

**INDEX OF LATE REPORTS OF THE BLAYNEY SHIRE COUNCIL**  
**MEETING**  
**HELD ON MONDAY 21 SEPTEMBER 2020**

**LATE REPORTS** ..... **2**  
18) Building Better Regions Funding Round IV - Kicking Goals for Girls..... 2

**18) BUILDING BETTER REGIONS FUNDING ROUND IV - KICKING GOALS FOR GIRLS**

**Department:** Infrastructure Services

**Author:** Manager Water and Wastewater

**CSP Link:** 2. Local Governance and Finance

**File No:** RC.SP.2

---

**Recommendation:**

That Council, invite tenders for the Kicking Goals for Girls Project at King George Oval by the selective tendering method following a public advertisement seeking Expressions of Interest.

**Reason for Report:**

For Council to determine the tendering method for the Kicking Goals for Girls Project at King George Oval Project.

**Report:**

At the July meeting, Council received a report regarding the successful application announced under the Australian Government's Building Better Regions Funding grant for the 'Kicking Goals for Girls' project at King George Oval.

This project includes the design and construction of both home and away change rooms which includes; male and female team showers, toilets and team strapping/treatment space. Repurposing of the current change rooms will also be a consideration which could include new accessible public toilets and new change rooms for both male and female referees/game officials or storage. The project will provide opportunities for increasing female participation in sport and offer inclusive and accessible public amenities.

**Risk/Policy/Legislation Considerations:**

As the project value will exceed \$250,000, Council is required to undertake the project in accordance with s55 of the Local Government Act (1993). Council is required to invite tenders before entering into a contract. Clause 166-169 of the Local Government (General) Regulation (2005) identifies the types of tendering methods that councils can use. Council must decide whether it is going to use an open or selective tendering process.

- Open tendering is undertaken through public advertisements inviting interested persons to submit a tender.
- Selective tendering can be undertaken by both advertising an expression of interest and then inviting tenders from suitable respondents, or by inviting tenders from a pre-prepared list of recognised contractors.

The NSW Office of Local Government (OLG) Tendering Guidelines refer to the process of selecting the most appropriate tendering method whereby Council should select the tendering method that:

- Has the greatest likelihood of achieving the best value for money
- Meets its needs
- Is appropriate for the level of risk
- Is timely
- Avoids creating unnecessary costs for it and/or tenderers; and
- Safeguards the security and confidentiality of all tenders.

It is recommended that Council enter into a selective tendering method by which invitations to tender for a proposed design and construct contract are made following public advertisement, seeking expressions of interest to select suitable Contractors to work with Council on the design and costing to enable a contract to be initiated. A process for the implementation of this project has been developed and is shown in the following table.

Component	Time Frame	Objective	Outcome
1. Expression of Interest	Mid Oct 2020	EOI Issued EOI Submissions	Shortlist Contractors
2. Request for Proposal	Nov 2020	Issue RFP to Shortlist RFP Submissions Evaluation Part 1 Selection Workshops if Required Select 2 Preferred Proponents	Shortlist Proponents to Contract Finalisation stage
3. Contract Finalisation	Nov 2020	Commercial Negotiations for Collaborative Design Stage Collaborative Design Agreement established	Council to Approve Appointment of Contractors for Collaborative Design Stage
4. Collaborative Design Stage	December 2020 to March 2021	Collaborative Design, Cost Development and Risk Mitigation Offers for Design and Construct Contract Works Offers Considered Council awards Design and Construct Contract	Council to Approve Contractor for Design and Construction Stage
5. Design & Construction Stage	March 2021 to March 2022	Detailed Design Construction Handover	Handover of completed works

Council has considered the *National Alliance Contracting Guidelines – Guidance Note 6* to develop a process, similar to that of an Early Contractor Involvement (ECI) that will comply with Local Government Tendering Guidelines. This will enable selected Contractors to collaborate with Council in developing an innovative design, which is both fit for purpose and provides value for money during the construction stage (Contract Stage).

This approach aims to reduce and allocate risk, provide appropriate innovative design in consideration of the site, the risks and its constructability.

The process will have a competitive design stage (Stage 4) where Council will collaborate with selected contractors, who will have been shortlisted from the EOI stages (Stages 1 – 3). At the completion of these early stages, contractors will submit a tender consisting of the developed design and completed costings. Council will then assess the submissions and determine to enter into a Design and Construction contract to deliver the selected contractor's design, at the submitted tender cost.

Prevention Partners have been engaged to assist in the development of this process and will prepare a probity plan and review the contract when required.

**Budget Implications:**

The process will require Council to compensate the shortlisted selected Contractors for the Collaborative Design Stage (Stage 4) of the process. This will incorporate a negotiated schedule of rates with an upper limit, to be funded from the approved CAPEX project budget.

A competitive tension will exist between contractors during the process, which in turn ensures Council achieves value for money on the project.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil