

## **Tender - T-2025-1420 - Water Feature Services**

**File No:** X119656

**Tender No:** T-2025-1420

### **Summary**

This report provides details of the tenders received for Tender - T-2025-1420 - Water Feature Services.

The City of Sydney (the City) manages 48 water feature assets across 31 sites within the Sydney local area, including constructed ponds, interactive splash pads, fogging and misting, and heritage-listed features. These assets are an important part of the City's public spaces, providing recreational, cultural and aesthetic value to the community.

The City's water features are important landmarks within the urban landscape and represent key elements of Sydney's cultural, social and civic history including design, engineering and community identity. This is reflected in the 26 water features that form part of the City's public art collection, and the 22 heritage listed water features.

The tendered service will manage these complex assets that are under continual 24/7 operation requiring a wide range of specialised skills and qualified trades from plumbing and water chemistry analysis, koi fish and aquatic life management to electrical and hydraulic engineering and metal fabrication.

The tendered service is for the provision of:

- Preliminaries and general requirements
- Inspections and maintenance
- Asset management
- Asset renewal
- Consultancy and technical services.

The tendered service will commence on 1 September 2026 following the expiry of the current Water Feature Maintenance Services contract on 31 August 2026.

This report recommends that Council accept the tender offer of Tenderer A for the provision of Water Feature Services.

## Recommendation

It is resolved that:

- (A) Council accepts the tender offer of Tenderer A for Water Feature Services for:
  - (i) the price and contingency outlined in Confidential Attachment B to the subject report; and
  - (ii) the schedule of rates outlined in Confidential Attachment C to the subject report;for a period of 3 years, with the option for 2 further terms of 2 years each, subject to satisfactory performance and other relevant considerations;
- (B) Council note that the total contract value including contingency for Water Feature Services is outlined in Confidential Attachment B to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contract relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option/s referred to in clause (A), if appropriate.

## Attachments

- Attachment A.** Water Feature Services Provision Map
- Attachment B.** Tender Evaluation Summary (Confidential)
- Attachment C.** Schedule of Rates (Confidential)

## Background

1. The City manages 48 water feature assets across 31 sites within the Sydney local area (refer Attachment A). These include Hyde Park, Cook and Philip Park and Martin Place within the central business district and locations across Chippendale, Darlinghurst, Elizabeth Bay, Glebe, Haymarket, Paddington, Potts Point, Pyrmont, Redfern, Waterloo and Zetland.
2. The City's water features fall into the following asset categories, with examples listed below:
  - Interactive splash pads
    - Mary Obrien Reserve Water Play, Mary Obrien Reserve, Zetland
    - Pirrama Park Water Play, Pirrama Park, Pyrmont
    - Bible and Bullets Lotus Line, Redfern Park, Redfern
  - Ornamental
    - Bangala, Gunyama Park, Green Square
    - El Alamein Memorial Fountain, Fitzroy Gardens, Kings Cross
    - Archibald Memorial Fountain, Hyde Park North, Sydney
    - Pool of Reflection and Anzac Memorial Cascades, Hyde Park South, Sydney
  - Fogging and misting
    - The Passage, Martin Place, Sydney
  - Garden Ponds
    - John Armstrong Pond, John Armstrong Reserve, Elizabeth Bay
    - Arthur McElhone Pond, Arthur McElhone Reserve, Elizabeth Bay
3. The City's water features are important landmarks within the urban landscape and represent key elements of Sydney's cultural, social and civic history including design, engineering and community identity.
4. Of the City's 48 water features, 26 form part of the City's public art collection and 22 are heritage listed, reflecting their cultural, historical and aesthetic significance. The heritage listing comprises nine state heritage items and 13 local heritage items, with nine located within the Governors' Domain and Civic Precinct on the National Heritage List. These include Archibald Memorial Fountain and FJ Walker Memorial Fountain, Hyde Park; Il Porcellino, Sydney Hospital and the John Christie Wright Memorial, Macquarie Place Park.
5. The complexity of the City's water feature systems, combined with their high public interface and continuous 24/7 operation, necessitates:

