Special Meeting of Council
Agenda

Monday, 9th February 2015

Commencing at 6.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

http://www.kingston.vic.gov.au

John Nevins
Chief Executive Officer
Kingston City Council
Notice is given that a Special Meeting of Kingston City Council will be held at 6.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Monday, 9 February 2015.

1. Apologies

2. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest
   Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.

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   3.5 Con 14/135 Provision of Minor Building Works - Award of Contract
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   4.1 Edithvale Recreation Reserve Stormwater Treatment and Reuse Project - located within Chelsea Public Golf Course
       Appendix 1 Contract 1430 Edithvale Recreation Reserve Stormwater Treatment and Reuse Project - Tender Evaluation matrix
3. Community Sustainability Reports
Special Meeting of Council
9 February 2015

Agenda Item No: 3.1

CON 14/136 PROVISION OF PAINTING SERVICES - AWARD OF CONTRACT

Contact Officer: Steve Lewis, Manager Community Buildings

Purpose of Report
The purpose of this report is to seek Council’s approval for the establishment of an approved panel of suitably qualified painting contractors, to provide painting services on an ongoing basis.

The establishment of a Painting Services Panel will enable Council to provide flexible and responsive maintenance services to its public buildings throughout the City.

Disclosure of Officer / Contractor Direct or Indirect Interest
No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION
That Council:
1. Receive the information.
2. Appoint the following three (3) contractors to deliver the provisions of Contract 14/136 Provision of Painting Services for an Initial Contract Term of three years:
   - Paratodos C P/L (Trading as Lauro Lima Painting P/L)
   - Stocker Painting & Decorating P/L
   - Commercial Industrial Painting Services P/L
3. Delegate authority to the Chief Executive to extend the operation of Contract 14/136 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum Contract Term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the appointed contractors.
4. Note the confidential tender evaluation matrix for Con 14/136 attached to this report for Council’s information (Appendix A).

Executive Summary
Council’s commitment to providing quality, safe and compliant building infrastructure for use by Kingston’s community requires the engagement of suitably qualified contractors to undertake reactive and planned maintenance works on behalf of Council.

To achieve this, officers have sought schedule of rates tender submissions for the establishment of a Painting Services Panel, initially for a term of three (3) years, with the option for Council to extend this contract for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years, subject to the satisfactory ongoing performance of the appointed contractors.
2. **Background**

Council’s commitment to providing quality, safe and compliant building infrastructure for use by Kingston’s community requires the engagement of suitably qualified contractors to undertake reactive and planned maintenance works on behalf of Council.

The type & value of individual works undertaken by contractors under the Painting Services Panel will range from reactive maintenance work up to small/medium scale painting projects, up to a maximum project value of $200,000 (inclusive of gst).

Requests for tender (RFT) were sought from commercial painting contractors via an advertisement in The Age Newspaper, which closed at 2.00 p.m. on Thursday 15th November 2014.

In total, 7 tender submissions were received by the closing date and these are set out within the confidential attachment detailing the submissions received, together with the Tender Evaluation Panel’s (TEP) rankings for each contractor.

The Tender Evaluation Panel (TEP) have assessed the submissions and recommend that, in order to provide Council with sufficient contractor capacity and to manage business risk, a total of 3 contractors be appointed as a standing panel under Contract 14/136, initially for a period of 3 years with an option for Council to extend the contract for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years from the contract commencement date, subject to the satisfactory ongoing performance of the appointed contractors.

3. **Discussion**

3.1. **Council Plan Alignment**

**Planned Outcome 1 - Facilities and Assets that are Well Used and Effectively Managed**

**Strategy 1.1 - Assets are managed and used to meet the needs and provide for current and future generations.**

The availability of a panel of prequalified, competent painting contractors will provide Council with an effective means of responding to both reactive maintenance issues as they arise and in delivering its annual planned painting programme.

3.2. **Consultation/Internal Review**

The tender specification for Con 14/136 has been developed in consultation with Council’s Procurement Department and relevant Council services who may have a need to call upon the panel in the future.

3.3. **Operation and Strategic Issues**

3.3.1. **Tender Evaluation**

The Tender Evaluation Panel comprised the following officers:-

- Steve Lewis  Manager Community Buildings;
- Anthony Ziem  Team Leader Facilities Maintenance;
- Mel Boomgardt  Consultant OHS Advisor; and
- Julianne Ferres  Acting Maintenance Planning Officer.
The criteria used to evaluate the submissions received are as follows:-

(i) **Initial Assessment Criteria**
- Schedule of Rates;
- The tenderer’s previous relevant experience and proven ability to perform;
- Past and current contracts;
- The tenderers financial capacity and stability;
- The tenderers resources; and
- Current qualifications/registrations.

(ii) **Compliance Criteria (Pass/Fail)**
- Current Public Liability Insurance covering construction activities with a minimum cover per event of $20M; and
- An Acceptable OHS Management System.

The detailed Tender Evaluation Panel’s assessment is attached as a confidential attachment to this report for Council’s information.

Accordingly, it is recommended that the following three (3) contractors be appointed to operate as an approved panel of contractors to deliver the requirements of Con 14/136 Provision of Painting Services, for an initial period of three years:

<table>
<thead>
<tr>
<th>Name of Recommended Contractors to be appointed to Painting Service Panel under Contract 14/136</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paratodos C P/L (Trading as Lauro Lima Painting)</td>
</tr>
<tr>
<td>Stocker Painting &amp; Decorating P/L</td>
</tr>
<tr>
<td>Commercial Industrial Painting Services P/L</td>
</tr>
</tbody>
</table>

In addition, Council is also asked to delegate authority to the Chief Executive to extend the operation of Contract 14/136 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the contractors.

