

Response to question on notice

Questions on Notice Paper No 12

24 October 2025

Question No. 703

Ms Deborah Morris MLA: To ask the Minister for City and Government Services

1. Can the Minister provide a complete list of all contractors, subcontractors and consultants engaged on the Lanyon Marketplace upgrades project, including the (a) business or trading name, (b) ABN, (c) description of work performed, (d) total contract value, and (e) method of procurement.
2. What was the (a) basis for selection and (b) evaluation criteria used for each contract referred to in part (1).
3. Were any of the contractors or subcontractors referred to in part (1) also engaged on other City Services or City Renewal Authority projects in the 2024–2025 or 2025–2026 reporting periods to date.
4. What independent assurance processes were applied to verify that the \$940,790.17 expenditure represented value for money, given the limited scope of visible upgrades delivered.
5. Was any post-project review or internal audit conducted on the procurement, contract management, or delivery of the Lanyon Marketplace works.

TARA CHEYNE MLA - The answer to the Member's question is as follows:

1. The following represents all contractors, subcontractors and consultants engaged on the Lanyon Marketplace upgrades project:
 - a. **Design Contract (Construction Related Consultancy Agreement CRCA)**
 - i. Place Laboratory Pty Ltd
 - ii. ABN: 24 169 889 699
 - iii. Design Consultant – Place Lab was engaged to provide design services for six local shops including Lanyon shops
 - iv. Contract value for design services: \$532,966.50 Inc. GST
 - v. Open tender
 - b. **Consultancy Contract / PAP Services (Construction Related Consultancy Agreement CRCA)**

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- i. Black Mountain Construction Assurance
- ii. ABN: 47 146 501 868
- iii. BMCA provided Principal's Authorised Person (PAP) / Contract Administration services at Calwell, Evatt, and Lanyon shops
- iv. Total contract value: \$256,565.91 Inc. GST. Lanyon shops allocation approx. \$55,000.00 Inc. GST
- v. Open tender

c. **Construction Contract (MW21 Form of Contract)**

- i. Guideline ACT Pty Ltd
- ii. ABN: 65 008 462 548
- iii. GLA undertook works at Calwell and Lanyon shops as the head contractor. Under MW21 form of contract the Territory does not engage any subcontractors, they are engaged by the head contractor and falls under their responsibility
- iv. Total contract value: \$2,295,687.44 Inc. GST. Lanyon shops allocation approx. \$865,369.18 Inc. GST
- v. Open tender

2.

- a. All procurements were conducted through an open tender process. The evaluation team assessed each submission against the evaluation criteria provided during tender release (refer Attachment 1) and completed a comprehensive value for money assessment by scoring responses accordingly. This process resulted in the selection of the consultants and a contractor listed above.
- b. Both Threshold and Weighted Assessment Criteria for all 3 procurements can be found at Attachment 1.

3. The contract register shows that Place Laboratory Pty Ltd was only engaged in this project while Black Mountain Construction Assurance had 8 contracts and Guideline ACT Pty Ltd had 2 contracts with City Services or the City Renewal Authority in the 2024–2025 or 2025–2026 reporting periods.

4. No independent assurance process was undertaken for the construction contract. The evaluation team conducted internal evaluations of all tender submissions, scoring each against the evaluation criteria provide at tender release. This included consideration of past experience, proposed methodology, project program, WHS, cost, and the nominated project team. After a thorough evaluation, the evaluation team made a recommendation and submitted a detailed procurement evaluation report to the Delegate for approval. In addition to the internal evaluation, Place Laboratory as the design consultant also carried out a technical assessment of all the construction contractors.

5. No.

Approved for circulation to the Member and incorporation into Hansard.



Tara Cheyne MLA
City and Government Services

Date: 9/11/25

This response required 3 hrs 25 mins to complete, at an approximate cost of \$367.19

Evaluation criteria used for design contract awarded to Place Lab:

THRESHOLD CRITERIA		COMPLIES YES/NO
TC1	<p>Prequalification</p> <p>The Tenderer must be prequalified with the ACT to CLA and CLA/C-CA as at the date of close of tenders.</p> <p>You do not need to supply a copy of your Certificate; the Territory will verify your prequalification status when assessing this tender.</p>	
TC2	<p>Ethical Suppliers Declaration - Tender</p> <p>Tenderers are to complete and submit an Ethical Suppliers Declaration Tender.</p> <p>The contents of the Declaration and, without limitation to any other part of the Tender, any other information made available to the Territory referable to the work health and safety and employment and industrial relations performance and record of the Tenderer and any Associated Entity of the Tenderer (as defined in the Declaration) may be considered by the Territory as part of its assessment of Tenders.</p>	

1.1.1 Tenderers that do not meet the above Threshold Assessment Criteria may be regarded as non-conforming and may not be considered for further assessment against remaining Assessment Criteria.

