

## **8.2 Bowral South New Living Area Master Plan and Servicing Strategy - Tender Evaluation Report**

**Report Author:** Senior Strategic Planner

**Authoriser:** Acting General Manager

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### **PURPOSE**

The purpose of this report is to present a summary of the evaluation of the Tender for RFT T-2023-5 Bowral South New Living Area – Master Plan and Servicing Strategy to Council. This report seeks endorsement to enter into a contract for the preparation of the Master Plan and Servicing Strategy for the Bowral South New Living Area.

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### **OFFICER'S RECOMMENDATION**

#### **THAT:**

1. Council accepts the offer from Maker ENG for the Bowral South New Living Area – Master Plan & Servicing Strategy at a lump sum price of \$350,820 (inclusive of GST).
2. Council delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.
3. Council endorses the additional funding of \$100,000 funded from s7.11 funds as outlined in financial implications of this report.

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### **REPORT**

#### **BACKGROUND**

Council has an adopted Local Housing Strategy and the Local Strategic Planning Statement in which the Master Plan and Servicing Strategy for the Bowral South New Living Area formed part of these strategies. Council was successful in its application and secured a sum of \$250,000 (excluding GST) under the Regional Housing Strategic Planning Fund to fund the Bowral South New Living Area. The outcome will see Council develop a Master Plan and Servicing Strategy for the Bowral South New Living Area and ensure that the new community area is well planned and supported by essential infrastructure, prior to the land being rezoned.

#### **REPORT**

At the Council meeting on 15 February 2023, Council resolved the following:

1. *The report on the Strategic Outcomes Works Program be noted.*
2. *Phase 1 of the Southern Highlands Innovation Park Master Plan be publicly exhibited, and targeted consultation be undertaken directly with landowners.*
3. *Council endorse the brief to prepare a detailed Master Plan and Governance Strategy (Phase 2) for the Southern Highlands Innovation Park.*

- 4. Council endorse the brief to prepare a Master Plan and Servicing Strategy for the Bowral South New Living Area.*
- 5. Council continue to work with both the State and Federal Government to seek additional funding to fast track the priority actions outlined in the adopted Local Housing Strategy and Local Strategic Planning Statement.*

This report is the outcome of tenders sought for suitably qualified entities to deliver a Masterplan and Servicing Strategy for Point 4 of this Council resolution.

The Bowral South New Living Area is one of the six (6) identified new living areas in the Local Housing Strategy. Council sought tenders for suitable and qualified contractors to provide a lump sum tender for the scope of works to prepare a Master Plan and Servicing Strategy for the Bowral South New Living Area. Full scope of works was detailed in the tender documents.

Preparation of the tender documents was undertaken in consultation with Council's procurement team and was, in accordance with Council's adopted Procurement Guidelines. An independent probity advisor was appointed to provide probity advice, to mitigate/manage any potential conflicts of interest and ensure a transparent tender process in.

In accordance with section 55 of the *Local Government Act 1993*, Council was required to invite tenders as the estimated expenditure of the procurement activity was greater than \$250,000.

#### **ADVERTISING**

The tender advertising period was from the 07 March 2023 to 28 March 2023 (21 days).

The tender was advertised as follows:

<b>Newspaper / Website</b>	<b>Date Advertised</b>
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

#### **TENDERS RECEIVED**

A total of nine (9) tender submissions were received:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
Calibre Group Pty Ltd	Norwest Business Park	2153
E8urban Pty Ltd	Bondi Junction	2025
Fast Skips Recycling Pty Ltd	Moss Vale	2577
Maker ENG Pty Ltd	Wollongong, NSW	2500
McGregor Coxall Australia Pty Ltd	Manly	2095
Moir Landscape Architecture Pty Ltd	Islington	2296

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Tract Consultants Pty Ltd	North Sydney	2060
Urbis Pty Ltd	Sydney	2000
Vanovac Tuon Architects Pty Ltd	Surry Hills	2010

**LATE TENDERS**

There were no late tender submissions received by Council.