4. **Conclusion**

4.1. **Environmental Implications**

The appointment of a painting contractor panel will ensure only contractors with the highest environmental credentials are appointed to work for Kingston and that their policies and practices continue to be aligned with Council’s environmental principles.

4.2. **Social Implications**

The appointment of a panel of competent painting contractors to undertake the Council's planned and reactive painting works will ensure that Council's building assets are well maintained to a suitable standard and will ensure that the community are supported by responsive building and maintenance services.
4.3. Resource Implications
The appointment of a panel of competent painting contractors for use across Council will help to improve the efficiency and effectiveness of Council’s reactive maintenance service and the delivery of its planned cyclical painting program. The use of the panel will reduce the time taken in evaluating and appointing individual separate contractors to deliver Council projects, saving officer time and costs incurred in due diligence assessments.

4.4. Legal / Risk Implications
The use of the panel will ensure that contractors are fully compliant with Council’s contractual requirements and that their ongoing compliance will be monitored throughout the operation of the contract. In doing so, this will ensure that Council meets its legal obligations and mitigates its risks relating to procurement and OHS compliance.

Appendices

Appendix 1 - Con 14/136 Provision of Painting Services - Tender Evaluation Matrix :
Confidential (Trim No 14/150563) - Confidential

Author/s: Steve Lewis, Manager Community Buildings
Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability
CON 14/130 PROVISION OF ELECTRICAL SERVICES - AWARD OF CONTRACT

Purpose of Report
The purpose of this report is to seek Council’s approval for the establishment of an approved panel of suitably qualified electrical contractors, to provide planned and reactive maintenance services on an ongoing basis.

The establishment of a Electrical Services Panel will enable Council to provide flexible and responsive maintenance services to its public buildings throughout the City.

Disclosure of Officer / Contractor Direct or Indirect Interest
No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION
That Council:
1. Receive the information;
2. Appoint the following five (5) contractors to deliver the provisions of Contract 14/130 Provision of Electrical Services for an Initial Contract Term of three years:-
   - P & M Hartmann Family Trust (Trading as Adapt P/L)
   - M & J Schofield P/L
   - Harris HMC Electrics P/L
   - AJ's Electrical & Audio Visual P/L
   - Wallgates Electrical Services P/L
3. Delegate authority to the Chief Executive to extend the operation of Contract 14/130 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum Contract Term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the appointed contractors; and
4. Note the confidential tender evaluation matrix for Con 14/130 attached to this report for Council’s information (Appendix A).

1. Executive Summary
Council’s commitment to providing quality, safe and compliant building infrastructure for use by Kingston’s community requires the engagement of suitably electrical contractors to undertake reactive and planned maintenance works on behalf of Council.

To achieve this, officers have sought schedule of rates tender submissions for the establishment of an Electrical Services Panel, initially for a term of three (3) years, with the option for Council to extend this contract for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years, subject to the satisfactory ongoing performance of the appointed contractors.
2. **Background**

Council’s commitment to providing quality, safe and compliant building infrastructure for use by Kingston’s community requires the engagement of suitably qualified electrical contractors to undertake reactive and planned maintenance works on behalf of Council.

The type & value of individual works undertaken by contractors under the Electrical Services Panel will range from reactive maintenance work up to small/medium scale projects, up to a maximum project value of $200,000 (inclusive of gst).

Requests for tender (RFT) were sought from registered electrical contractors via an advertisement in The Age Newspaper, which closed at 2.00 p.m. on Thursday 15th November 2014.

In total, 14 tender submissions were received by the closing date and these are set out within the confidential attachment detailing the submissions received, together with the Tender Evaluation Panel’s (TEP) rankings for each contractor.

The Tender Evaluation Panel (TEP) have assessed the submissions and recommend that, in order to provide Council with sufficient contractor capacity and to manage business risk, a total of five (5) contractors be appointed as a standing panel under Contract 14/130, initially for a period of 3 years with an option for Council to extend the contract for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years from the contract commencement date, subject to the satisfactory ongoing performance of the appointed contractors.

3. **Discussion**

3.1. **Council Plan Alignment**

**Planned Outcome 1 - Facilities and Assets that are Well Used and Effectively Managed**

**Strategy 1.1 - Assets are managed and used to meet the needs and provide for current and future generations**

The availability of a panel of prequalified, competent electrical contractors will provide Council with an effective means of responding to both reactive maintenance issues as they arise and in delivering its annual planned maintenance programme.

3.2. **Consultation/Internal Review**

The tender specification for Con 14/130 has been developed in consultation with Council’s Procurement Department and relevant Council services who may have a need to call upon the panel in the future.

3.3. **Operation and Strategic Issues**

3.3.1. **Tender Evaluation**

The Tender Evaluation Panel comprised the following officers:-

- Steve Lewis Manager Community Buildings;
- Mel Boomgardt Consultant OHS Advisor; and
- Julianne Ferres Acting Maintenance Planning Officer.
The criteria used to evaluate the submissions received are as follows:-

(i) **Initial Assessment Criteria**
   - Schedule of Rates;
   - The tenderer’s previous relevant experience and proven ability to perform;
   - Past and current contracts;
   - The tenderer’s financial capacity and stability; and
   - The tenderer’s resources.

