

**ITEM 8. TENDER - REGISTRATION AS PREFERRED DESIGN CONSULTANT – STREET PROJECTS****FILE NO: S065363****TENDER NO: 0756****SUMMARY**

On 21 November 2005, Council established a panel of *preferred design consultants* for a two year period to participate in the delivery of the Capital Works Program. That panel lapsed in November 2007. This report describes the tendering and evaluation process undertaken to establish a new register of preferred design consultants to service streetscape components of the Capital Works Program.

Refinements to the previous single design panel have been made. These include the establishment of a panel for *Streets* and another for *Parks and Public Spaces*. This report describes the tender to establish the register of preferred design consultants for Streets. A separate report details the panel tender for Parks and Public Spaces.

The panel tender process aimed to generate awareness amongst the design professions in the proposed work program of the City. The enthusiastic response has resulted in a range of expert teams that have been matched to project types to efficiently deliver informed, and site specific results.

It is important to note that the establishment of the consultancy panel does not prevent Council from using other consultants for projects; nor does it require Council to use any specific consultant.

**RECOMMENDATION**

It is resolved that:

(A) Council note that:

- (1) the design of capital works projects conform with relevant Council Policy, including the policy framework provided by the City of Sydney Strategic plan 2006-2009;
- (2) Council may request that significant capital works projects identified in the Corporate Plan be separately tendered or contracted to provide access to design consultants not included on the panel; and
- (3) the final design for any new capital works item will be reported to Council for endorsement in accordance with the delegations to the Chief Executive Officer;

(B) Council approve the registration of a panel of design consultants in accordance with the Proposed Preferred Consultant Register – Streets, included in confidential Attachment B to the subject report; and

- (C) the Tender Evaluation Summary, the Proposed Preferred Consultant Register – Streets and the Consultant Tendered Rates, being Attachments A, B and C respectively to the subject report, remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993.

**ATTACHMENTS**

**Attachment A:** Tender Evaluation Summary (Confidential)

**Attachment B:** Proposed Preferred Consultant Register - Streets (Confidential)

**Attachment C:** Consultant Tendered Rates (Confidential)

## BACKGROUND

1. As a fundamental part of the public domain, streets play a critical role in the public life of Sydney. The City has an ambitious forward program of capital works related to the City's street network across a range of project scales and types, in order to make tangible the aspiration for a vibrant and sustainable public domain. These include an extensive network of cycleways and cycle infrastructure, main street and village hub upgrades and CBD streetscape and laneways revitalisation. Project values range from less than \$0.5 million to greater than \$10 million.
2. The benefits of a register of preferred design consultants include:
  - (a) allows efficient and effective procurement of design services for the City's ongoing and extensive Capital Works Program;
  - (b) identifies consultant team eligibility and matches team capacity and expertise to the range of project scales and types;
  - (c) encourages continuous improvement by providing more quotation opportunities for suitable consultants; and
  - (d) facilitates the selection and invitation of preferred consultants to provide detailed quotations for specific work.
3. To establish the new panel, City Projects sought proposals by open tender from suitably qualified and experienced consultant teams to provide innovative and professional design services.
4. Two concurrent tenders were called to register design teams for Street projects and Parks and Open Space projects. The two tenders allowed lead consultants to configure their teams, rates and methodologies specifically to the varying requirements for these types of public domain projects.
5. The register is intended to be in place for a period of 2 years, with the option for a further 1 year extension if required.
6. This process has been undertaken in consultation with the Procurement unit to ensure compliance with the City's tender requirements and the Local Government Act.

## INVITATION TO TENDER

7. The request for tender submissions was advertised in the Sydney Morning Herald and The Australian newspapers on Tuesday 13 November 2007.
8. The tender closed at 11.00am on Tuesday 4 December 2007.

