



Expression of Interest

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| Expression of Interest (EOI): | <i>Kulin All Ages Precinct Construction</i> |
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| Deadline: | <i>4PM, Monday 15th February, 2021</i> |
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| Address for Delivery: | <i>Shire of Kulin: Attention CEO</i> tenders@kulin.wa.gov.au <i>Electronic mail submissions are the only form Expression of Interests that will be accepted</i> |
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| EOI Number: | <i>EOI 01/2021</i> |
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Table of Contents

| | | |
|----------|--|-----------|
| 1 | Conditions of Responding | 3 |
| 1.1 | Definitions | 3 |
| 1.2 | Expression of Interest Documents | 3 |
| 1.3 | How to Prepare Your Submission | 4 |
| 1.4 | Contact Persons | 4 |
| 1.5 | Briefing/Site Inspection | 4 |
| 1.6 | Evaluation Process | 4 |
| 1.7 | Selection Criteria | 5 |
| 1.8 | Compliance Criteria | 5 |
| 1.9 | Qualitative Criteria | 5 |
| 1.10 | Indicative Pricing | 6 |
| 1.11 | Lodgement of Submissions and Delivery Method | 6 |
| 1.12 | Rejection of Submissions | 6 |
| 1.13 | Late Submissions | 6 |
| 1.14 | Acceptance of Submissions | 7 |
| 1.15 | Disclosure of Contract Information and Documents | 7 |
| 1.16 | Submission Validity Period | 7 |
| 1.17 | Respondents to Inform Themselves | 7 |
| 1.18 | Alterations | 7 |
| 1.19 | Ownership of Submissions | 8 |
| 1.20 | Canvassing of Officials | 8 |
| 1.21 | Identity of the Respondent | 8 |
| 1.22 | Submission Opening | 8 |
| 1.23 | In-house Submissions | 8 |
| 2 | Statement of Requirements | 9 |
| 2.1 | Introduction | 9 |
| 2.2 | Background Information | 9 |
| 2.3 | Broad Requirements of the Contract | 9 |
| 2.5 | Implementation Timetable | 9 |
| 2.6 | Capability and Resources | 10 |
| 2.7 | Funding Considerations | 10 |
| 2.8 | Project Specifics | 10 |
| 3 | Respondent's Submission | 11 |
| 3.1 | Response Form | 11 |
| 3.2 | Respondent's Response | 12 |
| 3.3 | Selection Criteria | 12 |
| 3.3.1 | Compliance Criteria | 12 |
| 3.3.2 | Qualitative Criteria | 13 |

1 Conditions of Responding

1.1 Definitions

Below is a summary of some of the important defined terms used in this Expression of Interest:

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| Attachments: | The documents you attach as part of your Submission. |
| Deadline: | The Deadline shown on the front cover of this Expression of Interest for lodgement of your Submission. |
| Expression of Interest or EOI: | This document. |
| Principal: | Shire of Kulin. |
| Respondent: | The person or persons, corporation or corporations who intends to submit a Submission in response to an Expression of Interest. |
| Requirement: | The Kulin All Ages Precinct Construction requested by the Principal. |
| Selection Criteria: | The Criteria used by the Principal in evaluating your Submission. |
| Specification: | The Statement of Requirements for Kulin All Ages Precinct Construction that the Principal's Expression of Interest may request you to provide if selected as an acceptable Expression of Interest through the Expression of Interest process. |
| Submission: | Completed Expression of Interest, response to Selection Criteria and Attachments. |

1.2 Expression of Interest Documents

This Expression of Interest is comprised of the following parts:

Part 1 – Conditions of Responding (*read and keep this part*).

Part 2 – Specification and/or plans/drawings (*read and keep this part*).

Part 3 – Respondent's Submission (*complete and return this part*).

Separate Documents

- a) Addenda and any other special correspondence issued to Respondent's by the Principal.
- b) Any other policy or document referred to but not attached to the Expression of Interest.

