Agenda

Special Meeting of Council

Wednesday, 31 October 2018, 6.00pm
CITY OF FREMANTLE

NOTICE OF A SPECIAL MEETING OF COUNCIL

Elected Members

A Special Meeting of Council of the City of Fremantle will be held on Wednesday, 31 October 2018 in the Fremantle Town Hall, located at 8 William Street, Fremantle commencing at 6.00 pm.

Philip St John
Chief Executive Officer

26 October 2018
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CITY OF FREMANTLE

Special Meeting of Council

Agenda

1. Official opening, welcome and acknowledgement

We would like to acknowledge this land that we meet on today is the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Whadjuk people as the custodians of the greater Walyalup area and that their cultural and heritage beliefs are still important to the living Whadjuk people today.

2. Attendance, apologies and leaves of absence

Cr Jon Strachan Leave of absence

3. Disclosures of interest by members

Elected members must disclose any interests that may affect their decision-making. They may do this in a written notice given to the CEO; or at the meeting.

4. Public question time

Members of the public have the opportunity to ask a question or make a statement at council and committee meetings during public question time.

Further guidance on public question time can be viewed here, or upon entering the meeting.

5. Presentations

Presentation exploring the current development project of Kings Square, to be made by the City’s Kings Square Project Director.
6. Reports and recommendations from officers

SCNL1810-1 KINGS SQUARE UPDATE REPORT

Meeting Date: 31 October 2018
Responsible Officer: Kings Square Project Director
Decision Making Authority: Council
Agenda Attachments: Nil

SUMMARY

The purpose of this report is to provide a summary / update on the Kings Square Redevelopment. The timing of this report is considered to be at a milestone point for the project – that is, as the tenders for the construction of the new civic building are being considered with the view to appointing a main contractor.

BACKGROUND

The following decisions have been critical in developing the overall Kings Square Project:

2011 Signing of a MOU to explore development options with the owners of the former Myer building.
2013 Adoption of a Business Plan, following public consultation.
2013 Signing of a Project Development Deed (PDD) with Sirona – new owner of the Myer building and prospective developer.
2013 Decision to hold an architectural design competition for new civic building.
2014 Appointment of Kerry Hill Architects (KHA) as the winning practice to progress with design work.
2016 Extension to PDD to secure an anchor office tenant in the commercial development.
2017 Sirona secures a major office lease with the State Government and completes settlement with the City for the purchase of the Queensgate site and carpark.
2017 City library and administrative offices relocated to Fremantle Oval in temporary accommodation to facilitate development.
2018 Approval of Kings Square Public Realm Concept Design in February.
2018 Sirona commences construction of commercial properties.
2018 City commences demolition of old civic building.

The City of Fremantle is currently considering tenders for the construction of the new civic building, subject to a separate report to council.
OFFICER COMMENT

The Kings Square Redevelopment represents a cornerstone in responding to the City of Fremantle’s Strategic Community Plan 2015-25. Its implementation is anticipated to attract significant commercial activity back into the heart of Fremantle and a flow-on effect with regard to increasing the liveability, pedestrian activity and broad economic development within the centre of the port city.

The following is a summary of activities across the various projects that contribute to the overall Kings Square Redevelopment:

**Commercial Development by Sirona**
The commercial development by Sirona is progressing well, noting that construction was interrupted over winter by unusually high occurrences of wet weather. Sirona are comfortable that the overall timing of works for the development is tracking to program. It is anticipated that the main building works will be completed mid-2019 to enable fit-out and occupancy for the retail/emporium component on the lower floors in the lead up to Christmas 2019.

**Queensgate Carpark Upgrading**
Refurbishment works to the carpark have become more extensive than first anticipated, however, Sirona are still anticipating a partial opening of the building for public car parking by the end of October 2018. New lift cores and the remainder of car parking areas will follow on over the next few weeks.

**Demolition of Old Civic Building**
The safe removal of asbestos was completed in September, enabling the general demolition of the old civic building to commence in October. Works are progressing well. It is noted that the demolition contractor commenced works adjacent to the old Town Hall, removing material carefully to minimise any potential impact to the historic limestone wall. Work adjacent to the Town Hall is now substantially complete and preliminary assessment of the limestone wall indicates that it is in good condition – mainly as a result of the 1960’s building making limited structural connection to the historic fabric.

