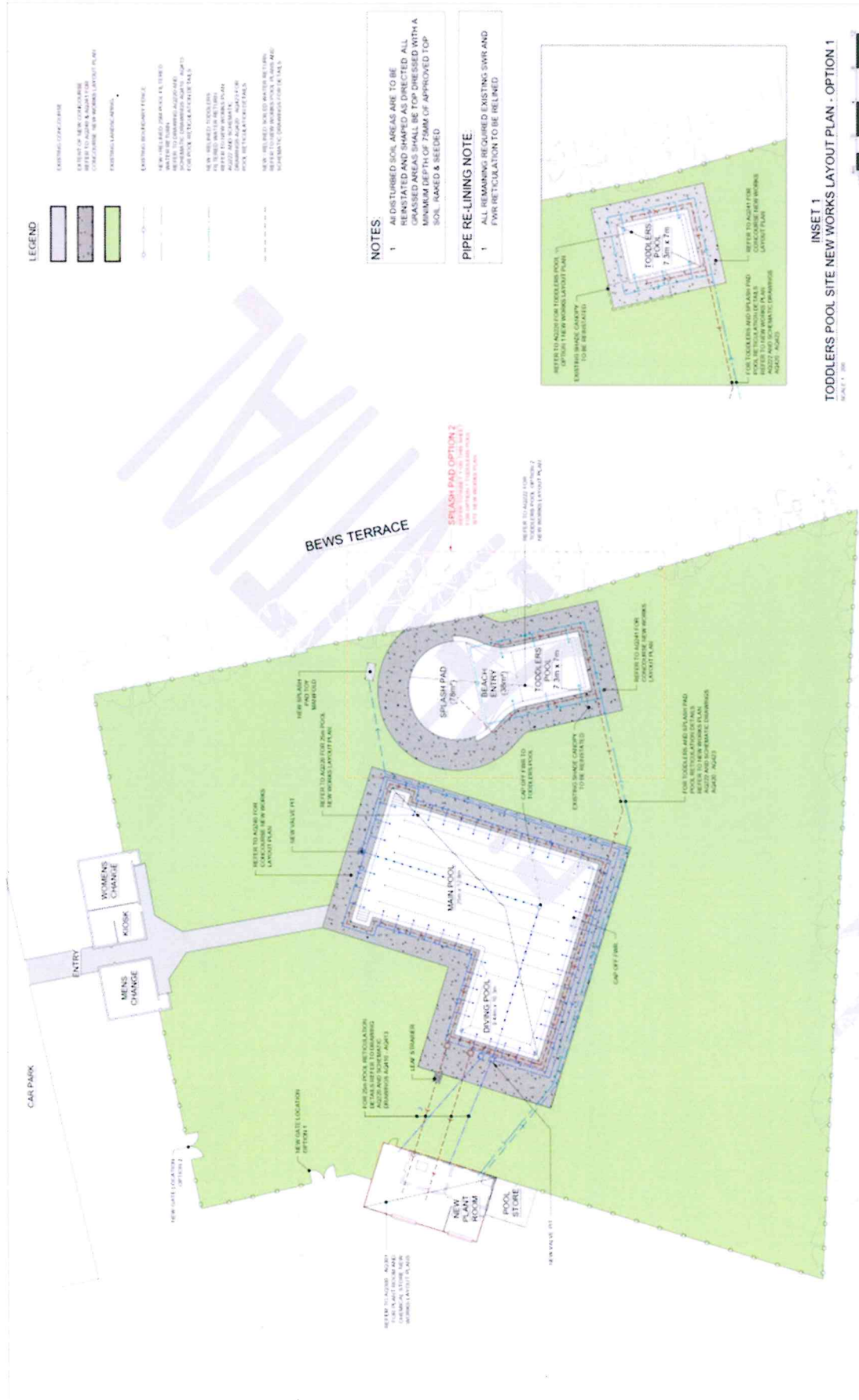
CONFIDENTIAL

CONFIDENTIAL

TENDER DRAWINGS

TITLE, LOCALITY & DRAWING INDEX	AQ 100
AQUATIC NOTES SHEET 1 OF 4	AQ 101
AQUATIC NOTES SHEET 2 OF 4	AQ 102
AQUATIC NOTES SHEET 2 OF 4	AQ 103
AQUATIC REFURBISHMENT NOTES SHEET 4 OF 4	AQ 104
STRUCTURE NOTES SHEET 1 OF 4	AQ 105
STRUCTURE NOTES SHEET 2 OF 4	AQ 106
STRUCTURE NOTES SHEET 3 OF 4	AQ 107
STRUCTURE NOTES SHEET 3 OF 4	AQ 108
CIVIL NOTES SHEET 1 OF 2	AQ 109
CIVIL NOTES SHEET 2 OF 2	AQ 110
EXISTING SITE LAYOUT PLAN	AQ 200
SITE DEMOLITION LAYOUT PLAN	AQ 201
AQUATICS SITE NEW WORKS LAYOUT PLAN - OPTION 2	AQ 202
CIVIL NEW WORKS LAYOUT PLAN	AQ 205
24m POOL EXISTING/DEMOLITION LAYOUT PLAN	AQ 210
TODDLER POOL EXISTING/DEMOLITION LAYOUT PLAN FOR OPTIONS 1 AND 2	AQ 211
25m POOL EXISTING/DEMOLITION SECTIONS	AQ 212
TODDLER POOL EXISTING/DEMOLITION SECTIONS FOR OPTIONS 1 AND 2	AQ 213
25m POOL NEW WORKS LAYOUT PLAN	AQ 220
25m POOL NEW WORKS SECTIONS	AQ 221
TODDLER NEW WORKS LAYOUT PLAN FOR OPTIONS 1 AND 2	AQ 222
TODDLER POOL NEW WORKS SECTIONS OPTIONS 1 AND 2	AQ 223
25m POOL NEW TILE LAYOUT PLAN	AQ 225
25m NEW TILE ELEVATIONS	AQ 226
TODDLER POOL NEW TILE LAYOUT PLAN OPTIONS 1 AND 2	AQ 227
TODDLER POOL NEW TILE ELEVATIONS OPTIONS 1 AND 2	AQ 228
25m POOL INSPECTION PLAN AND ELEVATIONS	AQ 230
TODDLER POOL INSPECTION PLAN AND ELEVATIONS	AQ 231
25m POOL PROPOSED CONCOURSE JOINT PLAN	AQ 240
TODDLER POOL PROPOSED CONCRETE JOINT PLAN OPTIONS 1 AND 2	AQ 241
NEW PLANT ROOM STRUCTURAL SLAB LAYOUT PLAN	AQ 300
NEW PLANTROOM EQUIPMENT LAYOUT PLAN AND SCHEDULES	AQ 301
SCHEMATIC SCHEDULE	AQ 400
25m POOL RETICULATION SCHEMATIC	AQ 410
25m POOL PLANT ROOM SCHEMATIC SHEET 1 OF 3	AQ 411
25m POOL PLANT ROOM SCHEMATIC SHEET 2 OF 3	AQ 412
25m POOL PLANT ROOM SCHEMATIC SHEET 3 OF 3	AQ 413
TODDLERS POOL RETICULATION SCHEMATIC OPTION 1 AND 2	AQ 420
TODDLERS POOL PLANT ROOM SCHEMATIC SHEET 1 OF 3	AQ 421
TODDLERS POOL PLANT ROOM SCHEMATIC SHEET 2 OF 3	AQ 422
TODDLERS POOL PLANT ROOM SCHEMATIC SHEET 3 OF 3	AQ 423
AQUATIC DETAILS - FLOOR DETAILS	AQ 500
AQUATIC DETAILS - FLOOR DETAILS	AQ 501