**TENDER EVALUATION**

A Procurement Initiation Plan was developed which outlined the pre-determined selection criteria, the criteria weightings, and members of the tender evaluation panel, comprising of three members in total.

Each submission was evaluated against the specified criteria by the tender evaluation panel with a scoring system based on 0 to 10 and weighted according to the pre-determined criteria.

The evaluation process was overseen by the probity advisor, who was present in the meetings that the evaluation panel had for the purpose of evaluating all the tender submissions.

**TENDER ROLES AND RESPONSIBILITIES**

The Tender was conducted by staff in the following positions as approved through the completion of Procurement Initiation Plan.

Role		Responsibility	Position
Evaluation Panel Chair		To manage the evaluation process and report to Council.	Senior Strategic Planner
Evaluation Member	Panel	Perform a detailed evaluation of the Tender Submissions.	Manager Assets
Evaluation Member	Panel	Perform a detailed evaluation of the Tender Submissions.	Executive Manager Business Transformation
Procurement and Advice	Process	Manages the tender process ensuring that it complies with all relevant legislation, Procurement Policy, Guidelines and Procedures. Manages all communication with Respondents during the advertisement and evaluation periods.	Procurement Officer

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Independent Probity Advisor	Providing probity advice and support to the evaluation panel and ensuring that the evaluation process has been completed without any biases or conflicts.	Senior Probity Manager from Procure Group Pty Ltd
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**SELECTION CRITERIA**

The pre-determined criteria used to evaluate the tender were as follows:

**Mandatory Criteria:**

<b>Mandatory Criteria</b>
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Professional Indemnity - \$2 Million
Motor Vehicle – Comprehensive – Market Value
Declaration of Past or Present works – Compliant/Non-Compliant

Tenderers were required to meet the mandatory criteria to be eligible to be shortlisted and progress any further in the evaluation process.

**Non-Cost Selection Criteria & Weighting:**

<b>Non-Cost Criteria</b>	<b>Weighting</b>
Community, Sustainable & Social	10%
Capability & Experience	20%
Specifications, Service & Support, Fit for Purpose	20%
Quality Assurance & Innovation	15%
<b>Total</b>	<b>65%</b>

**Summary of Selection Criteria & Weighting:**

<b>Criteria</b>	<b>Weighting</b>
Total Non-Cost Criteria	65%
Total Cost Criteria	35%
<b>Total</b>	<b>100%</b>

### **NON-COMPLIANT TENDERS**

Upon evaluation a total of one (1) tender submission was determined to be non-compliant:

<b>Company Name</b>	<b>Reason for Non-Compliance</b>
Fast Skips Recycling Pty Ltd	<ul style="list-style-type: none"><li>• None of the Mandatory Criteria, apart from insurance proof, were submitted.</li><li>• Volume 2 – <i>Response Schedule</i>, was also not submitted.</li></ul>

### **TENDERED SUBMISSION PRICES**

The tender submission prices ranged from \$146,600 (lowest) to \$683,100 (highest), including GST.

### **COMMENTS ON OVERALL EVALUATION OUTCOME**

The submissions received were assessed against each of the following criteria:

**Community & Social** – One of the respondents are based locally. Some of the other respondents have employees residing in Wingecarribee and the remaining are proposing to use some local suppliers.

**Capability** - All respondents, except one non-conforming respondent, identified a team with relevant qualifications and knowledge.

**Experience** - All respondents, except one non-conforming respondent, have demonstrated some relevant experience with projects in regional NSW locations, similar to Wingecarribee Shire and a team with qualifications necessary to undertake the tasks.

**Specifications – Methodology** - All respondents, except one non-conforming respondent, provided a methodology as part of their submission. Some of them fully addressed to Council's satisfaction and all the specific requirements of the project especially with regard to key deliverables.

**Quality Assurance** - All respondents, except one non-conforming respondent, provided a satisfactory response to the quality assurance criteria and provided evidence for the same.