1.3 How to Prepare Your Submission

- a) Carefully read all parts of this document;
- b) Ensure you understand the Requirements (Part 2);
- c) Complete and sign the Response Form and your response to the Selection Criteria (Part 3) and attach your Attachments; and
- d) Lodge your Submission before the Deadline.

1.4 Contact Persons

Respondents must not rely on any information provided by any person other than the person listed below:

| | |
|-------------------|--|
| Name: | Garrick Yandle Shire of Kulin - CEO |
| Telephone: | 08 9880 1204 0408 945 011 |
| Email: | ceo@kulin.wa.gov.au |

1.5 Briefing/Site Inspection

Attendance at this meeting is not mandatory.

Respondents are not required to attend a Briefing or Site Inspection.

1.6 Evaluation Process

This is an Expression of Interest (EOI).

The EOI is the first stage of a two stage process. Following the outcome of the EOI, the Principal may proceed to the calling of a restricted Request for Tender (RFT) to those determined as acceptable tenderers. The issuing of an EOI does not commit the Principal to proceeding with an RFT.

Eligibility to participate in the RFT will be restricted to providers who comply with the provisions of this EOI and who are accepted by the CEO of the Principal to be placed on a pre-qualified shortlist.

The submission of an EOI does not commit the Principal to include any organisation on the shortlist in the event that the project proceeds.

Your Submission will be evaluated using information provided in your EOI and on your response to the Selection Criteria.

The following Evaluation Methodology will be used in respect of this Expression of Interest:

- a) Submissions are checked for completeness and compliance. Submission that do not contain all information requested (eg completed Submission Form and Attachments) may be excluded from evaluation;
- b) Submission are assessed against the Selection Criteria;
- c) The most suitable Respondents may be shortlisted and may also be required to clarify the Submission, make a presentation, demonstrate the product/solution offered and/or open premises for inspection. Referees may also be contacted prior to the selection of the successful Respondent.

1.7 Selection Criteria

A scoring system will be used as part of the assessment of the qualitative criteria set out in **Part 3.3.2**. Unless otherwise stated, a response to one of these criteria which provides all the information requested in the Expression of Interest will be assessed as satisfactory and will, in the first instance, attract an average score.

The extent to which the Submission demonstrates greater or lesser satisfaction of each of these criteria will result in a score greater or lesser than the average. The aggregate score of each Submission 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.

1.8 Compliance Criteria

These criteria are detailed within **Part 3.3.1** of this document and will not be point scored. Each Submission will be assessed on a “Yes/No” basis as to whether the criterion is satisfactorily met. An assessment of “No” against any criterion may eliminate the Submission from consideration.

1.9 Qualitative Criteria

In determining the most advantageous Submission, the Evaluation Panel will score each Respondent against the qualitative criteria as detailed within Part 3 of this document. Each criterion will be weighted to indicate the relative degree of importance that the Principal places on the technical aspects of the goods or services being purchased.

Note: It is essential that Respondents address each qualitative criterion.

Information that you provide addressing each qualitative criterion will be point scored by the Evaluation Panel.

Failure to provide the specified information may result in elimination from the evaluation process or a low score.

1.10 Indicative Pricing

Successful Respondents will be provided with an opportunity to provide pricing if and when the Request for Tender is issued.

1.11 Lodgement of Submissions and Delivery Method

The Submission must be lodged by the Deadline. The deadline for this Expression of Interest is **4PM (WST), Monday 15th February, 2021**.

The Submission is to be:

- a) clearly endorsed with the EOI number and title as shown on the front cover of this Expression of Interest; and
- b) sent through the electronic mail to the Chief Executive Officer tenders@kulin.wa.gov.au.

Electronic mail Submissions and Submissions submitted by facsimile will be the only format accepted.

Respondents must ensure that they have provided 1 signed copies of their Submission. Any brochures or pamphlets must be attached to the original copy.