**New Civic Building**
Tenders for the new civic building are subject to a separate report to council. It is anticipated that negotiations with a preferred contractor will occur over the next few weeks leading to contract signing that will hand site possession to a contractor by the end of 2018. The final program for construction will be part of those negotiations, however, it is anticipated that the main-build will be completed by mid-2020.

**Public Realm**
The final transplant of mature London Plane trees from the former civic building forecourt to Kings Square was successfully completed in early October. Options are now being investigated for a mature Moreton Bay Fig tree to replace the square’s ‘Christmas tree’ that was removed last month. The timing for planting a new mature fig tree back in the square will be around 12-18 months, once a final tree is selected. The long timeframe is a result of having to properly prepare a mature tree for relocation to ensure it has the best possible chance of recovering from the relocation process.
Following council approval for the overall concept plan for the public realm, further work is now progressing on:

- Detailed design of pavement levels, drainage and paving.
- Development of the material palette for a demonstration area in Kings Square – scheduled for November 2018.
- Detailed design of Newman Court – the priority area for implementation, to coincide with completion of construction works to buildings.
- Meetings with Whadjuk Noongar elders, as nominated by the Whadjuk Working Group, to develop a deeper understanding of place that will inform design and interpretive work.
- Adjusting the Playscape concept in response to a subsequent decision to replace the Moreton Bay fig (‘Christmas’) tree.
- Securing future procurement of street tree stock.
- Developing a detailed program that sets out the sequencing of works and budgets for the public realm.

FINANCIAL IMPLICATIONS

There are no direct financial implications related to this report.

LEGAL IMPLICATIONS

There are no direct legal implications related to this report.

CONSULTATION

Consultation and community engagement has occurred on the Kings Square Project in the following ways:

- Preparation of the project Business Plan in 2012 and inviting public comment.
- Community input to the Kings Square Urban Design Strategy.
- Engagement around the architectural design competition.
- Workshops with children to guide the design of the Playscape.
- Public consultation regarding the Public Realm Concept Plan.
- Meeting with Whadjuk Working Group to establish a consultation process.
- Public consultation regarding the proposal to remove two mature fig trees.

VOTING AND OTHER SPECIAL REQUIREMENTS

Simple Majority Required

OFFICER’S RECOMMENDATION

That Council receives this update report on the Kings Square Project.
SUMMARY

The purpose of this report is to consider choosing a preferred tenderer for tender number FCC911/18 for the Construction of the new City of Fremantle, Civic Building and Library.

This report recommends that council agree to delegate to the Chief Executive Officer the ability to negotiate with the first preferred tenderer with regard to the scope of work, including value engineering solutions and contractual conditions to reach a suitable outcome for the city prior to the award of the final construction contract (if any) with that preferred tenderer.

The report further recommends that council agree to delegate to the Chief Executive Officer the ability to negotiate with the second preferred tenderer with regard to the scope of work, including value engineering solutions and contractual conditions, if the city is unable to reach agreement on the terms of the final construction contract with its first preferred contractor.

BACKGROUND

In October 2011 the City of Fremantle entered into a Memorandum of Understanding (MOU) with Sirona Capital to progress discussions on the possibility of an integrated development of the City owned and Sirona owned properties adjacent to the Kings Square site. These properties include the current Myer building, Queensgate Car Park, Queensgate commercial building, City administration building, the titled property in front of the Myer building and the Spicer property on William Street. The proposal also considered implications for the public area of Kings Square in accordance with the Urban Design Plan adopted by council in June 2012.

In November, 2012 Council considered the Business Case report for the proposal and subsequently adopted a business plan to undertake the project in accordance with the Local Government Act 1995.
As part of the City’s commitment to the Kings Square Renewal Project, the Council has agreed to construct a new civic building and library, on the site of the old administration office.

The City issued a public Expression of Interest (EOI) in October 2017 for suitably experienced, qualified and safety conscious head contractor to construct the new Civic Building and Library. The EOI closed on 17 November 2017. The City received 12 submissions and following evaluation of the responses, the CEO approved 6 contractors to be shortlisted as acceptable tenderers, as per Regulation 21 of the Local Government (Functions and General) Regulations 1996.

The six (6) shortlisted contractors were:

- Cockram Construction Limited
- Broad Construction Pty Ltd
- Doric Contractors Pty Ltd
- Probuild Constructions (AS) Pty Ltd
- PACT Construction Pty Ltd
- Pindan Constructions Pty Ltd

On 1 May 2018, the City issued to the six shortlisted contractors the tender documents for the construction of the new civic building and library. The tender closed on Friday 22 June 2018. All six contractors responded with a tender to undertake the scope of work.