**Innovation** - All respondents, except one non-conforming respondent, provided a response to the innovation criteria. Some respondents also provided examples in past projects and other provided potential innovative measures that can be used in this project itself. The evaluation score was reflective of the response provided by each respondent, across the evaluation panel.

**Innovation in sustainability** - All respondents, except one non-conforming respondent, provided a response to the innovation in sustainability criteria. Some of them fully addressed to Council's satisfaction and others lacked in providing relevant examples. The evaluation score was reflective of the response provided by each respondent, across the evaluation panel.

Responding to these identified performance measures was considered critical to determining how well the tender response met the Volume 1 Specification. After a review of all submissions, four of the submissions received, had satisfactorily demonstrated how they would meet Council performance measures in order to enter into a contract.

In addition to the above, in order for the panel to have a greater understanding of how the costs breakdowns, the evaluation panel, through the procurement team, requested an additional information relating to the pricing submitted of the total lump sum amounts provided in the original submission.

Council received responses from all the conforming respondents and the evaluation panel was then able to make an informed decision.

#### **COMMENTS ON RECOMMENDED TENDER SUBMISSION**

The tender submission made by MAKER ENG ranked highest as they were able to demonstrate the steps taken at each phase of the project through their methodology. Their proposal provided details of the various site investigations, developing Key Urban Design Principles and prioritising public open spaces in their draft Master Plan phase. Maker ENG's prior experience working on greenfield residential projects, in particular in regional NSW areas, similar to Wingecarribee Shire, formed a part of their submission and demonstrated experience.

Whilst MAKER ENG was not the cheapest submission, the lump sum amount provides value for money for Council in delivering this project. Their fee breakdown included relevant studies and the allocation of funds for each discipline within the sub-categories of separate phases of the project which will minimise any risks to contract variations.

The panel was unanimous in selecting Maker ENG as the preferred vendor for this procurement activity.

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#### **COMMUNICATION AND CONSULTATION**

##### **Community Engagement**

No community engagement has occurred through the tender process. It is noted that community consultation would occur during preparation of the Master Plan & Servicing Strategy for the Bowral South New Living Area.

##### **Internal Communication and Consultation**

A Procurement Initiation Plan was prepared through Council's Procurement team in consultation with Council's Strategic Outcomes team. A Tender Evaluation Panel was formed comprising members from the Business Transformation, Assets and Strategic Outcomes teams to consider all the tender submissions received.

##### **External Communication and Consultation**

There was an independent, external Probity advisor involved throughout the tender process to provide probity advice and support to the evaluation panel and ensure that the evaluation process has been completed without any biases or conflicts.

External communication with stakeholders and consultation would occur during preparation of the Master Plan & Servicing Strategy for the Bowral South New Living Area.

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## **SUSTAINABILITY ASSESSMENT**

### **Environment**

There are no environmental issues in relation to this report.

### **Social**

There are no social issues in relation to this report.

### **Broader Economic Implications**

There are no broader economic implications in relation to this report.

### **Culture**

There are no cultural issues in relation to this report.

### **Governance**

This tender has been conducted in accordance with Part 7 of the *Local Government (General) Regulation 2005* and Council's adopted Procurement Guidelines (General Manager Practice Note 7, July 2020).

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## **COUNCIL BUDGET IMPLICATIONS**

Council has received a sum of \$250,000 (excl. GST), as a grant funding for this project, which must be used by the end of this year. It is recommended that an additional \$100,000 be allocated to Bowral South NLA – Master Plan & Servicing Strategy project as a part of the 2023/24 budget funded by s7.11 funds.

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## **RELATED COUNCIL POLICY**

Council's Procurement Policy has been used to guide the tender process.

The project is one of the priority projects in the Local Housing Strategy and the Local Strategic Planning Statement, which were both adopted by Council on 24 June 2021.

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## **CONCLUSION**

The tender evaluation panel shortlisted four submissions based on the non-cost criteria. Including the cost criteria and going through the detailed cost breakdowns, the evaluation panel unanimously finalised on one preferred consultant, suitable for this project.

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## **ATTACHMENTS**

Nil