AQUATIC DETAILS - 25m POOL WETDECK REMEDIATION DETAILS	AQ 503
AQUATIC DETAILS - WATERPROOFING DETAILS	AQ 505
AQUATIC DETAILS - WATERPROOFING DETAILS	AQ 506
AQUATIC DETAILS - POOL SIGNAGE	AQ 510
AQUATIC DETAILS - GRAB RAIL AND PLANTROOM FLOOR DRAIN DETAILS	AQ 520
AQUATIC DETAILS - LANE ROPE ANCHOR DETAILS	AQ 521
AQUATIC DETAILS - WALL INLET DETAILS	AQ 522
CIVIL CONCOURSE DETAILS	AQ 530
AQUATIC DETAILS - PIPE THRUST BLOCK ANCHORAGE DETAILS	AQ 540
AQUATIC DETAILS - PIPES AND FITTINGS	AQ 541
AQUATIC DETAILS - PIPES AND FITTINGS AQUATIC FLEXIBLE SWIVEL JOINTS FOR SWR LINES SHEET 1 OF 2	AQ 542
AQUATIC DETAILS - PIPES AND FITTINGS AQUATIC FLEXIBLE SWIVEL JOINTS FOR SWR LINES SHEET 2 OF 2	AQ 543
AQUATIC DETAILS - BALANCE TANK ACCESS COVER AND LADDER DETAILS	AQ 545
FILTER DRAIN, POOL DRAIN AND BACKWASH SUMP PIT DETAILS	AQ 546
AQUATIC DETAILS - MISCELLANEOUS DETAILS	AQ 550
AQUATIC DETAILS - MISCELLANEOUS DETAILS	AQ 551

END OF DOCUMENT



GENERAL NOTES

- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.
- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.
- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.
- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.
- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.
- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.
- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.
- REFER TO ALL RELEVANT CONTRACT DOCUMENTS AND SPECIFICATIONS.

CRACKERJACK Consulting Engineers
11/11/2021
11/11/2021
11/11/2021
11/11/2021
11/11/2021
11/11/2021
11/11/2021
11/11/2021

YOU DIG
The Essential First Step

TENDER

Project No.	S19_103	AO202 T1	A1
Client	SK	MAR21	NO
Scale			1:200 @ A1
Author			
Checked			
Drawn			
Issue			
Rev.			

PROJECT TITLE
AQUATICS SITE NEW WORKS LAYOUT PLAN - OPTION 2
LANEWOOD DISTRICT SWIMMING POOL

19 CONFIDENTIAL ITEMS**19.2 LAMEROO POOL - AWARD OF CONTRACT****RECOMMENDATION**

That having considered agenda Item 19.2 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 ANDREW GRIEGER**SECONDED COUNCILLOR PAUL IRELAND**

That having considered agenda Item 19.2 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.