- (a) Strict compliance with the Public Health Act 2010 (NSW) and Public Health Regulation 2022 (NSW) to prevent public-health risks through maintaining effective sanitisation and water circulation and undertaking frequent water-quality monitoring.
  - (b) A wide range of specialised skills and trades from plumbing, water chemistry analysis, koi fish and aquatic life management to electrical and hydraulic engineering and metal fabrication.
  - (c) Maintaining specialised and proactive maintenance programs, well-structured asset lifecycle planning and strict compliance with electrical safety Codes of Practice and a range of Australian Standards.
6. Water feature plant rooms include above and below ground assets housing critical mechanical, hydraulic and electrical infrastructure including circulation and booster pumps, filtration systems, ultraviolet and chemical dosing systems, balance tanks, automated control panels, backwash systems, valves and pipe networks.
7. There are 15 underground plant rooms requiring qualified personnel with permits and specialised emergency rescue equipment for confined space entry under the Work Health and Safety Regulation 2025. In addition to this, underground plantrooms have ventilation requirements, moisture management challenges and elevated corrosion risks to manage due to the nature of their function. As a result, these environments require specialised asset condition inspections, corrosion management strategies and qualified and licenced personnel for operation and maintenance.
8. The Water Feature Services Specification (the Specification) has been designed to ensure the services contribute to the following City strategies:
  - Sustainable Sydney 2030 - 2050 - Continuing the Vision
  - Greening Sydney Strategy
  - Environmental Strategy 2022-23
9. To promote and ensure meaningful engagement with and contribution to the City's strategic objectives, the Specification for the tendered service includes requirements for:
  - All handheld equipment to be battery powered.
  - Regular inspections, system optimisation and proactive leak detection to improve water efficiency and conservation.
  - Efficient energy use through monitoring, and the proactive maintenance of pumps, lighting and automated controls.
  - Responsible management of treatment chemicals, filtration media and replacement parts is important to minimise waste and mitigate unnecessary chemical use.

10. The tendered service is for the provision of:

- Preliminaries and General Requirements - planning, reporting, sustainability, work health and safety, environmental protection and risk and 24/7 emergency management services.
- Inspections and Maintenance - visual and functional inspections, proactive daily maintenance (cleaning, pressure testing and chemical dosing), reactive maintenance (vandalism response and component replacements), water chemistry and microbial testing, analysis and management.
- Asset Management - proactive annual asset condition inspections, reactive asset condition inspections and asset register management monitoring condition and performance.
- Asset Renewal - delivering reactive operational renewal and programmed capital asset renewal to maintain asset condition for water feature and plantroom components and systems.
- Consultancy and Technical Services - providing technical advice, reporting and risk and condition assessments and specialist repairs to existing and planned water feature assets across structural, hydraulic, electrical, mechanical, lighting and ecological aspects.

11. The tendered service does not include services for recycled water system, irrigation systems, City owned and managed freshwater bodies (lakes and wetlands) and drinking fountains.

12. The Specification was reviewed as part of the procurement process using data collected over the current contract, to refine the existing outcome and prescriptive service levels. Refinements aim to increase strategic alignment and improve services to the community, asset management and performance monitoring.

13. Key improvements include:

- (a) Improved asset management aligning with recognised asset management frameworks, including Institute of Public Works Engineering Australia Practice Notes for improved asset lifecycle planning.
- (b) Improved data and reporting including the development and ongoing management of detailed asset registers and additional requirements for annual asset condition assessments.
- (c) Refined prescriptive minimum service frequencies for interactive splash pads and misting and fogging systems and additional inspections for all water features and plantrooms.
- (d) Refined service levels for garden ponds to support aquatic life health, function and visual amenity. This includes water filter, aeration and chemistry management and ornamental koi fish management with feeding and water quality management adjusted to seasonal and operational conditions.

- (e) New service levels for:
  - (i) annual testing and tagging of all backflow prevention devices in accordance with Australian Standards and Sydney Water requirements.
  - (ii) annual testing of all eyewash and emergency shower stations associated with water feature plantrooms and equipment in accordance with Australian Standards.
  - (iii) asset condition assessments of plantroom systems: ventilation, and air conditioning systems, lighting and distribution boards.
  - (iv) asset condition inspections and maintenance for aquatic life components.
- 14. To ensure staff managing the contract have flexibility to deliver the services, the contract for the tendered service is structured between an annual lump sum price for core services for proactive maintenance and schedule of rates services for reactive or programmed work of variable quantity. There is no guarantee as to the volume or total value of schedule of rates services.
- 15. Fixed lump sum price and schedule of rates were tendered for the first year of the initial contract term, with Consumer Price Indices (CPI) adjustments to be used for any annual substantiated adjustments thereafter.
- 16. The large scale, complexity, continuous 24/7 operation, community interaction, heritage listing and public art components of the City's water feature asset portfolio is unique and sets it apart from water feature assets provided by other local government authorities.

