



*The City with Spirit*

## NOTICE OF MEETING

Notice is hereby given that a **Special Council Meeting** of the Devonport City Council will be held in the Aberdeen Room, Level 2, parade centre, 137 Rooke Street, Devonport on Monday 11 September 2023, commencing at 5:15 PM.

**The meeting will be open to the public and live streamed from 5:15 PM on Council's [YouTube channel](#).**

## QUALIFIED PERSONS

In accordance with section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Matthew Atkins  
GENERAL MANAGER

**06 09 2023**

### September 2023

Meeting	Date	Commencement Time
Council Meeting	25 September 2023	5:30pm

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**AGENDA FOR AN SPECIAL COUNCIL MEETING OF DEVONPORT CITY COUNCIL  
HELD ON MONDAY 11 SEPTEMBER 2023, IN THE ABERDEEN ROOM, LEVEL 2, paranaple  
centre, 137 ROOKE STREET, DEVONPORT AT 5:15 PM**

<b>Item</b>	<b>Page No.</b>
<b>1 APOLOGIES .....</b>	<b>3</b>
<b>2 DECLARATIONS OF INTEREST .....</b>	<b>3</b>
<b>3 REPORTS.....</b>	<b>5</b>
<b>3.1 TENDER REPORT CONTRACT CB0126 DEVONPORT AQUATIC CENTRE INDOOR POOL TILE REPLACEMENT .....</b>	<b>5</b>
<b>4 CLOSURE .....</b>	<b>9</b>

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## **ACKNOWLEDGEMENT OF COUNTRY**

Devonport City Council acknowledges and pays respect to the palawa-pakana people as the traditional and original owners of lutrawita and continuing custodians of this land on which we gather.

We also acknowledge and pay our respects to the Tasmanian Aboriginal elders past and present.

## **IN ATTENDANCE**

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Digital Recording Policy. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months. The meeting will also be live streamed on Council's YouTube channel.

## **ATTENDEES**

		<b>Apology</b>
Chair	Cr A Jarman (Mayor)	
	Cr S Sheehan (Deputy Mayor)	
	Cr G Ennis	
	Cr P Hollister	
	Cr S Martin	
	Cr A Moore	
	Cr L Murphy	
	Cr D Viney	
	Cr J Wilczynski	

## **1 APOLOGIES**

## **2 DECLARATIONS OF INTEREST**

### **3 REPORTS**

#### **3.1 TENDER REPORT CONTRACT CB0126 DEVONPORT AQUATIC CENTRE INDOOR POOL TILE REPLACEMENT**

Author: **Jason Bellchambers, Infrastructure Manager**

Endorser: **Jeffrey Griffith, Deputy General Manager**

#### **RECOMMENDATION**

That Council in relation to Contract CB0126 Devonport Aquatic Centre Indoor 25 Metre & Combined Pool Tile Replacement:

- a) award the contract to On Time Developments for the tendered sum of \$1,001,400 (ex GST);
- b) Allow for additional electrical works to earthing cables of \$40,160 (ex. GST);
- c) Allow a construction contingency of \$100,140 (ex GST);
- d) Allow project management and administration costs of \$25,000 (ex GST); and
- e) Note that the forecast additional budget allocation of up to \$166,700, if required will be offset by savings on other projects within this year's capital program.

#### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

- 4.1 Sport and recreation facilities and programs meet community needs.

#### **SUMMARY**

This report considers tenders received for project *CB0126 - Devonport Aquatic Centre Indoor 25 Metre & Combined Pool Tile Replacement* listed within the 2023/24 Capital Budget Program and seeks Council's approval to award the contract to *On Time Developments*.

#### **BACKGROUND**

In January 2023, the tiling in the indoor 25-metre pool had deteriorated to a point where tiles were coming loose and detaching becoming a safety issue to users of the pool. The decision was made to empty the 25-metre pool to assess and strip the floor and wall tiles where there was imminent tile adhesion failure. The other indoor combined pools at the time had some missing tiles, but most tiles were assessed to be still holding securely in place.

Investigation took place while the 25-metre pool was empty, with input provided by a number of tiling industry experts at the time. Research also occurred into similar pool tiling issues and how tiling practices have improved over recent years. With the information at that point, a budget estimate was provided during the 2023/24 budget process, which was approved by Council in June 2023.

Council engaged an expert consulting engineering company, *Hydrautech Designs* to confirm the mode of failure, which is detailed in the *Pool Tiling Failure Report - Issue 1*. The report considers:

- Known contributing factors to pool tiling failures
- Australian Standards
- Specified Project Requirements
- Mode of Pool Tiling Failure
- Conclusion & Recommendations

Council staff worked with the Report Author through the investigation, and on the specifications and report outcomes.

All recommendations from the *Pool Tiling Failure Report - Issue 1* were considered and included during preparation of the tender specification document. The tiling specification document was written with a strong emphasis on achieving a longer life tiling installation above the typical industry standard. The final specification document was reviewed by *Hydrautech Designs* prior to finalising and releasing for tender.