(ii) **Compliance Criteria (Pass/Fail)**
   - Current registration with Energy Safe Victoria as an Electrical Contractor;
   - Current Public Liability Insurance covering construction activities with a minimum cover per event of $20M; and
   - An Acceptable OHS Management System.

The detailed Tender Evaluation Panel’s assessment is attached as a confidential attachment to this report for Council’s information.

Accordingly, it is recommended that the following five (5) contractors be appointed to operate as an approved panel of contractors to deliver the requirements of Con 14/130 Provision of Electrical Services, for an initial period of three years:

<table>
<thead>
<tr>
<th>Recommended Contractors to be appointed to Electrical Panel under Contract 14/130:</th>
</tr>
</thead>
<tbody>
<tr>
<td>P &amp; M Hartmann Family Trust (Trading as Adapt P/L)</td>
</tr>
<tr>
<td>M &amp; J Schofield P/L</td>
</tr>
<tr>
<td>Harris HMC Electrics P/L</td>
</tr>
<tr>
<td>AJ’s Electrical &amp; Audio Visual P/L</td>
</tr>
<tr>
<td>Wallgates Electrical Services P/L</td>
</tr>
</tbody>
</table>

In addition, Council is also asked to delegate authority to the Chief Executive to extend the operation of Contract 14/130 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the contractors.

4. **Conclusion**

4.1. **Environmental Implications**

The appointment of an electrical services contractor panel will ensure only contractors with the highest environmental credentials are appointed to work for Kingston and that their policies and practices continue to be aligned with Council’s environmental principles.

4.2. **Social Implications**

The appointment of a panel of competent electrical contractors to undertake the Council’s planned and reactive electrical works will ensure that Council’s building assets are safe, well maintained to a suitable standard and will ensure that the community are supported by responsive building and maintenance services.
4.3. **Resource Implications**

The appointment of a panel of competent electrical contractors for use across Council will help to improve the efficiency and effectiveness of Council’s reactive maintenance service and the delivery of its planned works program. The use of the panel will reduce the time taken in evaluating and appointing individual separate contractors to deliver Council projects, saving officer time and costs incurred in undertaking due diligence assessments.

4.4. **Legal / Risk Implications**

The use of the panel will ensure that contractors are fully compliant with Council’s contractual requirements and that their ongoing compliance will be monitored throughout the operation of the contract. In doing so, this will ensure that Council meets its legal obligations and mitigates its risks relating to procurement and OHS compliance.

**Appendices**

**Appendix 1** - Con 14/130 Provision of Electrical Services : Tender Evaluation Matrix & Trade Breakdown - Confidential (Trim No 14/148958) - Confidential

Author/s: Steve Lewis, Manager Community Buildings
Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability
CON 14/131 PLUMBING PANEL - AWARD OF CONTRACT

Contact Officer: Steve Lewis, Manager Community Buildings

Purpose of Report
The purpose of this report is to seek Council’s approval for the establishment of an approved panel of suitably qualified commercial plumbing contractors, to provide ongoing plumbing services to Council for an initial period of three years, with the option to extend the contract for up to a further four years, subject to satisfactory performance.

Disclosure of Officer / Contractor Direct or Indirect Interest
No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION
That Council:
1. Receive the information.
2. That the following five (5) commercial plumbing contractors be appointed to a panel of Plumbing to quote on building projects in accordance with provisions of Contract 14/131 for an Initial Contract Term of three years:-
   • Hydrotech Services Pty Ltd
   • Blue Plumbing Pty Ltd
   • PSD Plumbing Pty Ltd
   • McDonnell Considine Digby P/L (Trading as Australian Facilities Plumbing)
   • Urban Plumb & Scape Pty Ltd
3. Delegate authority to the Chief Executive to extend the operation of Contract 14/131 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum Contract Term of seven (7) years from the Commencement Date, subject to satisfactory ongoing performance of the appointed contractors.

1. Executive Summary
Council’s commitment to providing plumbing infrastructure for a safe & active community requires the engagement of commercially registered plumbing companies to undertake the physical detail infrastructure plumbing projects. The selection of suitable panel of Plumbers has been undertaken via a Request for Tender (RFT) process from which an Evaluation Panel is proposing to Council the recommendation to appoint a panel of Plumber Contractors for a period of 3 years with an option of extending the contract term for a further two (2) periods of two (2) years, up to a maximum of seven (7) years from the Commencement Date, subject to satisfactory performance.

2. Background
As part of delivering Council’s Maintenance Projects & Programmed works relating to Buildings, Council require the services of Commercially Registered Plumbing Contractors.
The type & value of individual works undertaken by the commercial Plumbers ranges from small plumbing reactive maintenance projects to larger extensive works typically ranging from $100 to over $200,000 (incl. gst) have been included in this tender specification.

In order to ensure that Council is able to effectively manage its buildings and respond to urgent maintenance requests, there will be a need to efficiently source available and committed Building Plumbing Contractors without the requirement to publicly advertise for tenders for each individual project. This process ensures Kingston Council is appointing contractors to a high standard of workmanship, OH&S standards and level of competence to achieve community based projects at the standard we expect.

Submissions to the RFT advertisement for the commercially registered Plumbers closed at 2.00 p.m. on the 13th of November 2014, at which point 9 submissions were received. Please see the attached confidential tender assessment matrix, which identifies the tender submissions and the received, together with the Tender Evaluation Panel's assessment ratings.

3. Discussion

3.1. Council Plan Alignment
Planned Outcome 1 - Facilities and Assets that are Well Used and Effectively Managed
Strategy 1.1 - Assets are managed and used to meet the needs and provide for current and future generations

The availability of a panel of prequalified, competent plumbing contractors provides Council with an effective means of responding to both reactive and planned plumbing issues as they arise.