## TENDER SUBMISSIONS

9. Twenty six (26) submissions were received from the following organisations:
  - Andrews Neil
  - Aspect Studios
  - Atlantis Urban Design

- Clouston Associates
- Complete Urban Solutions
- Conybeare Morrison International
- Dickson Rothschild
- EDAW
- Hassell
- HBO+EMTB Urban with Meinhardt
- Hughes Trueman
- Jackson Teece, with Oculus
- Johnson Pilton Walker
- Knox and Partners
- McGregor Partners
- Place Design Group
- Pod Landscape Architecture
- Pufflett Associates
- Streets as Places (Spackman and Mossop with Tony Caro as a Joint Venture)
- Sue Barnsley Design
- Sydney Environmental and Soil Lab
- Taylor Cullity Lethlean
- Turf Design Studio with Environmental Partnership and Jeppe Aagaard Andersen
- Tony Caro Architecture
- Tract Consultants
- Urbis

### **TENDER EVALUATION**

10. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
11. Tenderers were requested to nominate eligibility for a range of project categories (including type of project and monetary scale of project) for which they sought consideration. The project categories are:
  - (a) Cycle Infrastructure projects (for values up to \$5m and up to \$10m);
  - (b) CBD Streetscape Upgrade projects (for values up to \$5m, up to \$10m and \$10m plus);
  - (c) Main Street & Village Hub projects (for values up to \$5m, up to \$10m and \$10m+);
  - (d) Local Street Improvement projects (for values up to \$5m and up to \$10m); and

- (e) Laneway Revitalisation projects (for values up to \$5m and up to \$10m).
12. All submissions were assessed in accordance with the approved evaluation criteria being:
- (a) tendered price (schedule of rates);
  - (b) proposed approach, delivery methodologies; and team management;
  - (c) experience in services of a similar nature and quality of references;
  - (d) demonstrated design excellence;
  - (e) key personnel;
  - (f) allocation of adequate resources and capacity to service the projects;
  - (g) Occupational Health & Safety, and
  - (h) financial and commercial trading integrity/ Insurances.
13. The relative ranking of tenders as determined from the total average score and the assessment of eligibility against the nominated categories is provided in **Attachment A: Tender Evaluation Summary (Confidential)**.
14. A total of seventeen (17) capable teams have been selected and matched to project types and value ranges anticipated within the Capital Works Streets program. Refer **Attachment B: Proposed Preferred Consultant Register – Streets (Confidential)**.
15. The rates tendered by the respective consultants are provided in **Attachment C: Consultant Tendered Rates (Confidential)**.

#### **OPERATION OF THE REGISTER AND PERFORMANCE MEASUREMENT**

16. The appointment of design consultants to the Register will be effective for 2 years, commencing on the date of Council's resolution to establish the Register. An option to extend for an additional 12 months has been provided for, if required.
17. For future capital works projects, the appointment of a design consultant will be initiated with a Request for Quotation being issued to eligible consultant teams. For project categories where the panel contains 4 or less eligible consultant teams, all teams will be invited to submit proposals. For project categories where the panel contains 5 or more eligible consultant teams, quotations will be rotated equally amongst the eligible consultant teams.
18. Upon receipt of a Request for Quotation, consultant teams will be required to provide a quotation to the City, typically on a lump sum basis, based on an agreed scope of works and in accordance with the approved schedule of rates. All submissions will close in the Quotation Box, in accordance with procurement procedures.

**PERFORMANCE MEASUREMENT**

19. Quotations will be assessed by a Quotation Evaluation Panel, in accordance with standard procurement procedures. The evaluation panel will at all times seek to engage consultants that have demonstrated “best value” for Council.
20. Appointment of consultants will be in accordance with Councils standard contract procedures. For each project, a letter of award will be issued to the selected consultant and based on Council’s standard consultancy contract (AS 4122).
21. Performance of successful tenderers will be measured according to project specific schedules of service. Typically, these include:
  - (a) cost management;
  - (b) time management;
  - (c) design and quality management;
  - (d) statutory compliance;
  - (e) customer satisfaction;
  - (f) communications;
  - (g) OHS & environmental management, and
  - (h) risk management.
22. Poor performance against the key performance indicators could result in removal of a consultant team from the panel.
23. Council may elect not to use the consultant panel for certain projects where it is considered that an open tender process will provide a better outcome. In these cases, consultants will be sought by quotation or open tender and assessed in accordance with Council’s Contracts policy.

**FINANCIAL IMPLICATIONS**

24. Nil.

**RELEVANT LEGISLATION**

25. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and the City’s Contracts Policy.
26. Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the Local Government Act 1993. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

**CRITICAL DATES / TIME FRAMES**

27. The critical dates for the operation of the Register are:

- |  |                            |
|--|----------------------------|
| (a) Period of Appointment to the Register:                     | 2 years from February 2008 |
| (b) Re-tender or extend currency of Panel a further 12 months: | February 2010              |

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