In order to ensure probity in the evaluation process, the City engaged a Principal Probity Advisor from Stantons International, for the duration of the EOI and Tender process. Their report is attached.

**FINANCIAL IMPLICATIONS**

Council adopted a business plan for the sale and development of the Kings Square surrounding properties in February 2013. This evaluated the project cost for the City at this time at $44.75m. Since this time this project cost has been adjusted in line with Perth Consumer Price Index (CPI). Current 2018/19 budget has provision for a project budget of $46.3m.

A pre-tender estimate, provided by the City’s Quantity Surveyor (RBB) in April 2018, to undertake the construction part of this project is provided as a confidential attachment.

The City recommends an additional 5% contingency amount to allow for variations to the works under the construction contract which result in an upward adjustment to the contract sum.

**LEGAL IMPLICATIONS**

Expressions of Interest and Tenders were invited in accordance with section 3.57 of the Local Government Act 1995 and the tendering procedures and evaluation complied with Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996.
Legal advice from Jackson McDonald is provided (under confidential cover) confirming understanding and application of the Local Government (Functions and General) Regulations 1996, to the tender evaluation process.

CONSULTATION

Nil

OFFICER COMMENT

Detail

Tender FCC911/18 for Construction of Fremantle Civic Building and Library was released to shortlisted tenderers on Tuesday 1 May 2018 and closed on Friday 22 June 2018.

Essential details of the contract are outlined below:

<table>
<thead>
<tr>
<th>Contract type</th>
<th>Lump Sum</th>
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<tbody>
<tr>
<td>Contract duration</td>
<td>Duration of services (approximately 18 months)</td>
</tr>
<tr>
<td>Commencement date</td>
<td>Approx Q1 2019</td>
</tr>
<tr>
<td>Completion date</td>
<td>Approx Q2 2020</td>
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</table>

Tender evaluation

Tender submissions were received from the following contractors and evaluated by the tender evaluation panel:

- Cockram Construction Limited
- Broad Construction Pty Ltd
- Doric Contractors Pty Ltd
- Probuild Constructions (AS) Pty Ltd
- PACT Construction Pty Ltd
- Pindan Constructions Pty Ltd

The Tender evaluation panel establishes whether the tender submissions conform to the conditions for tendering and selects a suitably qualified and experienced contractor.

The tender evaluation panel comprised:

- Director Infrastructure and Project Delivery
- Director City Business
- Project Director Kings Square
- Project Manager Buildings
- Manager Field Services
- Facilities Manager Projects
- Procurement Team Leader
- Associate Director (Ralph Beattie Bosworth (QS), non-voting member)
- Principal – Probity and Procurement (Stantons International, non-voting member)
Tenderers were required to disclose information that might be relevant to an actual or potential conflict of interest and disclose if they had any relationship with City of Fremantle employees involved in the tender process. Members of the tender evaluation panel are required to disclose any actual or perceived interest with any of the tenderers.

No disclosures were made.

To obtain the broadest possible comparison base, each of the Tenders was evaluated against the following tender selection criteria and was in turn graded in the tender evaluation matrix.

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<th>Item No</th>
<th>Description</th>
<th>Weighting</th>
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<td>1</td>
<td>Methodology to construct the new building</td>
<td>35%</td>
</tr>
<tr>
<td>2</td>
<td>Value Engineering / Innovation</td>
<td>10%</td>
</tr>
<tr>
<td>3</td>
<td>Price</td>
<td>55%</td>
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**Evaluation Process**

The tender evaluation was undertaken using the selection criteria provided in the tender document and according to the requirements of the Local Government (Functions and General) Regulations 1996.

The panel first convened on 28 June 2018 to review responses for compliance with the terms and conditions of tendering. The panel reached a consensus decision that all respondents to the tender met the compliance criteria and all were moved forwards to a full evaluation.

The panel met to assess tenders against the weighted selection criteria and to attempt to reach a consensus decision on a preferred tenderer. At the meeting it was determined that clarification of some responses was required to assist the panel to determine an outcome.

After clarification, the panel met again to discuss the responses to clarification and attempt to reach a consensus decision. Following this meeting further contractual and technical qualifications to tenders were sought.

The panel determined that there were two (2) preferred tenderers at that point. The City undertook reference checks on the two (2) preferred tenderers.