3.2. Consultation/Internal Review
The tender specification for Con 14/131 has been developed in consultation with Council’s Procurement Department and relevant Council services who may have a need to call upon the panel in the future.

3.3. Operation and Strategic Issues
3.3.1. Tender Evaluation
The Tender Evaluation Panel for Con 14/131 comprised the following officers:-

- Steve Lewis Manager Community Buildings;
- Anthony Ziem Team Leader Facilities Maintenance;
- Mel Boomgardt Consultant OHS Advisor; and
- Julianne Ferres Acting Maintenance Planning Officer.

The criteria used to evaluate the submissions received are as follows:-

(i) Initial Assessment Criteria
- Schedule of Rates;
- The tenderer’s previous relevant experience and proven ability to perform;
- Past and current contracts;
- The tenderers financial capacity and stability;
- The tenderers resources; and
- Current qualifications/registrations.
(ii) **Compliance Criteria (Pass/Fail)**

- Current registration or licensing details under part 12A of the Building Act 1993;
- Current Public Liability Insurance covering construction activities with a minimum cover per event of $20M; and
- An Acceptable OHS Management System.

The detailed Tender Evaluation Panel's assessment is attached as a confidential attachment to this report.

Accordingly, it is recommended that the following five (5) commercial plumbing contractors be appointed to operate as an approved panel of contractors to deliver the requirements of Con 14/131 Provision of Plumbing Services, for an initial period of three years:

<table>
<thead>
<tr>
<th>Name of Commercial Plumber to be appointed to Panel under Con 14/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydrotech Services Pty Ltd</td>
</tr>
<tr>
<td>Blue Plumbing Pty Ltd</td>
</tr>
<tr>
<td>PSD Plumbing Pty Ltd</td>
</tr>
<tr>
<td>McDonnell Considine Digby P/L (Trading as Australian Facilities Plumbing)</td>
</tr>
<tr>
<td>Urban Plumb &amp; Scape Pty Ltd</td>
</tr>
</tbody>
</table>

In addition, Council is asked to delegate authority to the Chief Executive to extend the operation of Contract 14/131 beyond the Initial Contract Term of three (3) years for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years from the Commencement Date, subject to satisfactory ongoing performance of the contractors.

### 3.4. Environmental Implications

The appointment of a Plumbing Trade panel to undertake the construction of Council’s building projects will ensure plumbing works with environmental policies aligned with those of Kingston are appointed to undertake projects.

### 3.5. Social Implications

The appointment of a Commercial Plumbing panel enables Council’s building works are delivered efficiently, safely and to a suitable standard. In doing so, this provides the community with safe and compliant buildings, from within which they can access Council services and provide much needed community support.

### 3.6. Resource Implications

The appointment of a panel of commercially plumbing trade contractors will enable a more time and cost effective building service for delivering Council’s reactive maintenance and programmed works projects.
The financial position of the recommended Plumbing contractors have been reviewed via a Corporate Scorecard financial history and risk check in order to provide a level of confidence that the Plumbing business are financially stable to provide the works they are required to undertake for Council under the Contract.

3.7. Legal / Risk Implications
This process is confirming that these plumbing contractors are competent with all the relevant legislative regulations to their trade. We have also checked that these companies have provided all their workers compensation, public liability insurances. They are aware of all the Australian Building Code of regulations and the Australian Standard for their nominated trade.

Appendices

Appendix 1 - Con 14-131 Confidential Tender Assessment Matrix (Trim No 14/148962) - Confidential

Author/s: Steve Lewis, Manager Community Buildings
Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability
Special Meeting of Council

9 February 2015

Agenda Item No: 3.4

CON 14-123 BUILDERS PANEL 2015-2017

Contact Officer: Steve Lewis, Manager Community Buildings

Purpose of Report
The purpose of this report is to seek Council’s approval for the establishment of an approved panel of suitably qualified Commercial Builders, from which Council will invite future tenders for the delivery of a variety of community building projects which are schedule to be delivered between now and 31 December 2017.

Disclosure of Officer / Contractor Direct or Indirect Interest
No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION
That Council:
1. Receive the information
2. approve the appointment of a panel of suitably qualified commercial builders from which future community building tenders will be sought during the period 2015-2017, in accordance with the provisions of Contract 14/123, as follows:

**Builders Panel 2015-2017 – Category 1 Works $100,000 - $1,000,000 (inc. gst)**
- C A Property Group P/L
- Cellstruct Building Group
- Ducon Maintenance P/L
- Fercon Property Group P/L
- Fimma Constructions P/L
- Johns Lyng Commercial Builders P/L
- Lloyd group P/L
- Merkon Constructions P/L
- Schultz Building Group P/L
- CCAPL P/L (Trading as Cornerstone Constructions P/L)

**Builders Panel 2015-2017 – Category 2 Works $1,000,001 - $3,000,000 (inc. gst)**
- C A Property Group P/L
- Cellstruct Building Group
- Contract Control P/L
- Ducon Maintenance P/L
- Dura Construction P/L
- Fimma Constructions P/L
- Ireland Brown Constructions
- Johns Lyng Commercial Builders P/L
- Lloyd Group P/L
- Renascent Constructions P/L
1. **Executive Summary**

Council’s commitment to providing building infrastructure for a safe & active community requires the engagement of commercially registered building practitioners to undertake the physical construction works. The selection of suitable panel of Commercial Builders has been undertaken via an expression of interest process, from which the Tender Evaluation Panel is proposing to Council the recommendation to appoint a panel of Commercial Builders for the delivery of a variety of community building projects, which are schedule to be delivered between now and 31 December 2017.