All pages must be numbered consecutively and the Submission must include an index.

1.12 Rejection of Submissions

A Submission will be rejected without consideration of its merits in the event that:

- a) it is not submitted before the Deadline; or
- b) it is not submitted at the place specified in the Expression of Interest; or
- c) it may be rejected if it fails to comply with any other requirements of the Expression of Interest.

1.13 Late Submissions

Submission received:

- a) after the Deadline; or
- b) in a place other than that stipulated in this Expression of Interest;

will not be accepted for evaluation.

1.14 Acceptance of Submissions

Unless otherwise stated in this Expression of Interest, Submission may be for all or part of the Requirements and may be accepted by the Principal either wholly or in part. The Principal is not bound to accept and may reject any or all Submissions submitted. The acceptance of a Submission does not oblige the Principal to proceed to issuing a Public Tender.

1.15 Disclosure of Contract Information and Documents

Documents and other information relevant to the contract may be disclosed when required by law under the Freedom of Information Act 1992 or under a Court Order.

1.16 Submission Validity Period

All Submissions will remain valid and open for acceptance for a minimum period of ninety (90) days from the Deadline or for forty five (45) days from the Principal's resolution for determining the Submission, whichever is the later unless extended on mutual agreement between the Principal and the Respondent in writing.

1.17 Respondents to Inform Themselves

Respondents shall be deemed to have:

- a) examined the Expression of Interest and any other information available in writing to Respondents for the purpose of submitting an EOI;
- b) examined all further information relevant to the risks, contingencies and other circumstances having an effect on their Submission which is obtainable by the making of reasonable enquiries;
- c) satisfied themselves as to the correctness and sufficiency of their Submissions including submitted indicative prices which shall be deemed to cover the cost of complying with all the conditions of responding and of all matters and things necessary for the due and proper performance and completion of the work described therein; and
- d) satisfied themselves they have a full set of the EOI documents and all relevant attachments.

1.18 Alterations

The Respondent shall not alter or add to the Expression of Interest documents unless required by these General Conditions of Responding.

The Principal will issue an addendum to all registered Respondents where matters of significance make it necessary to amend the issued Expression of Interest documents before the Deadline.

1.19 Ownership of Submissions

All documents, materials, articles and information submitted by the Respondent as part of or in support of a Submission shall become upon submission the absolute property of the Principal and will not be returned to the Respondent at the conclusion of the Submission Process PROVIDED that the Respondent shall be entitled to retain copyright and other intellectual property rights therein, unless otherwise provided by the Contract.

1.20 Canvassing of Officials

If a Respondent, whether personally or by agent, canvasses any of the Principal's Commissioners or Councillors (as the case may be) or Officers with a view to influencing the acceptance of any Respondent, then regardless of such canvassing having any influence on the acceptance of such Submission, the Principal may at its discretion omit the Respondent from consideration.

1.21 Identity of the Respondent

The identity of the Respondent is fundamental to the Principal. The Respondent shall be the person, persons, corporation or corporations named as the Respondent in Part 3.

1.22 Submission Opening

Submissions will be opened at the Principal's offices, following the advertised Deadline. All Respondents and members of the public may attend or be represented at the opening of Submissions.

The names of the persons who submitted a Submission by the due Deadline will be read out at the opening. No other information regarding the submissions will be divulged to those in attendance apart from the names of the Respondents.

The Opening will be held as practicable after the Deadline at the Shire of Kulin Administration Building, 24 Johnston Street, Kulin WA.

1.23 In-house Submissions

The Principal does not intend to submit an In-house Submission. However, the Shire has the capacity to provide staff, plant, equipment and materials to assist with the project delivery. The Preferred Contractor will be required to work collaboratively with Shire staff and adjust their RFT submission accordingly.

2 Statement of Requirements

2.1 Introduction

The Shire of Kulin is looking to develop a short list of Preferred Contractors suitable for the construction of the proposed Kulin All Ages Precinct.