1.1.2 Notwithstanding any other term of this RFT or Standard Conditions, the Territory may make enquiries of referees and take them into consideration as part of the assessment.

Weighted Assessment Criteria

1.1.3 The Territory will assess Tenders against the following Weighted Assessment Criteria.

1.1.4 At the conclusion of the assessment of the Weighted Assessment Criteria Tenders will be assigned a numerical score for each Weighted Assessment Criteria.

WEIGHTED ASSESSMENT CRITERIA		WEIGHTING
WC1	<p>Appreciation and understanding of the project scope, requirements and tasks including:</p> <p>a. Identify the key goals and objectives of the project and how best to achieve these within the RFT parameters.</p> <p>b. Identify key project tasks and methodology for achieving them.</p>	30%

	<ul style="list-style-type: none"> c. Identify key project risks and the methodology to manage these. d. Propose a draft program for delivering the project; include key milestones; allow time for consultations as necessary. e. Identify where coordination to deliver diverse project elements is required; demonstrate an understanding of working relationships, where there are project interdependencies and/or separate elements are to be delivered concurrently. f. Demonstrate understanding of the importance of work health and safety, particularly during the design phase, and how this will be achieved. g. Propose a delivery methodology for the construction phase of the project. 	
WC2	<p>Relevant experience, skills and past performance of the Head consultant, and proposed sub-consultants, on similar projects completed in the last five years.</p> <ul style="list-style-type: none"> a. Project scope, value, date and duration. b. Relevance of the nominated projects to the proposed project – experience, expertise, qualifications, awards and commendations and enhancements that have improved project outcomes. c. Timely completion and performance against project program. d. Provide evidence of successfully working together with sub-consultants in the past. Include evidence of effective communication and provide examples of successful coordination. e. Contact details of referees (provide at least two referees). f. Role of personnel, nominated in Assessable Criterion WC3, on the projects listed in the response to sub-criteria above. <p><i>Note: The Tender Evaluation Team may also use records of performance, claims, and compliance with Codes provided by other ACT Government Directorates or Consultants engaged by the ACT Government to determine the Tenderers past performance on similar types of projects.</i></p>	20%
WC3	<p>Technical, Managerial Skills and Resources to complete the project</p> <p>Provide and describe the following:</p>	20%

	<ul style="list-style-type: none"> a. Nominated personnel including sub consultants. Provide CVs of key personnel nominated for this project, including backup personnel. b. Organisational structure of the project team identifying their roles, responsibilities and percentage of time available to the project; list other projects and responsibilities that are being undertaken at the same time this project is scheduled. c. Professional / technical capability of key personnel to meet the requirements of this project including details of relevant qualifications and experience. d. For each nominated team member provide a statement on the availability, percentage of time to be allocated to each phase of this project and details of other commitments; and e. Response as to how the Respondent will meet the program for the delivery of the project. f. Outline the key risks to achieving project milestones and completion dates, including but not limited to a discussion on impacts of and mitigation associated with COVID-19. 	
WC4	<p>Financial</p> <p>Provide the following:</p> <ul style="list-style-type: none"> a. The completed Tender Pricing Schedule; b. The fee proposal is to be a fixed lump sum itemised to include the Head consultant and nominated sub consultants for each phase of the project; c. The fee proposal is to include all costs, disbursements, travel and attendance at meetings. Fixed time, provisional sums and allowances are not permitted; d. The fee proposal is to be inclusive of GST; and e. Hourly rates for all nominated team members including sub consultants. f. Clearly summarise all exclusions. 	20
WC5	<p>Local Industry Participation</p> <p>The Territory will assess the extent to which the Tenderer has demonstrated that it will ensure capable local businesses are given full, fair and reasonable opportunity to participate in the provision of the Services during the term of the proposed contract.</p>	10%

	<p>Respondents must complete and submit an Economic Contribution Test (ECT) by completing the form available at https://www.procurement.act.gov.au/canberra-region-lipp</p>	
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Evaluation criteria used for PAP consultancy contract awarded to Black Mountain Construction Assurance (BMCA):

THRESHOLD CRITERIA		COMPLIES YES/NO
TC1	Prequalification The Tenderer must be prequalified with the ACT to CLA/C-CA on the close of tender's date. It is not necessary to supply a copy of the Certificate; the Territory will verify prequalification status when assessing this Response.	YES/NO
TC2	Industrial Relations and Regional Contribution Ethical Suppliers Declaration - Tender Tenderers are to complete and submit an Ethical Suppliers Declaration – Tender. The contents of the Declaration and, without limitation to any other part of the Response, any other information made available to the Territory referable to the work health and safety and employment and industrial relations performance and record of the Tenderer and any Associated Entity of the Tenderer (as defined in the Declaration) may be considered by the Territory as part of its assessment of Tenders.	YES/NO

Weighted Assessment Criteria

The Territory will assess Tenders against the following Weighted Assessment Criteria.

