Tender - T-2024-1330 - Reject and Negotiate - Redfern Neighbourhood Parks - Head Design Consultant

File No: X108573

Tender No: T-2024-1330

Summary

This report provides details of the tenders received for Redfern Neighbourhood Park Head Design Consultant services.

The Redfern Neighbourhood Parks (the Parks) comprise the Redfern Community Centre Open Space, Yellomundee Park and Hugo Street Reserve in Redfern. The Parks sit at the centre of the Redfern Neighbourhood and the heart of Aboriginal Sydney.

From late 2022 to early 2024 City staff worked closely with the local community developing the Redfern Public Domain Plan and concept designs for the renewal and upgrade of the Parks. Renewal and upgrade of the Parks is a prioritised project in response to requests from the local community following the completion of the Pemulwuy development and the subsequent dramatic increase in the sub-precinct's residential population.

In May 2024 Council endorsed the project scope for the renewal and upgrade of the Parks to meet the future needs of the local community. The scope of works includes expanded turf areas for play and community events, a new playground that caters to multiple age groups, improved areas for seating and gathering, upgraded basketball court with noise mitigation measures, establishing the structure for a future community garden, and increased greening and tree canopy cover.

The development and delivery of the renewal and upgrade works is strongly informed by the City's Stretch Reconciliation Action Plan. Key work to date and commitments include:

- The concept design has been co-created with the local community and is heavily informed by engagement with the children and young people in the local Aboriginal community. This engagement and co-creation will continue as the design is developed. (Stretch Reconciliation Action Plan - Action 2).

- The concept designs will be developed to respectfully incorporate Aboriginal cultural knowledge. The renewal and upgrade of the Parks will be informed by and respond to the Redfern Terrace project. (Stretch Reconciliation Action Plan - Action 7).

- Procurement of consultants and contractors for the delivery of the project will result in increased employment of First Nations people, and increased procurement from First Nations businesses. (Stretch Reconciliation Action Plan - Action 17 and 20).

In late 2024 an open tender for Head Design Consultant services to develop the concept designs and complete documentation for construction was undertaken. The project clearly aimed to maximise First Nations participation and employment, and the tender called for a consultant team that would, where possible, include First Nations design leadership within the consultant team and the development of an Aboriginal Participation Plan to maximise First Nations participation, employment and economic outcomes over the course of the project delivery.

This report recommends that Council decline to accept the tender offers received for the Redfern Neighbourhood Parks Head Design Consultant and enter into negotiations for the delivery of this project.

Recommendation

It is resolved that:

(A) Council decline to accept the tender offers for Redfern Neighbourhood Parks - Head Design Consultant for the reasons set out in Confidential Attachment B to the subject report;

(B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;

(C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;

(D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and

(E) Council be informed of the successful vendor via the CEO Update.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. The suburbs of Redfern, Waterloo, Eveleigh, and Darlington are all undergoing significant change with the redevelopment of several major sites and the delivery of new transport infrastructure at Redfern Station and the new Waterloo Metro. These changes will affect the way the public domain operates with more residents, workers, and visitors walking the streets and using public space.

2. The Redfern Neighbourhood sub-precinct bounded by the Redfern rail corridor to the east, Cleveland Street to the north, Abercrombie Street to the west and Lawson Street to the south, has been prioritised in response to the completion of the Pemulwuy development, the subsequent dramatic increase in the sub-precinct's residential population and at the request of the local community, who have been asking Council for upgrades to their public spaces.

3. The Redfern Neighbourhood Parks (Redfern Community Centre open space, Yellomundee Park and Hugo Street Reserve) are located on Hugo Street in Redfern.

4. At the centre of the neighbourhood is the Redfern Community Centre and Redfern Community open space, important civic assets that provide space for the community to gather and celebrate.

5. Yellomundee Park is a smaller green space and provides a key connection through the neighbourhood.

6. Hugo Street Reserve supports two smaller green spaces and a well-used basketball court. The identifying art work United we stand, divided we fail the future by Bronwyn Bancroft and Dale Jones-Evans delineates the western edge.

7. All three parks and their facilities are nearing the end of their usable life and require restoration or replacement.

8. The project will include park enhancements to create high quality, flexible spaces for active and passive recreation, improved path connections and entries, low boundary walls, new playground, refurbished basketball court and surrounds, increased planting, enhanced lawn areas and more accessible seating, lighting, bins and bubblers.

9. A Head Design Consultant (Landscape Architect) is required to be engaged to develop the concept designs and prepare documentation required for relevant planning approvals, construction and certification.

Tender Process and Key Requirements

10. In late 2024 an open tender for Head Design Consultant services to develop the concept designs and complete documentation for construction of the renewal and upgrade works was undertaken.

11. The tender called for a suitably qualified Head Design Consultant to manage a team of subconsultants to provide a complete package of design services to deliver:

    (a) Stage 1 - Review and enhance the concept designs for each park

    (b) Stage 2 - Develop the designs into a final design

(c) Stage 3 – prepare documentation for construction

(d) Stage 4 – provide construction stage services to ensure design intent and quality review

12. The project clearly aimed to maximise First Nations participation and employment. The tender called for a consultant team that would where possible include First Nations design leadership within the consultant team and the development of an Aboriginal Participation Plan. . This was to ensure that the design development and delivery of the project would:

(a) Continue engagement and co-creation with the children and young people in the local Aboriginal community. (Stretch Reconciliation Action Plan - Action 2).