2. **Background**

As part of delivering Council’s Capital Projects & Programmed works relating to its community buildings, Council is required to engage the services of Commercially Registered Building Contractors.

With the increase in building works, as part of Council’s focus on providing building infrastructure for a safe and active community, in both the Capital & Programmed Works there is a need to efficiently source available and committed Building Contractors without the requirement to publicly advertise for tenders for each individual project. This process can be time consuming and deliver mixed results in terms of build quality.

Council has traditionally sourced commercially registered Building Contractors from a standing panel, which is currently the case. The current panel (Con 10/88) was approved by Council on 25 October 2010 and is due to expire at the end of February 2015.

The type & value of individual works undertaken by the commercial Builders ranges from small alteration/refurbishment works from the Council’s asset renewal/programmed maintenance to larger capital projects. The works primarily to be sourced from the proposed Builders Panel during 2015-2017 range between $100,000 and $3,000,000 (incl. gst). Projects costing in excess of this figure will be subject to separate procurement arrangements, e.g. Construction Supply Register or Open Tender.

The capacity and range of builders that have previously submitted proposals vary and thus officers have sought to separate requirements into 2 distinct categories, based on the value and complexity of the project value, as indicated in the table below.

<table>
<thead>
<tr>
<th>Category One Works</th>
<th>Smaller Scale projects with an estimated value of between $100,000 and $1,000,000 incl GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category Two Works</td>
<td>Larger Scale projects with an estimated value of between $1,000,001 and $3,000,000 incl GST</td>
</tr>
</tbody>
</table>

Submissions to the expression of interest advertisement for the commercially registered Builders Panel 2015-2017 closed at 2.00 p.m. on Thursday 23 October 2014. At the close of
tenders, a total of 30 submissions were received. See attached confidential table scheduling submissions received and the Evaluation Panel's rankings.

The process for seeking tenders from the approved panel during its term will be to provide a scope of works and/or plans and specifications to all approved builders within the relevant category of the panel. The evaluation of these tenders submissions will be undertaken in accordance with Council's approved financial and procurement procedures.

3. Discussion

3.1. Council Plan Alignment
Planned Outcome 1 - Facilities and Assets that are Well Used and Effectively Managed
Strategy 1.1 - Assets are managed and used to meet the needs and provide for current and future generations

The creation of a standing Builders Panel will enable Council to work with a range of suitably qualified and experienced commercial building contractors, who are able to meet its required quality standards and deliver the highest standards of work for the community.

3.2. Consultation/Internal Review
Consultation has been undertaken with relevant Council services and with Council’s Procurement Department, who have acted as probity advisors throughout the process of seeking Expressions of Interest from suitably qualified commercial builders for inclusion on Council's Builders Panel 2015-2017.

3.3. Operation and Strategic Issues
3.3.1. Tender Evaluation Panel
The Tender Evaluation Panel (TEP) comprised the following Officers:

- Steve Lewis Manager Community Buildings;
- Julianne Ferres Acting Facilities Maintenance Planning Officer;
- Mel Boomgardt OHS Consultant Advisor; and
- Maree Heath Acting Maintenance Planning Assistant.
3.3.2 Evaluation Criteria

The Expression of Interest evaluation criteria used by the Evaluation Panel were as follows:

(i) **Initial Criteria**

Demonstrated experience in projects of the type to which the expression of interest applies:

- Category One Works (building projects with an estimated cost of $100,000 - $1,000,000 (including GST); or
- Category Two Works (building projects with an estimated cost of $1,000,001 - $3,000,000 (including GST).

- Client Relationships;
- Capacity to meet timelines and operate within cost constraints; and
- Financial Capacity.

(ii) **Pass/Fail Criteria**

Current registration as a commercial builder (limited or unlimited with the Building Practitioners Board)

Current Public Liability Insurance covering construction activities with a minimum cover per event of $20M

OHS Management System

A confidential tender evaluation matrix is attached for Council's information to this report (Appendix A).

4. **Conclusion**

4.1. **Environmental Implications**

The appointment of a Builder’s panel to undertake the construction of Council’s building projects will ensure builders with environmental policies aligned with those of Kingston are appointed to undertake projects.

4.2. **Social Implications**

The appointment of a Builder’s panel to undertake the construction of Council’s building projects ensures the physical assets provided are constructed to a suitable standard to meet the needs of Kingston's Community.

4.3. **Resource Implications**

The appointment of a panel of commercially registered Builders will enable a more timely and cost effective building service to be provided for delivering Council’s Buildings Capital & Programmed Works Projects.

The financial position of the recommended Builders have been reviewed via a Dunn and Bradstreet financial history check to provide a level of confidence that the Builders are financially stable for the category of works they will be appointed to on the Panel. The outcome of this assessment has been included within the scoring awarded by the Tender Evaluation Panel.

4.4. **Legal / Risk Implications**

Appropriate due diligence has been undertaken by the Tender Evaluation Panel in finalizing its assessment process and developing its final recommendations to Council. Amongst other things, this has included the following:
- referee checks;
- independent OHS assessments;
- environmental management assessment; and
- independent financial risk analysis.

Subject to Council approval to establish the Building Panel 2015-2017, it is proposed to enter into a standing offer deed with each of the recommended contractors in order to ensure that the terms of the contract are enforceable and that any future tender submissions are bound by these terms.

Appendices

Appendix 1 - Con 14-123 Builders Panel 2015-2017 EOI Evaluation Matrix - December 2014 (Trim No 15/13470) - Confidential

Author/s: Steve Lewis, Manager Community Buildings
Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability
Special Meeting of Council

9 February 2015

Agenda Item No: 3.5

CON 14/135 PROVISION OF MINOR BUILDING WORKS - AWARD OF CONTRACT

Contact Officer: Steve Lewis, Manager Community Buildings

Purpose of Report

The purpose of this report is to seek Council’s approval for the establishment of an approved panel of suitably qualified Commercial Builders, to provide Minor Building Work services on an ongoing basis.

The establishment of a Minor Building Works Panel will enable Council to provide flexible and responsive building maintenance services to its public buildings throughout the City.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council:

1. Receive the information.
2. Appoint the following (5) five contractors to the Minor Building Work Panel to deliver the provisions of Contract 14/135 Provision of Minor Building Works for an Initial Contract Term of three years:-
   - Ducon Maintenance P/L
   - CCAPL P/L (Trading as Cornerstone Constructions)
   - Cellstruct Industries P/L
   - Ledar Group P/L
   - Harris HMC Maintenance P/L
3. Delegate authority to the Chief Executive to extend the operation of Contract 14/135 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum Contract Term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the appointed contractors.
4. Note the confidential tender evaluation matrix for Con 14/135 attached to this report for Council’s information (Appendix A).

1. Executive Summary

Council’s commitment to providing quality, safe and compliant building infrastructure for use by Kingston’s community requires the engagement of commercially registered building contractors to undertake reactive and planned minor building maintenance works on behalf of Council.

To achieve this, officers have sought schedule of rates tender submissions for the establishment of a Minor Building Works Panel, initially for a term of three (3) years, with the option for Council to extend this contract for a further two (2) periods of two (2) years, up to a
maximum contract term of seven (7) years, subject to the satisfactory ongoing performance of the appointed contractors.

2. Background

Council’s commitment to providing quality, safe and compliant building infrastructure for use by Kingston’s community requires the engagement of commercially registered building practitioners to undertake reactive and planned minor building maintenance works on behalf of Council.

The type & value of individual works undertaken by such contractors under the Minor Building Work Panel will range from reactive emergency maintenance/"make safe" works up to small/medium scale building alteration/refurbishment works up to a maximum project value of $200,000 (inclusive of gst).

Requests for tender (RFT) were sought from commercial contractors via an advertisement in The Age Newspaper, which closed at 2.00 p.m. on Thursday 15th November 2014.

In total, 5 tender submissions were received by the closing date and these are set out within the confidential attachment detailing the submissions received, together with the Tender Evaluation Panel's (TEP) rankings for each contractor.

The Tender Evaluation Panel (TEP) have assessed the submissions and recommend that, in order to provide Council with sufficient contractor capacity and to manage business risk, a total of five (5) contractors be appointed as a standing panel, initially for a period of 3 years with an option for Council to extend the contract for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years from the contract commencement date, subject to the satisfactory ongoing performance of the appointed contractors.

3. Discussion

3.1. Council Plan Alignment

Planned Outcome 1 - Facilities and Assets that are Well Used and Effectively Managed
Strategy 1.1 - Assets are managed and used to meet the needs and provide for current and future generations

The availability of a panel of prequalified, competent building works/maintenance contractors will provide Council with an effective means of responding to both reactive and planned building maintenance issues as they arise.

3.2. Consultation/Internal Review

The tender specification for Con 14/135 has been developed in consultation with Council’s Procurement Department and relevant Council services who may have a need to call upon the panel in the future.

3.3. Operation and Strategic Issues

3.3.1. Tender Evaluation

The Tender Evaluation Panel comprised the following officers:-

- Steve Lewis Manager Community Buildings;
- Anthony Ziem Team Leader Facilities Maintenance;
- Mel Boomgardt Consultant OHS Advisor; and
- Julianne Ferres Acting Maintenance Planning Officer.
The criteria used to evaluate the submissions received are as follows:-

(i) Initial Assessment Criteria
- Schedule of Rates
- The tenderer’s previous relevant experience and proven ability to perform
- Past and current contracts
- The tenderers financial capacity and stability
- The tenderers resources
- Current qualifications/registrations

(ii) Compliance Criteria (Pass/Fail)
- Current Public Liability Insurance covering construction activities with a minimum cover per event of $20M
- An Acceptable OHS Management System

The detailed Tender Evaluation Panel's assessment is attached as a confidential attachment to this report for Council's information.

Accordingly, it is recommended that the following contractors be appointed to operate as an approved panel of contractors to deliver the requirements of Con 14/135 Provision of Minor Building Works, for an initial period of three years:-

<table>
<thead>
<tr>
<th>Recommended Contractors to be appointed to Minor Building Works Panel – Con 14/135</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ducon Maintenance P/L</td>
</tr>
<tr>
<td>CCAPL P/L (Trading as Cornerstone Constructions)</td>
</tr>
<tr>
<td>Cellstruct Industries P/L</td>
</tr>
<tr>
<td>Ledar Group P/L</td>
</tr>
<tr>
<td>Harris HMC Maintenance P/L</td>
</tr>
</tbody>
</table>

In addition, Council is also asked to delegate authority to the Chief Executive to extend the operation of Contract 14/135 beyond the Initial Contract Term for a further two (2) periods of two (2) years, up to a maximum contract term of seven (7) years from the contract commencement date, subject to satisfactory ongoing performance of the contractors.

