

Richmond
Valley
Council



SUPPLEMENTARY AGENDA

Ordinary Council Meeting

Date: Tuesday, 17 December 2019

Time: 5.00 pm

**Location: Council Chambers
10 Graham Place, Casino**

**Vaughan Macdonald
General Manager**

ORDER OF BUSINESS

16 TENDER REPORTS..... 3

16.1 Tender - Provision of Swimming Pools Management Services - VP161675
(detailed report)..... 3

16 TENDER REPORTS

16.1 TENDER - PROVISION OF SWIMMING POOLS MANAGEMENT SERVICES - VP161675 (DETAILED REPORT)

Author: Ben Zeller, Manager Projects and Performance

EXECUTIVE SUMMARY

Richmond Valley Council called for tenders seeking the professional services of an aquatic contractor for the management of pools across the LGA. The facilities for consideration in the scope of works are Casino Memorial Baths, Evans Head Aquatic Centre, Woodburn Public Baths and Coraki Public Baths. The contract term is proposed to be for a period of three years commencing 1 July 2020 with the option for extension of an additional two, three-year terms.

RECOMMENDATION

Recommended that Council:

1. Do not accept either of the submissions received for Tender VP161675 – Provision of Swimming Pools Management Services due to the evaluation panel's assessment that the submissions are non-conforming;
2. Apply Clause 178 (3e) of the *Local Government (General) Regulation 2005* to authorise the General Manager to enter direct negotiations with any qualified contractors and endorse relevant contracts, including affixing the seal of Council where appropriate, to secure a contractor generally in accordance with the scope of the tender;
3. Develop a business case for Council to internally manage the four pools for a period of two years while the upgrade to the Casino Memorial Pool is undertaken; and
4. Notes that the outcomes of recommendations 2 and 3 will be brought back to Council for a decision.

DELIVERY PROGRAM LINKS

Connecting People and Places

PP1: Fresh and Vibrant Community

PP1.4: Provide safe and well maintained Swimming Pools

BUDGET IMPLICATIONS

The current contract, which expires in June 2020, has seen Council pay the Contractor for the provision of pool management services \$363,757 and \$367,626 (ex GST) in 2017/18 and 2018/19 respectively. The contract is for the management of all four of the Richmond Valleys public pools.

REPORT

Under this tender, Richmond Valley Council is seeking the professional services of an Aquatic Contractor for the management of pools across the Local Government Area.

The facilities for consideration in the scope of works are:

1. Casino Memorial Baths
2. Evans Head Aquatic Centre
3. Woodburn Public Baths
4. Coraki Public Baths

The contract term is proposed to be for a period of three (3) years commencing 1 July 2020 with

the option for extension of an additional two, three (3) year terms.

Tenderers were asked to submit a detailed breakdown of budgets, costings and pricings for the required services under either:

- Option A – Provision of Full Management Service
- Option B – Provision of Staff on Hourly Rate basis

Council received two (2) tender submissions from:

Company	Tendered Price (ex GST)
Freney Aquatic Enterprises Pty Ltd	\$243,500*
Shannon Charles Comerford	\$449,000

* Price is for management of Casino and Coraki pools only and not all required locations.

TENDER EVALUATION

This tender was evaluated using Council's new VendorPanel Multiparty Evaluation tool.

The Evaluation Panel comprised:

- Andrew Leach – Manager Asset Planning
- Ben Zeller – Manager Projects and Performance
- Jeff Breen – Project Engineer
- Graeme Robertson – Coordinator Asset Management

The Evaluation Panel reviewed the supplied material and determined that both tender submissions were non-conforming.

Freney Aquatic Enterprises Pty Ltd price was for the management of only the Casino and Coraki pools and not all required locations. Shannon Charles Comerford's submission lacked the necessary procedural detail for the panel to make an informed decision.

Under Clause 178 (3e) of the Local Government (General) Regulation 2005, Council can "*enter into negotiation with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender*" as well as Clause 178 (3f) of the Local Government (General) Regulation 2005, which enables Council to "*carry out the requirements of the proposed contract itself*" if that becomes necessary.

Council has also completed a service review of the swimming pools management and will use this information to prepare a business case for the internal management of the pools for a two year period. This will enable comparison with any negotiations that are undertaken and strengthen Council's negotiating position and enable an alternate option to be available should negotiations be unsuccessful.

The next two years will also see the upgrade of the Casino Memorial Pool, which will require careful management to minimise the impact on the availability of the pool for the community.

CONCLUSION

As the received submissions were evaluated as non-conforming, the panel recommends that the General Manager be authorised to seek out and negotiate with potential qualified contractors for the provision of swimming pools management services in the Richmond Valley.

A business case for the internal management of its pools for a period of two years will be prepared for Council's consideration.

ATTACHMENT(S)

Nil