### **Invitation to Tender**

- 17. The tender was advertised on TenderLink on 20 January 2026 and closed on 17 February 2026. The tender was advertised for 4 weeks.
- 18. A tender briefing was advertised on Tenderlink and held 28 January 2026 which was attended by one organisation.
- 19. A site visit was advertised on Tenderlink and held 29 January 2026 which was attended by 2 organisations.
- 20. 21 organisations downloaded the tender documents.

### **Tender Submissions**

- 21. One tender submission was received from the following organisation:
  - Water Features Australia Pty Ltd (ABN 66 076 262 809)
- 22. No late submissions were received.

**Tender Evaluation**

23. All members of the Tender Evaluation Panel have signed conflict of interest declarations. No conflicts of interest were noted.
24. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.
25. All submissions were assessed in accordance with the approved evaluation criteria detailed in the table below.

| <b>Evaluation Criteria</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Evaluation Weightings %</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <p><b>Methodology Quality and Operational Plan and Resourcing</b></p> <p>The Tenderer's:</p> <ul style="list-style-type: none"><li>• Draft Quality and Operational Plan has all required programs and plans as set out in the Specification and Attachment 3 Planning and Reporting Schedule and is clear, well written and formatted with minor work to finalise.</li><li>• Draft Quality and Operational Plan is comprehensive and able to be used by Personnel, with a practical structure and details a clear approach to delivering the Services to meet the Specification requirements.</li><li>• Tenderer demonstrates technical competence and understanding of managing water features to meet the specification.</li><li>• Tenderer demonstrates how to effectively manage water quality across all water features with proposed chemical volumes, reasoning, and safe transport, handling, storage, and application.</li><li>• Personnel, subcontractors, and suppliers committed to the Contract have the experience, qualifications, licencing as set out in the Specification, and are suitable to deliver the Services to meet the requirements of the Specification</li><li>• Fleet, plant and equipment resources dedicated to the Contract are sufficient to deliver the Services to meet the Specification requirements.</li></ul> | 40%                            |

| Evaluation Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Evaluation Weightings % |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <p><b>Experience</b></p> <p>The Tenderer demonstrates comprehensive experience in:</p> <ul style="list-style-type: none"> <li>• Experience providing services under multi-year government contracts with each of the following water feature types covered within the following examples: <ul style="list-style-type: none"> <li>• interactive splash 5pads</li> <li>• heritage listed water features</li> <li>• water features that include elements of public art</li> <li>• ponds with ornamental fish</li> <li>• water features with limited (or no) dosing equipment</li> </ul> </li> <li>• Delivering services in urban, high-profile environments of similar context, size and complexity to that of the Contract area defined in the Specification.</li> </ul> | 20%                     |
| <p><b>Organisational Capacity</b></p> <p>Tenderer demonstrates that their organisation's size and structure is sufficient to deliver the Services to meet the Specification requirements without impact from delivery of current commitments.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 15%                     |
| <p><b>Work Health and Safety</b></p> <p>The Tenderer demonstrates a comprehensive understanding of Work health and safety risk and provides clear actions that are practical and can be realistically implemented by Personnel to manage these risks, such as for:</p> <ul style="list-style-type: none"> <li>• Confined space entry</li> <li>• Transport, storing and handling chemicals</li> <li>• Pedestrian and traffic management</li> </ul>                                                                                                                                                                                                                                                                                                                      | 10%                     |



| Evaluation Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Evaluation Weightings % |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <p><b>Methodology Sustainability and Environmental Protection</b></p> <p>Tenderer demonstrates a comprehensive understanding of environmental risks and provides clear actions that are practical and can be realistically implemented by Personnel to manage these risks.</p> <p>Tenderer demonstrates in a clear manner how they will:</p> <ul style="list-style-type: none"> <li>• Sustainably manage resource recovery</li> <li>• Manage and conserve water</li> </ul> | 8%                      |
| <p><b>Social Impact</b></p> <p>Tenderer demonstrates commitment to social impact and ethical initiatives, such as corporate social responsibility, employment for Aboriginal or Torres Strait Islander people and underrepresented groups, and sound corporate governance.</p> <p>Tenderer demonstrates contribution to the local economy through employment and/or purchasing.</p>                                                                                        | 5%                      |
| <p><b>Modern Slavery Act Compliance</b></p> <p>The Tenderer:</p> <ul style="list-style-type: none"> <li>• Demonstrates awareness and active management of modern slavery risks within their operations and supply chains.</li> </ul>                                                                                                                                                                                                                                       | 2%                      |
| <b>Evaluation Criteria - Mandatory</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     |                         |
| <ul style="list-style-type: none"> <li>• Material acceptance of the City's standard form contract</li> <li>• Insurances</li> <li>• Financial integrity</li> <li>• Heavy Vehicle National Law compliance</li> <li>• Price - Tenderer proposed Lump Sum and Schedule of Rates</li> </ul>                                                                                                                                                                                     |                         |