(b) Respectfully incorporate Aboriginal cultural knowledge. (Stretch Reconciliation Action Plan - Action 7).

(c) Result in increased employment of First Nations people, and increased procurement from First Nations businesses. (Stretch Reconciliation Action Plan - Action 17 and 20).

Invitation to Tender

13. The Request for Tender for the Head Design Consultant for the Redfern Neighbourhood Parks was advertised on Tenderlink on 10 October 2024 and remained open for a period of four and a half weeks until 12 November 2024.

14. The tender was also available on Supply Nation's website and the NSW Indigenous Chamber of Commerce website via their member opportunity board.

Tender Submissions

15. Ten submissions were received from the following organisations:

- AECOM Australia Pty Ltd (ABN 20 093 846 925)
- COLA Studio (ABN 3565 1188 920)
- Environmental Partnership (NSW) Pty Ltd (ABN 53 088 175 437)
- James Mather Delaney Design Pty Ltd (ABN 30 128 554 638)
- Jane Irwin Landscape Architecture Pty Ltd (ABN 62 120 299 229)
- Place Design Group (ABN 49 082 370 063)
- Taylor Brammer Landscape Architects Pty Ltd (ABN 61 098 724 988)
- Taylor & Cullity Pty Ltd (ABN 73 006 128 963)
- Tyrrell Studio Pty Ltd (ABN 97 167 623 216)

- Yerrabingin Pty Ltd (ABN 14624559708)

16. No late submissions were received.

Tender Evaluation

17. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

18. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.

19. All submissions were assessed in accordance with the approved evaluation criteria being:

    (a) Company Profile and Capacity

    (b) Project Team

    (c) Relevant Experience

    (d) Proposed Methodology

    (e) Financial and commercial trading integrity

    (f) Insurances are compliant with the City's standard insurance requirements, as confirmed by the Risk office

    (g) Commitment to the City's Supplier Code of Conduct.

    (h) Material acceptance of the City's Standard Form Contract

    (i) Lump sum price and schedule of prices.

Performance Measurement

20. Performance will be assessed at each project stage and at the completion of the contract. Consultant performance will be measured against the Request for Tender document, in particular the Key Considerations and Schedule of Services and deliverables.

21. The City will ensure that performance standards are monitored by:

    (a) Measuring the work against the agreed schedule of services and deliverables

    (b) Monitoring the quality of works against the key considerations

    (c) Requiring compliance with all relevant Council policies and Australian Standards

    (d) Monitoring the program and assessing progress claims against the contract Reporting and consulting with key stakeholders to confirm scope and standards are met.

Risks

22. This approach is within the City's risk appetite, which states:

    - We acknowledge that some financial risks may be necessary to achieve our goals, particularly when investing in new initiatives that align with our strategic objectives. We carefully evaluate financial options and risks and consider the potential impact on our financial position, cash flow, and overall stability.

    - We acknowledge our responsibility to protect and enhance the social and environmental wellbeing of our community. Our risk appetite emphasises the integration of sustainable practices into infrastructure asset management, considering environmental impacts, climate change resilience and community engagement.

    - We recognise the intrinsic value of culture and heritage assets and the importance of their preservation. We adopt a cautious approach to risk taking, focusing on the protection, conservation and restoration of significant cultural and heritage resources to ensure their long-term viability and integrity.

Financial Implications

23. There are sufficient funds allocated for this project within the current year's capital works budget and future years' forward estimates.

Relevant Legislation

24. The tender has been conducted in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.

25. Local Government Act 1993 - Section 10A provides 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.

26. Attachment A contains 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.

27. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

Critical Dates / Time Frames

28. The expected timeframes for the project are as follows:

(a)	Contract Award	March 2025
(b)	Developed Design complete	Mid 2025
(c)	Construction documentation / construction tender	Late 2025
(d)	Commence construction	Early 2026

Options

29. Alternative options for the delivery of these services are:

    (a) Reject all tenders and re-advertise. This is not recommended as it is not expected to provide a better outcome and the new process would delay the delivery of works.

    (b) Award the tender to one of the respondents without further negotiation. This is not recommended as it will not maximise achievement of the objectives of the tender.

    (c) Not proceed with the project, which is not recommended as renewal and upgrade of the parks is required to support the local community.

Public Consultation

30. The City has undertaken community consultation over three phases between November 2022 and October 2023 to develop a vision and plan for the parks, prepare concepts for the park and seek feedback.

31. A key component of the project is continuing community involvement in its development. It will include a collaborative design process and outcomes that reflect the values and stories of the local community and culture. Additionally, opportunities for co-creation with the community will be developed and embedded into the project process.

KIM WOODBURY

Chief Operating Officer

Marcia Morley, Executive Manager Infrastructure Delivery