4. Conclusion

4.1. Environmental Implications
The appointment of a contractor panel will ensure only contractors with the highest environmental credentials are appointed to work for Kingston and that their policies and practices continue to be aligned with Council’s environmental principles.

4.2. Social Implications
The appointment of a panel of commercially registered building contractors to undertake the Council’s planned and reactive minor building works will ensure that the physical assets provided are constructed and maintained to a suitable standard and will ensure that the community are supported by responsive building and maintenance services.
4.3. **Resource Implications**
The appointment of a panel of commercial registered building contractors for use across Council will help to improve the efficiency and effectiveness of Council’s reactive and planned building works programs. The use of the panel will reduce the time taken in evaluating and appointing separate contractors to deliver Council projects.

4.4 **Legal / Risk Implications**
The use of the panel will ensure that contractors are fully compliant with Council’s contractual requirements and that their ongoing compliance will be monitored throughout the operation of the contract. In doing so, this will ensure that Council meets its legal obligations and mitigates its risks relating to procurement and OHS compliance.

**Appendices**

Appendix 1 - Contract 14/135 Provision of Minor Building Works : Tender Evaluation Matrix (Trim No 15/2511) - Confidential

Author/s: Steve Lewis, Manager Community Buildings
Reviewed and Approved By: Mauro Bolin, General Manager Community Sustainability
4. City Assets and Environment Reports
Special Meeting of Council

9 February 2015

Agenda Item No: 4.1

EDITHVALE RECREATION RESERVE STORMWATER TREATMENT AND REUSE PROJECT - LOCATED WITHIN CHELSEA PUBLIC GOLF COURSE

Contact Officer: Brian Trower, Team Leader Roads & Drain

Purpose of Report

The report seeks Council's approval to accept tenders for Contract No. 14/30 – EDITHVALE RECREATION RESERVE STORMWATER TREATMENT & REUSE PROJECT LOCATED WITHIN CHELSEA PUBLIC GOLF COURSE. It is proposed that PARKINSON GROUP (VIC) PTY LTD be accepted as the preferred tenderer for this contract based on their submitted tender of $894,623.00 (ex GST).

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council:

1. Receive the information;
2. Award CONTRACT NO. 14/30 – EDITHVALE RECREATION RESERVE STORMWATER TREATMENT & REUSE PROJECT LOCATED WITHIN CHELSEA PUBLIC GOLF COURSE on a Lump Sum basis to PARKINSON GROUP (VIC) PTY LTD for the tendered price of $894,623.00 (ex GST); and
3. Approve a Contingency Allowance of $89,462.30 (ex GST) (10% of the contract sum) from within the allocated 2014/15 budgeted project resources to cover unexpected financial variations.

1. Executive Summary

Officers have evaluated tender submissions received for contract 14/30 and have ranked PARKINSON GROUP (VIC) PTY LTD as the highest scoring tenderer. This ranking has been identified after scoring of financial factors and company capabilities.

Whilst the recommended tender price is higher than the council estimate of $804,000.00, it is of a specialized nature, with the current state of the civil construction tendering market currently experiencing volatility in pricing. As the recommended tenderer has passed financial viability checks and has extensive history in the construction industry, the submitted tender price is deemed to be the current market rate for successfully delivering the works covered by this contract.
2. Background

The works covered by this contract involve the construction of infrastructure necessary for the treatment and harvesting of stormwater from the 70 hectare Fraser Avenue drainage system. The treated water will be used to supplement the water needs of the Council facilities contained within the adjoining Edithvale Reserve. The planned uses of this water include irrigation of soccer pitches and baseball fields; toilet flushing in the sports pavilion; and children’s hub along with street tree watering (through holding tanks).

3. Discussion

3.1. Council Plan Alignment

Planned Outcome 1 - Facilities and Assets that are Well Used and Effectively Managed
Strategy 1.1 - Assets are managed and used to meet the needs and provide for current and future generations.

Works covered by contract 14/30 have been identified by council officers as necessary to sustain council assets and drainage infrastructure in the vicinity of Edithvale Recreation Reserve.

3.2. Consultation/Internal Review

The project concept covered by contract 14/30 was driven by broad community expectations of sustainable and safe water being available for community sporting facilities. The concept of utilizing stormwater for this purpose is in line with a state wide strategy moving away from using potable water for irrigation purposes where alternative supplies are available.

3.3. Operation and Strategic Advantages

3.3.1. Parks Department

This water harvesting project will give Council’s Parks Department additional tools for managing the water requirements of Edithvale Reserve, especially in times of drought. The infrastructure to be built under this contract has been located so as to not compromise the on-going operation of any adjoining Council facilities.

3.4. Tender Evaluation

3.4.1. Tender Evaluation

Prices were sought by Advertised Public Tender with tenders closing on Thursday, 01 November 2014, at 2:00PM.

Four tenders were received.

One tenderer submitted a tender price for supply and delivery of only one component of the works and was therefore deemed to be non-compliant. This tenderer was therefore not included in the tender evaluation.
Danielle Watts, Procurement Coordinator was consulted prior to, during and post evaluation, to provide advice on probity issues and to ensure that the process was equitable and conducted with integrity.

Tender evaluation for contract 14/30 was undertaken by a two stage tender evaluation method which resulted in a shortlist of three tenderers after an initial assessment.

Three tenderers included in the shortlist were subjected to a detailed evaluation. Appendix 1 includes a list of all tender submissions and a breakdown of the scoring for both the preliminary and detailed evaluations.