## Performance Measurement

26. The performance of the approved service provider will be assessed against a comprehensive list of key performance indicators mapped to key result areas to manage, monitor and evaluate performance against the contract requirements. These are:
  - (a) Quality and operational plan
  - (b) Resources
  - (c) Communications
  - (d) Reporting
  - (e) Sustainability
  - (f) Work Health and Safety
  - (g) Emergency Management
  - (h) Environment and Maintenance
  - (i) Audits
    - (i) NSW Health audits
    - (ii) Asset cleanliness and functionality
    - (iii) Aquatic life
    - (iv) Water quality management
    - (v) Chemical testing
    - (vi) Microbiological testing
  - (j) Asset Management
  - (k) Renewal
  - (l) Consultancy and Technical Services
27. Performance will be reviewed against these criteria to ensure quality of service, sustainability and contribution to the City's strategic objectives relevant to the services.
28. Performance reviews will be held on a minimum monthly basis at formal contract meetings and at an annual performance review meeting.

## Risks

29. A comprehensive risk assessment was undertaken to identify risks and inform the development of the Specification and procurement approach. The risks associated with the tendered service are high given the specific legislative compliance requirements, service complexity, heritage listing status and community profile and interaction.
30. To address these risks, the tender evaluation focused on tenderer experience, demonstrated, competency and understanding of the service requirements, allocation of sufficient resources to deliver the services and demonstration of how they could meaningfully contribute to strategic objectives.
31. The tendered service will be managed in accordance with the tolerances set out in the City's Risk Appetite Statement, in particular the following:

(a) Legal and compliance risk appetite:

The City recognises that legal and compliance risks are inherent in our operations and can significantly impact our reputation, financial stability and legal standing.

The City is committed to conducting our activities in full compliance with applicable laws, regulations and relevant industry standards.

(b) Environmental and sustainability risk appetite:

The City is dedicated to actively identifying and addressing environmental risks associated with our activities and services. We prioritise prevention and proactive measures to minimise our ecological impact, conserve resources and protect ecosystems.

(c) Service delivery risk appetite:

The City's risk philosophy is centred around achieving a balance between innovation, community and user satisfaction and risk management, ensuring that we meet our strategic objectives while maintaining a robust control environment.

(d) Infrastructure, technology, assets and property risk appetite:

The City places a high priority on ensuring the continuity of essential services delivered through infrastructure assets. Our risk appetite emphasises the need to protect and maintain critical infrastructure to minimise disruption to services, meet community expectations and to ensure public safety.

### Financial Implications

32. The tender price and estimated total contract value including contingency for the Water Feature Services is detailed in Attachment B.
33. The Schedule of Rates is detailed in Confidential Attachment C.
34. Additional funds are required for the tendered service against the current approved Long Term Financial Plan. Additional funds have been included in the draft Long Term Financial Plan for FY27.

### Relevant Legislation

35. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021.
36. Local Government Act 1993 - Sections 10A and 10B provide that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business if it is in the public interest to do so.
37. Attachments B and C contain confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies which, if disclosed, would:
  - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.
38. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest. The reasons supporting this are that disclosure of the confidential information would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers. In addition, disclosure of the information provided in the course of the procurement process and the assessment of that information would prejudice the commercial position of the participants in the procurement process.
39. Public Health Act 2010 NSW and Public Health Regulation 2022 NSW.
40. Work Health and Safety Act 2011 NSW and Work Health and Safety Regulation 2025 NSW.

**Critical Dates / Time Frames**

41. The Water Feature Maintenance Services contract expires on 31 August 2026. The tendered service will commence on 1 September 2026.
42. Following the contract execution in July, a minimum 2-month contract transition period has been programmed until 31 August 2026.
43. The proposed initial contract term is 3 years, with 2 further terms of 2 years each. The total possible contract term is 7 years ending 31 August 2033.

**Public Consultation**

44. Public consultation was not required prior to the tender being advertised.

**VERONICA LEE**

Executive Director City Services

Justin Caldwell, Contract Coordinator - Parks