As a result of the above and due to the higher level of detail, control and warranty contained in the final tiling tender specification along with the upward pressure on labour availability and products, the final prices received are higher than the original budget estimate.

**STATUTORY REQUIREMENTS**

Council is required to comply with section 333A of the *Local Government Act 1993* and its adopted Code for Tenders and Contracts when considering awarding tenders over the prescribed amount.

**DISCUSSION**

A Tender Planning and Evaluation Committee was formed to evaluate tenders received, which are listed in Table 1 below.

**TABLE 1**

No.	Tender	Total Price (ex GST)
1	On Time Developments	\$1,001,400
2	Metz Projects	\$1,420,352
3	Hydrilla	\$1,525,000

The Tender Planning and Evaluation Committee assessed each submission against the selection criteria with *On Time Developments* ranking highest overall and therefore offering Council the best value for money. All submissions were conforming with the Tender Specifications. The selection criteria included:

- Relevant Experience
- Quality, Safety and Environmental Management
- Product Suitability
- Methodology
- Price

There was a high degree of confidence in all three submissions received. The Quality Management and Methodology detail contained within the *On Time Developments* submission strongly demonstrated capability aligning with the tender specifications, thus giving confidence in their abilities to meet all requirements.

### COMMUNITY ENGAGEMENT

Open Tenders were called publicly in The Advocate newspaper on the 5<sup>th</sup> August 2023, they were also advertised on Council's website and via Tenderlink.

The Tenderlink portal database provides national reach across registered suppliers. The Tenderlink portal reported 990 alerts were sent to industry specialists, with 39 tender views and 17 companies recorded as downloading the documents.

No submissions were received during the Open Tender process between 2<sup>nd</sup> August and 24<sup>th</sup> August 2023.

Subsequently, the tender period was extended for a further week by invitation via Tenderlink with three tenderers that expressed significant interest through the process. Tenders closed on the 30<sup>th</sup> August 2023.

### FINANCIAL IMPLICATIONS

The 2023/24 Capital Budget includes an allocation of **\$1,000,000** for the project *Aquatic Centre Indoor 25 Metre & Combined Pool Tile Replacement*.

The breakdown of the forecast expenditure for this project is summarised in Table 2 below.

**TABLE 2**

No.	Tender	Amount
1	CB0126 Aquatic centre indoor pools tile replacement	\$1,001,400
2	Electrical works – earthing requirement allowance to meet Australian Standards	\$40,160
3	Project design, management, administration	\$25,000
4	Construction contingency (10%)	\$100,140
	<b>TOTAL (ex GST)</b>	<b>\$1,166,700</b>
	<b>Budget</b>	\$1,000,000
	Difference	<b>-\$166,700</b>

The tender administration will involve project management responsibilities over the 5-month duration of the project. It may also include the need to engage *Hydrautech Designs* for assistance with quality assurance advice or inspections.

The Construction Contingency makes allowances for the project risks identified below.

The Tender Specification was detailed to provide a higher level of quality than the industry standard. This included the requirement for using an epoxy-based tile adhesive and grouting products over the industry standard cementitious based adhesive and grout.

Epoxy based products are more expensive and are slower to apply (harder material to work with), but it is an extremely durable, non-porous and chemical resistant product which delivers a 15-year warranty on that basis. The industry standard cementitious based adhesive and grout would be significantly less cost, however, has not been recommended as it results in a reduced 10-year warranty.

### **RISK IMPLICATIONS**

To minimise risk, the tender administration processes related to this contract comply with Council's Code for Tenders and Contracts which was developed in compliance with Section 333A of the *Local Government Act 1993*.

The following project risks have been identified:

- Works must be completed within the November to March period, the construction period will take a minimum of 4.5 months to complete. The outdoor pool season generally runs the span of this period, extending the operation of outdoor pool during lower outdoor temperature months will come at a considerable cost.
- Awarding the tender to the preferred contractor to lock-in and ensure availability of labour, equipment and supply of product ahead of commencing work in November 2023.
- Project management and construction process will need to be tightly controlled to ensure specified dry-back and curing periods are achieved, along with the re-filling process of the pool and chemical dosing. Public or political pressure to fast-track process or re-open without consideration of process will risk undermining the final tiling product.
- Quality assurance inspections and preparation work must be carried out correctly to achieve the desired 15-year warranty.
- Tile removal and underlying slab condition is still currently unknown in some areas, and allowances have been made for expected treatment only.

The tender specification and submission both detail the process and quality assurance requirements, with hold points built-in to ensure all risks are minimised and treated at each stage of the project.

### **CONCLUSION**

It has been assessed that *On Time Developments* offer "best overall value" and it is recommended they be awarded the Contract CB0126 Devonport Aquatic Centre Indoor 25 Metre & Combined Pool Tile Replacement.

### **ATTACHMENTS**

1. Devonport Splash Aquatic Centre Tiling Report Issue 1 [3.1.1 - 21 pages]

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## **4 CLOSURE**