2.2 Background Information

Shire staff in conjunction with Council, the local community and consultant landscape architect Emerge Associates have developed a Concept Design for the Kulin All Ages Precinct. This Concept Design is currently be refined into a Detailed Design, which will be issued with an invited RFT along with other relevant technical information.

2.3 Broad Requirements of the Contract

Expression of Interest for the construction of Kulin All Ages Precinct Stages 1 and 2 as per Concept Design and future Detailed Design documentation.

The aim of this EOI is to shortlist appropriate contractors for the construction of an All-Ages Precinct near the Visitor Discovery Zone in the Kulin town centre. This EOI process will endeavour to undertake a qualitative assessment and the short-listed suppliers will then be invited to provide a submission to a Restricted Request for Tender.

The All-Ages Precinct consists of skate elements, BMX track, play equipment, shelters and seating opportunities. The contractors will be required to work with the Shire of Kulin who will be able to offer services and materials for construction. Shortlisted contractors will be issued with tender documents in late February, which will be followed by a mandatory site briefing with the Shire and Superintendent. Successful contractors will be engaged under AS2124.

2.5 Implementation Timetable

EOI Submission Period 30th January 2021 to 15th February 2021.

Council Meeting – Wednesday 17th February 2021.

Short List of Preferred Suppliers announced late February 2021.

Restricted RFT issued late February 2021 due Monday 15th March 2021.

Council Meeting – Wednesday 17th March 2021.

Award of Tender late March 2021.

Council Meeting 21st April 2021.

Commence of work April 2021.

2.6 Capability and Resources

The Shire's delivery method will be a collaboration entailing joint delivery between the Shire and the Preferred Contractor.

The Shire has the capacity to provide staff, plant, equipment and materials to assist with the project delivery. The Preferred Contractor will be required to work collaboratively with Shire staff and adjust their RFT submission accordingly.

The Shire will be able to assist with:

- Provision of a site office for the contractors use.
- Provision of site fencing for the contractors use.
- Provision and operation of plant and equipment for bulk earthworks.
- Provision of fill for the bulk earthworks (mounding to pump track and raised shelter platforms).
- Provision of boulders on the plans for areas of informal retaining.
- Concrete batching plant and relevant materials.
- Access and contacts to local concrete contractors.

2.7 Funding Considerations

The project is currently funded by the Federal Government's COID stimulus via the Local Roads and Community Infrastructure Program, as well as the Shire of Kulin and Cultivating Kulin Committee.

2.8 Project Specifics

The proposed site is located on Johnston Street adjacent to the Visitor Discovery Zone in the Kulin town centre. The site runs adjacent to an area of railway reserve which is leased by the Shire, the railway area is outside the scope of works and access for construction through this area is to be limited. The site consists of a number of large existing trees, the majority of which will be retained. The project has been designed in two stages, subject to Shire funding, those being the Hangout Zone and Wheeled Zone designed as the first stage and the Obstacle Zone designed as the second stage. The intention for construction is that all stages are built together.

3 Respondent's Submission

3.1 Response Form

The Chief Executive Officer
Shire of Kulin
PO Box 125, Kulin WA 6365

I/We (Registered Entity Name): _____

(BLOCK LETTERS)

of: _____
(REGISTERED STREET ADDRESS)

ABN _____ ACN (if any) _____

Telephone No: _____ Facsimile No: _____

E-mail: _____

In response to Expression of Interest (EOI): EOI 01/2021 – Kulin All Ages Precinct Construction:

I/We agree that I am/We are bound by, and will comply with this Expression of Interest and its associated schedules, attachments, all in accordance with the Conditions contained in this EOI signed and completed.

I/We agree that there will be no cost payable by the Principal towards the preparation or submission of this Submission irrespective of its outcome.

The consideration is as provided under the schedule of rates of prices in the prescribed format and submitted with this Submission.

Dated this _____ day of _____ 20____

Signature of authorised signatory of Respondent: _____

Name of authorised signatory (BLOCK LETTERS): _____

Position: _____

Telephone Number: _____

Authorised signatory Postal address: _____

Email Address: _____

3.2 Respondent's Response

3.3 Selection Criteria

The following sections contain the selection criteria has been developed to assess your submission to determine the suitability to be listed as an Acceptable Tenderer. Where it is necessary to provide additional information, please ensure that all documents are clearly marked with the relevant attachment title to assist the evaluation panel with their assessment.

(Note: All pages within Part 3 are to be completed and returned to the Principal as they form part of your Submission).

3.3.1 Compliance Criteria

Please select with a "Yes" or "No" whether you have complied with the following compliance criteria:

| Description of Compliance Criteria | Please Circle |
|---|---------------|
| a) Does the Respondent comply with the Conditions of Responding contained in this Expression of Interest? | Yes / No |
| b) Does the Respondent comply with the Statement of Requirements contained in this Expression of Interest. | Yes / No |
| c) Insurance Requirements <i>i. The insurance requirements for this Expression of Interest are stipulated in Part 3 of the EOI. Respondents are to supply evidence of their insurance coverage including, insurer, expiry date, value and type of insurance. If a Respondent holds "umbrella Insurance", please ensure a breakdown of the required insurances are provided. A copy of the Certificate of Currency is to be provided to the Principal within 14 days of acceptance.</i> | Yes / No |
| d) Licencing Requirements <i>i. Does the Tenderer possess the required licence(s) to provide the goods/services or perform the Works?</i> | Yes / No |
| e) Quality Assurance <i>i. Does the Tenderer have an accredited quality management system? If so, provide evidence.</i> | Yes / No |

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| <p>f) Conflicts of Interest</p> <p><i>i. Will any actual or potential conflict of interest in the performance of your obligations under a Contract exist if you are awarded a Contract, or are any such conflicts of interest likely to arise during the Contract? If Yes, please supply in an attachment details of any actual or potential conflict of interest and the way in which any conflict will be dealt with.</i></p> | Yes / No |
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3.3.2 Qualitative Criteria

Before responding to the following qualitative criteria, Respondents must note the following:

- a) All information relevant to your answers to each criterion are to be contained within your Submission;
- b) Respondents are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience;
- c) Respondents are to provide full details for any claims, statements or examples used to address the qualitative criteria; and
- d) Respondents are to address each issue outlined within a qualitative criterion.

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| <p>A. Relevant Experience</p> <p>Describe your experience in completing/supplying similar Requirements. Respondents must, as a minimum, address the following information in an attachment and label it “Relevant Experience”:</p> | <p style="text-align: center;">Weighting</p> <p style="text-align: center;">40%</p> | |
| <p>a) <i>Provide details of similar work.</i></p> <p>b) <i>Provide scope of the Respondent’s involvement including details of outcomes.</i></p> <p>c) <i>Provide details of issues that arose during the project and how these were managed.</i></p> <p>d) <i>Demonstrate sound judgement and discretion.</i></p> <p>e) <i>Demonstrate competency and proven track record of achieving outcomes.</i></p> | <p style="text-align: center;">“Relevant Experience”</p> | <p style="text-align: center;">Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> |

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| <p>B. Regional Experience</p> <p>Describe your experience in completing/supplying similar Requirements. Respondents must, as a minimum, address the following information in an attachment and label it “Regional Experience”:</p> | <p style="text-align: center;">Weighting</p> <p style="text-align: center;">20%</p> | |
| <p>f) <i>Provide details of similar work in Regional Areas.</i></p> <p>g) <i>The process for the delivery of the Goods/Services;</i></p> <p>h) <i>Any contingency measures or backup of resources (where applicable).</i></p> | <p style="text-align: center;">“Relevant Experience”</p> | <p style="text-align: center;">Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> |

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| <p>C. Company Profile and Financial Capacity</p> <p>Respondents should provide information regarding their organisational and financial details:</p> | <p style="text-align: center;">Weighting</p> <p style="text-align: center;">10%</p> | |
| <p>g) Business Structure</p> <p><i>Have you included in your response:</i></p> <p>i. <i>An outline of your organisational structure inclusive of any branches and number of personnel.</i></p> <p>ii. <i>If companies are involved, attach their current ASC company extracts search including latest annual return.</i></p> <p>iii. <i>Provide the organisations directors/company owners and any other positions held with other organisations.</i></p> <p>iv. <i>Provide a summary of the number of years your organisation has been in business.</i></p> <p>v. <i>Attach details of your referees. You should give examples of work provided for your referees where possible.</i></p> <p>vi. <i>Are you acting as an agent for another party? If Yes, attach details (including name and address) of your principal.</i></p> <p>vii. <i>Are you acting as a trustee of a trust? If Yes, give the name of the trust and include a copy of the trust deed (and any related documents); and if there is no trust deed, provide the names and addresses of beneficiaries.</i></p> | <p style="text-align: center;">Yes / No</p> | |

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| <p>viii. <i>Do you intend to subcontract any of the Requirements? If Yes provide details of the subcontractor(s) including; the name, address and the number of people employed; and the Requirements that will be subcontracted.</i></p> | | |
| <p>b) Financial Capacity</p> <p>i. <i>Are you presently able to pay all your debts in full as and when they fall due?</i></p> <p>ii. <i>Are you currently engaged in litigation as a result of which you may be liable for \$50,000 or more? If Yes please provide details.</i></p> <p>iii. <i>In order to demonstrate your financial ability to undertake this contract, include a profit and loss statement and the latest financial return for you and each of the other proposed contracting entities, together with a list of financial referees from your bank and/or accountant.</i></p> | <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> | |
| <p>a) <i>Plant, equipment and materials.</i></p> | <p>“Respondent’s Resources”</p> | <p>Tick if attached</p> <p><input type="checkbox"/></p> |
| <p>As a minimum, Respondents should provide an attachment and label it “Company Profile”.</p> | | |

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| <p>D. Ability to Achieve Program</p> <p>Respondents should detail the process they intend to use to achieve the Requirements of the Specification. Areas you may wish to cover include:</p> | <p>Weighting</p> <p>10%</p> | |
| <p>a) <i>Availability April 2021 – September 2021;</i></p> <p>b) <i>A project schedule/timeline (where applicable);</i></p> <p>c) <i>The process for the delivery of the Goods/Services;</i></p> <p>d) <i>Demonstrated understanding of the Scope of Work.</i></p> | <p>“Demonstrated Understanding”</p> | <p>Tick if attached</p> <p><input type="checkbox"/></p> |
| <p>Supply details and provide an outline of your proposed schedule and methodology in an attachment labelled “Ability to Achieve Program”.</p> | | |

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| E. Key Personnel Respondents must address the following information in an attachment and label it “ Key Personnel Skills and Experience ”: | Weighting 10% | |
| <ul style="list-style-type: none"> a) <i>Their role in the performance of the Contract.</i> b) <i>Curriculum vitae.</i> c) <i>Membership to any professional or business associations.</i> d) <i>Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement.</i> e) <i>Any contingency measures or backup of personnel (where applicable).</i> | “Key Personnel” | Tick if attached <input type="checkbox"/> |
| Supply any other relevant details in an attachment and label it “ Key Personnel ”. | | |

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| F. OHS Credentials Respondents should detail their OHS processes they intend to use to achieve the Requirements of the Specification. Areas you may wish to cover include: | Weighting 10% | |
| <ul style="list-style-type: none"> e) <i>OHS Survey documentation;</i> f) <i>Quality Assurance documentation;</i> | “Demonstrated Understanding” | Tick if attached <input type="checkbox"/> |
| Supply details and provide relevant documentation in an attachment labelled “ OHS Credentials ”. | | |