A further round of clarifications with all tenderers was required to ensure technical matters were fully addressed and included in the lump sum pricing being offered by tenderers. This further round of technical clarification closed on 28 September 2018.

The evaluation panel met on Monday 8 October 2018, to review the responses to the clarification request, rescore responses (if applicable) and determine a preferred tenderer to enter into contract negotiations with.

Legal and probity advice was sought to ensure the outcome of the evaluation panel was acceptable under the Regulations and for probity purposes. The panel reconvened on 17
October 2018 to finalise the review and have recommended consideration of a preferred tenderer.

**Basis of the Decision**

The evaluation process determined that two tenderers scored very close by the evaluation panel and resulted in the panel recommending preferred status.

The panel also considered Regulation 18(4) of the Local Government (Functions and General) Regulation 1996, as part of their deliberations. Regulation 18(4) states:

> (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

In this case the most advantageous tender for the City to accept would be the offer from Pindan Constructions.

The City and evaluation panel had already qualified that Pindan demonstrated the necessary skills, experience and financial capacity to undertake the project, by selecting them as a suitable tenderer during the EOI process.

Legal advice provided by Jackson McDonald, supported the evaluation panels understanding of these important considerations. Making this decision does not breach the probity surrounding the evaluation process, undertaken by the City, a situation considered acceptable by the probity advisor (Stantons International) for the project.

It should also be noted that clause 1.11 of the City’s Request for Tender clearly stated that “the aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money” (under lining added for reference).

Given all the above considerations, the evaluation panel recommended Pindan Constructions as its preferred head contractor for this project, based on the fact that Pindan Constructions tendered response is the most advantageous for the City to consider.

If the City is unable to reach agreement with Pindan on the terms of the final construction contract, the panel further recommended that the City then enter in to negotiation with Doric Contractors as its second preferred tenderer.

Should the City be unable to reach agreement with either of the two preferred tenderers, the evaluation panel recommend rejecting all tenders.

These recommendations were accepted by the City’s internal Major Procurement Approvals Panel, whose members are the Director Community Development, Director Strategic Planning and Projects, the Director of People and Culture and the Chief Executive Officer.
Environmental considerations

All respondents and the recommended Tenderer declared compliance with the four principles of No Business in Abuse (NBIA) and do not have contracts with suppliers profiting from offshore detention.

All respondents had previous experience constructing major structures with environmental considerations and design.

Risk consideration

An assessment undertaken by illion (formerly Dun & Bradstreet) indicates that the recommended Tenderer has the financial capacity to undertake the construction contract.

There are no strategic or corporate risks within the City’s existing risk registers which relate to the issues contained in this report.

Specific risk assessments have been developed for the King Square project and will be considered and reassessed for adequacy during the project.

Comment

The recommended preferred tenderer, Pindan Constructions, scored well against the qualitative and quantitative criteria required to deliver a safe and value for money outcome to achieve the scope of work. The tender from Pindan Constructions is recommended as the most advantageous for the City to accept, as per Regulation 18(4) of the Local Government (Function and General) Regulations 1996.

Subject to acceptance of the recommendation, the proposed implementation program is scheduled below:

- Award contract: December 2018
- Commence services: Approx Q1 2019
- Completion: Approx Q2 2020

VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute majority required

OFFICER’S RECOMMENDATION

That Council:

1. Agrees to nominate Pindan as the City of Fremantle’s preferred tenderer for tender FCC911/18 Construction of New Civic Building and Library (subject to the City and Pindan reaching agreement on the terms of the final construction contract) on the basis that it is considered to be the most advantageous for the City of Fremantle, in accordance with Regulation 18(4) of the Local Government (Functions and General) Regulations 1996;
2. Authorises the Chief Executive officer to enter into negotiations with Pindan in relation to the final specifications of the construction contract (including any value engineering solutions);

3. Agrees, that if the City and Pindan are able to reach agreement on the terms of the final construction contract, to:
   
   a. authorise the Chief Executive Office to accept Pindan as the successful tenderer for tender FCC911/18 Construction of New Civic Building and Library; and
   b. authorise the Chief Executive Officer and the Mayor to execute the construction contract with Pindan once prepared and certified by the City’s legal representatives.