The detailed evaluation involved scoring tenderers against the following criterion:

- Tender price;
- Company History in similar projects;
- Quality of work in previous projects;
- Works Programming;
- Access to suitable plant and equipment;
- Access to suitable sub-contractors/ in-house trades;
- Relationship with contract principal and residents;
- Insurances;
- OH&S Compliance; and
- Financial viability.

Scoring for three shortlisted tenderers was derived after conducting interviews, evaluating material submitted by tenderers and reference checking to previous works completed by tenderers.

PARKINSON GROUP (VIC) PTY LTD obtained the highest overall score in the detailed evaluation. Having successfully completed prior local government projects including works for City of Kingston and current contracts with City of Monash, it is appropriate that PARKINSON GROUP (VIC) PTY LTD be the recommended tenderer for this project.

3.4.2. Additional Project Costs

In addition to the contract sum to be awarded, it is recommended that Council approve a contingency allowance of 10% of the contract sum to cover unexpected project variations. It is prudent to allow for variations of this magnitude as it is not possible to fully predict subsurface ground conditions and service authority asset locations prior to commencement of excavation works. This allowance is standard for projects of this nature.

4. Conclusion

PARKINSON GROUP (VIC) PTY LTD, as the preferred tenderer for the stormwater treatment and reuse project works covered by Contract No. 14/30, represents the best value for Council in providing a solution to augmenting the available water supplies for the Council facilities located within Edithvale Reserve.
4.1. Environmental Implications
Environmental impacts during construction of these works will be minimised due to measures put in place for controlling stormwater runoff quality, including silt control. The final outcome of the works will provide ongoing environmental benefits by delivering a more sustainable water supply.

4.2. Social Implications
There will be inconveniences during the works which are typical of a complex civil project being undertaken in an urban environment. Consultation with stakeholders and the recommended tenderer’s past experience will enable community disruption to be minimized. The completed works will have positive social impacts by improving local sporting facilities.

4.3. Resource Implications
The submitted price from the preferred tenderer is within the engineering estimate range and also within Council’s budget.

4.4. Legal / Risk Implications
For the subject contract the preferred tenderer represents the best outcome to Council in terms of value for money and level of risk.

Appendices

Appendix 1 - Contract 1430 Edithvale Recreation Reserve Stormwater Treatment and Reuse Project - Tender Evaluation matrix (Trim No 15/5799) - Confidential

Author/s: Brian Trower, Team Leader Roads & Drain
Reviewed and Approved By: Peter Bain, Manager Infrastructure
                          Daniel Freer, General Manager City Assets and Environment
5 Confidential Items

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the Local Government Act 1989. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

Confidential Appendices

3.1 Con 14/136 Provision of Painting Services - Award of Contract
   Appendix 1, Con 14/136 Provision of Painting Services - Tender Evaluation Matrix
   Confidential is designated confidential as it relates to (s89 2d)

3.2 Con 14/130 Provision of Electrical Services - Award of Contract
   Appendix 1, Con 14/130 Provision of Electrical Services - Tender Evaluation Matrix & Trade Breakdown - Confidential is designated confidential as it relates to (s89 2d)

3.3 Con 14/131 Plumbing Panel - Award of Contract
   Appendix 1, Con 14-131 Confidential Tender Assessment Matrix is designated confidential as it relates to (s89 2d)

3.4 Con 14-123 Builders Panel 2015-2017
   Appendix 1, Con 14-123 Builders Panel 2015-2017 EOI Evaluation Matrix - December 2014 is designated confidential as it relates to (s89 2d)

3.5 Con 14/135 Provision of Minor Building Works - Award of Contract
   Appendix 1, Contract 14/135 Provision of Minor Building Works - Tender Evaluation Matrix is designated confidential as it relates to (s89 2d)

4.1 Edithvale Recreation Reserve Stormwater Treatment and Reuse Project - located within Chelsea Public Golf Course
   Appendix 1, Contract 1430 Edithvale Recreation Reserve Stormwater Treatment and Reuse Project - Tender Evaluation Matrix is designated confidential as it relates to (s89 2d)

RECOMMENDATION

That in accordance with the provisions of section 89(2) of the Local Government Act 1989, the meeting be closed to members of the public for the consideration of the following confidential items:

Confidential Appendices

3.1 Con 14/136 Provision of Painting Services - Award of Contract
   Appendix 1, Con 14/136 Provision of Painting Services - Tender Evaluation Matrix - Confidential
   This appendix is confidential in accordance with the Local Government Act
3.2 Con 14/130 Provision of Electrical Services - Award of Contract
Appendix 1, Con 14/130 Provision of Electrical Services : Tender Evaluation Matrix & Trade Breakdown - Confidential
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

3.3 Con 14/131 Plumbing Panel - Award of Contract
Appendix 1, Con 14-131 Confidential Tender Assessment Matrix
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

3.4 Con 14-123 Builders Panel 2015-2017
Appendix 1, Con 14-123 Builders Panel 2015-2017 EOI Evaluation Matrix - December 2014
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

3.5 Con 14/135 Provision of Minor Building Works - Award of Contract
Appendix 1, Contract 14/135 Provision of Minor Building Works : Tender Evaluation Matrix
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)

4.1 Edithvale Recreation Reserve Stormwater Treatment and Reuse Project - located within Chelsea Public Golf Course
Appendix 1, Contract 1430 Edithvale Recreation Reserve Stormwater Treatment and Reuse Project - Tender Evaluation matrix
This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)