

10.12.Tender 19/2024 - Supply, Delivery, Installation, Commissioning, and Maintenance of gym equipment - North Sydney Olympic Pool

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ATTACHMENTS	1. CONFIDENTIAL REDACTED - Tender 19/2024 [10.12.1 - 2 pages]
CSP LINK	1. Our Living Environment 1.4 Well utilised open space and recreational facilities 4. Our Social Vitality 4.1 North Sydney is connected, inclusive, healthy and safe

PURPOSE:

The purpose of this report is to provide Council with the assessment of Tender 19/2024 - Supply, Delivery, Installation, Commissioning, and Maintenance of Gym Equipment for North Sydney Olympic Pool (NSOP).

EXECUTIVE SUMMARY:

- Tenders were called and received until 3pm Thursday 29 August 2024 for the submission of tenders to undertake the supply, delivery, installation, commissioning and maintenance of gym equipment at NSOP.
- Tenders were subsequently assessed in accordance with Council's Procurement Policy and s55 of the Local Government Act (1993) and a preferred tenderer identified.
- If Council wishes to discuss the report, the meeting should be closed to the public to do so, in accordance with:

(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

(d)(ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.

RECOMMENDATION:

1. THAT Council accept the tender of the highest ranked tenderer for Tender 19/2024: Supply, Delivery, Installation, Commissioning, and Maintenance of Gym Equipment at North Sydney Olympic Pool.

2. THAT the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into contracts associated with Tender 19/2024: Supply, Delivery, Installation, Commissioning, and Maintenance of Gym Equipment at North Sydney Olympic Pool.

3. THAT Council resolves that the identified attachment to this report is to be treated as confidential in accordance with section 11(3) of the Local Government Act for the following reason under section 10A(2) of the Local Government Act:

(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

(d)(ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.

It is further noted that the release of this information would, on balance, be contrary to the public interest as publication of all tendered documents would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

Background

The redeveloped NSOP includes spaces for a gym and two group fitness studios. Suitable gym equipment is required to appropriately furnish these spaces to support the delivery of high-quality fitness services and programs to the community.

In October 2023 North Sydney Council issued Tender 8/2023 for gym equipment for NSOP, which closed on 14 November 2023. Due to further delays with the redevelopment of NSOP, Council resolved at its meeting of 26 February 2024, to cancel Tender 8/2023 and reject all tender submissions associated with the tender.

In August 2024 following updates to the NSOP-build timeline and acknowledgment of lead times required by gym equipment suppliers, Tender 19/2024 was issued. Tender 19/2024 is a five-year lease agreement for the supply, delivery, installation, commissioning, and maintenance of gym equipment at NSOP. At the completion of the five-year lease agreement, all gym equipment will be owned by North Sydney Council.

Report

The methodology adopted to undertake the tender evaluation of Tender 19/2024 was based on selection criteria outlined in the tender documents and in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Open tenders were called and were received until 3pm Thursday 29 August 2024 via Tenderlink.

At close of tenders, four tenders were received. Listed in **strict alphabetical order**, the tenderers were:

Tenderer
Johnson Health Tech Aust PTY LTD (Matrix Fitness)
Life Fitness Australia
Technogym Australia PTY LTD
The Trustee for Novofit Unit Trust

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.

The following information is treated as confidential in the confidential attachment:

1. Tender evaluation including selection criteria

The tender process has been reviewed and endorsed by Council's Procurement Panel for adherence to the Procurement Policy.

2. Tender evaluation panel results

The final ranking and point scores (out of a total 100) of the tenders are identified in the table in the confidential attachment. The assessment was based on Council's standard tender evaluation methodology, as outlined in the selection criteria.

3. Funding and costing details

Application for access to documentation should be through lodgement of a GIPA Public Information application form and payment of prescribed fees.

Consultation requirements

No community engagement or consultation was required in the development of this report.

Financial/Resource Implications

Accepting the recommendations of this report will commit Council to lease payments as outlined within confidential attachment of this report, noting that these payments will be met from the NSOP annual operating budget.

Legislation

s55 NSW Local Government Act (1993).