4. Agrees, that if the City’s negotiations with Pindan for a construction contract for tender FCC911/18 Construction of New Civic Building and Library have not been finalised within the time required by the Chief Executive Officer, to:
   
   a. authorise the Chief Executive Officer to enter into negotiations with Doric on the basis that its tender is considered by the City to be the next most advantageous to the City to accept, in relation to the final specifications of the construction contract (including any value engineering solutions); and
   b. in the event that the City and Doric are able to reach agreement on the terms of the final construction contract, to:
      i. authorise the Chief Executive Officer to accept Doric as the successful tenderer for tender FCC911/18 Construction of New Civic Building and Library; and
      ii. authorise the Chief Executive officer and the Mayor to execute the construction contract with Doric once prepared and certified by the City’s legal representatives;

5. Agrees to delegate authority to the Chief Executive Office to agree to any variation to the works under the construction contract entered into under paragraphs 3 or 4 above, provided that the single or cumulative upward adjustment to the contract sum does not exceed 5% of the contract sum; and

6. Agrees, that if a construction contract is agreed and entered into by the City in accordance with paragraphs 3 or 4 above, to authorise the Chief Executive Officer to announce the construction contract has been agreed.
7. **Late items**

In cases where information is received after the finalisation of an agenda, matters may be raised and decided by the meeting. A written report will be provided for late items.

8. **Closure**
Agenda attachments

Special Meeting of Council

Wednesday, 31 October 2018, 6.00 pm
25 October 2018

Mr Philip St John
Chief Executive Officer
City of Fremantle
Fremantle Oval
70 Parry Street
Fremantle WA 6959

Dear Philip,

RE: PROBITY CERTIFICATE – REQUEST FOR TENDER FCC911/18 – CONSTRUCTION OF A NEW CIVIC BUILDING AND LIBRARY

This report details our opinion regarding the probity of the processes undertaken by the City of Fremantle (the City) in the development of the Request for Tender (RFT) document, the management of the tender preparation phase and the conduct of the evaluation process for the selection of a Preferred Contractor for the construction of a New Civic Building and Library for the City. The report covers the tendering and evaluation process, the subsequent deliberations of the Evaluation Panel leading to the completion of the Evaluation Report and recommendations to the Council to support the nomination of Pindan Construction (Pindan) as the first (Preferred) Contractor and, in the event that contract negotiations with Pindan are unsuccessful, for Doric Contractors Pty Ltd (Doric) to be identified as the second (Reserve) Preferred Contractor to then enter into contract negotiations. We support the Evaluation Report in recommending that if contractual close is not reached with either Pindan or Doric, no further tenderers would be considered and the process would be terminated.

This report outlines the involvement of Stantons International (SI) in the process and provides an opinion that this has been a thorough process that has complied fully with appropriate probity requirements.

1. Involvement of Stantons International

On this occasion, the City engaged SI as the probity advisors to the process from prior to the commencement of the evaluation of the earlier Expression of Interest (EOI) phase in October 2017. Since that time, we have been in a position to comment on the development of the RFT documentation, the Evaluation Plan and all relevant documents developed as part of the overall process. The RFT was issued on 1 May 2018 to six shortlisted Respondents from the initial EOI process, with tenders closing on 22 June 2018. At the time of closing, tenders had been received from all six shortlisted Respondents.

In processes such as this, SI has a preference to commence our involvement with the conduct of a Probity Risk Workshop from which a Probity Plan for the project is then developed. On this occasion, because of the relatively late appointment of SI to the role of Probity Advisors, a formal Probity Risk Workshop was not held as part of this tendering process, however I was invited by the CEO and the Director City Business to consider the
specific probity risks that could potentially arise through having both an incumbent King’s Square developer and builder in the process and the development partner, Sirona Capital, involved as an advisor to the RFT process. SI prepared a detailed Probit Opinion for the CEO covering the probity risks that we believed could arise from this exposure and proposed risk mitigation strategies that the City could apply in order to reduce or eliminate the risks. That advice was accepted and the process continued with the mitigation strategies being applied at all relevant stages of the process, including the complete removal of Sirona Capital advisors from the evaluation stage.

We are confident that the risk mitigation strategies that were developed and applied were successful in reducing probity risks and that these contributed to the effective management of probity in a reasonably lengthy and complex evaluation process.

During the course of the tender preparation and evaluation, I provided ad-hoc advice, primarily to Mr Kevin Porter, Procurement Team Leader, and to Mr Glen Dougall, Director City Business, on a number of probity questions that assisted in the conduct of the process. This advice was deemed to be not material to the outcome of the process or resulted in actions that were endorsed by the Evaluation Panel which led to the issue of Addenda or the release of clarification questions to each of the Respondents.

2. Purpose and Scope

The purpose of this review has been to ensure that the evaluation process for the RFT was administered fairly and impartially to all parties and was consistent with relevant Local Government and City of Fremantle regulations, policies and guidelines.

3. Summary and Evaluation Methodology

In summary, this has conclusion of a two-stage tender process consisting of an Expression of Interest phase followed by shortlisting and the RFT phase. The RFT phase focused on the detailed methodology proposed by the Respondents for the delivery of the project (35%), the opportunities for Innovation and Value Engineering (10%) and price (55%).

Following receipt of submissions from the Respondents and a preliminary compliance check, individual scoring was conducted by the members of the Evaluation Panel, in strict conformity with the evaluation process developed for the Request and in accordance with the Evaluation Handbook and Guidelines issued before the commencement of the evaluation process.

The first Evaluation Panel meeting was held on 28 June 2018 to confirm the compliance of all six bids against the mandatory criteria detailed in the RFT document. All six Respondents were deemed to have satisfied the mandatory requirements and were advanced to detailed consideration at consensus scoring meetings held on 20 July, 2 August and 9 August. This requirement for three meetings reflected the level of analysis required by the Panel Members and the need for two rounds of clarifications before consensus scoring could be finalised for both the qualitative and quantitative criteria. Two further Panel meetings were held on 1 October and 17 October to consider responses to additional technical and financial clarifications, with an emphasis on dewatering and the treatment of the façade. The final meeting on 17 October 2018 was convened to consider the application of the Local Government (Functions and General) Regulations 1996 and final considerations of a value for money (most advantageous) outcome for the City.

In comparison with other projects of similar value and complexity, this was a lengthy, iterative, process that required all bids to be brought as far as possible into alignment to ensure that no Respondent had been treated unfairly and that the value for money decision was made on a true like-for-like basis. I was satisfied that this outcome had been
achieved at the meeting of 17 October and that the final outcome was made on the basis of consistent information and no omission of any material details.

We observed that the evaluation meetings were conducted in accordance with the predetermined evaluation process, as slightly modified to accommodate the need for the additional clarification steps. We consider that the outcome of the evaluation process was reached in an unbiased manner that was fair to all Respondents and free from any impact of incumbent advantage or influence from current development partners.

4. Notable Events

Although this was a lengthy and demanding process, it was conducted in a manner that was free from bias, consistent with the relevant rules and guidelines and free from any external influence. Any probity matters that did arise were of an operational nature and were dealt with in an appropriate manner at the time and no events of a notable nature arose that require comment in this Certificate.

While not a notable event as such, it is observed that the weighting of 35% for Methodology with a scoring system that provided for scores of 0 – 35 in quite wide increments resulted in a grouping of qualitative scores in the range 20 – 24 for all six Respondents. As such, it did not provide as much discrimination between results that would have been expected for a process such as this. Had the 35% allocated to Methodology been broken down into two component parts, say 20% and 15%, and been scored from 1 – 10 in one point defined increments, it is likely that the evaluation could have been simplified with an outcome becoming apparent earlier in the process.

I am satisfied that the scoring methodology that was used was applied in a consistent manner and ultimately produced a defensible and fair outcome, however this could be improved for future tenders such as this.

5. Recommendations

It is recommended that consideration be given for any future RFT process such as this to enhancing the manner in which criteria are weighted and the method employed for individual scoring by Panel Members.

6. Deviations from Normal Procedures

No deviations were observed from the procedures applicable within the City for the conduct of a tendering and evaluation process for a major construction contract such as this.

7. Other Issues

We are satisfied in relation to the following:

- The Evaluation Panel applied all relevant Local Government and City of Fremantle procurement policies during the procurement process.
- It is our opinion that the evaluation process was free from bias and inequity.
- Documentation supporting the evaluation process provides sufficient evidence for third party review and accurately describes the process undertaken.
- The evaluation process was conducted fairly and equitably.

It is our opinion that the process was a fair and equitable process conducted in accordance with the requirements of the RFT and the earlier EOI phase. Should you wish to discuss any of the issues raised in this report, please contact the undersigned.
Stantons International

Yours faithfully

[Signature]

Kevin Donnelly
Principal, Probity & Procurement
STANTONS INTERNATIONAL