At the conclusion of the assessment of the Weighted Assessment Criteria Tenders will be assigned a numerical score for each Weighted Assessment Criteria.

WEIGHTED ASSESSMENT CRITERIA		WEIGHTING
WC1	Relevant experience, skills, and past performance of the Head consultant, and proposed sub-consultants, on similar projects completed in the last five years. Provide and describe past performance on completed similar projects in the past 5 years including: <ul style="list-style-type: none"> a. Project scope, value, date and duration; b. Relevance of the nominated projects to the proposed project; c. Role of nominated personnel on the project(s) referenced in the response to sub criterion (a). d. Innovations and enhancements to a nominated project(s) that provided an improved project outcome; e. Awards and commendations; f. Contact details of referees (provide at least two referees) <i>Note: The Evaluation Team may also use records of performance, claims, and compliance with Codes provided by other ACT</i>	25%

WEIGHTED ASSESSMENT CRITERIA**WEIGHTING**

Government Directorates or Consultants engaged by the ACT Government to determine the Tenderers past performance on similar types of projects.

WC2 Technical, Managerial Skills and Resources to complete the project

Provide and describe the following:

- a. Nominated personnel including sub consultants. Provide CVs of key personnel nominated for this project, including backup personnel;
- b. Organisational structure of the project team identifying their roles and responsibilities;
- c. Professional/technical capability of key personnel to meet the requirements of this project including details of relevant qualifications and experience;
- d. Statement on the availability, percentage of time to be allocated on this project and details of other commitments of all key personnel. It should also include specification of the time the key personnel will spend on each phase of the project;

25%

Response as to how the Tenderer will meet the program for the delivery of the project.

WC3 Appreciation and understanding of the project requirements and tasks including:

- a. Tenderers understanding of the key goals and objectives and how they can be best achieved within the parameters of the ATM;
- b. Key project tasks and methodology for achieving them;
- c. Key project risks and proposed methodology to manage these risks;
- d. Demonstrated understanding of the importance of work health and safety, including Safety in Design and how this will be achieved; and
- e. Demonstrated understanding of the delivery methodology proposed for the construction phase of the project; and
- f. Outline the key risks to achieving project milestones and completion dates, including but not limited to a discussion on impacts of and mitigation associated with COVID-19.

25%

WC4 Financial

Provide the following:

- a. The completed Pricing Schedule/Response Schedule with the Tenderer's financial offer;
- b. The fee proposal is to be a fixed lump sum itemised to include the Head consultant and nominated sub consultants for each phase of the project;

25%

WEIGHTED ASSESSMENT CRITERIA**WEIGHTING**

- c. The fee proposal is to include all costs, disbursements, travel and attendance at meetings. Fixed time, provisional sums and allowances are not permitted;
- d. Hourly rates for all nominated team members including sub consultants.
- e. The fee proposal is to be inclusive of GST; and

Note: Analysis of the financial offer, including rates in the Pricing Schedule may be undertaken by the Evaluation Team to assist in determining the preferred Tenderer. This may include a sensitivity analysis of costs involving the extension of provisional quantities and/or foreseeable variations.

Evaluation criteria used for construction contract awarded to Guideline ACT Pty Ltd (GLA):

THRESHOLD CRITERIA		COMPLIES YES/NO
TC1	<p>Prequalification</p> <p>The Tenderer must be prequalified with the ACT to R2, CL (Restricted), F2 as at the date of close of tenders.</p> <p>It is not necessary to supply a copy of the Certificate; the Territory will verify prequalification status when assessing this Response.</p> <p><i>Note: Refer to section 5.7 Prequalification > 5.7.3 for further information regarding prequalification.</i></p>	YES/NO
TC2	<p>Industrial Relations and Regional Contribution</p> <p>Part A. Secure Local Jobs Code Certificate</p> <p>The Tenderer must hold a Secure Local Jobs Code Certificate (Certificate) as at the date of close of the Approach to Market. It is not necessary to supply a copy of the Certificate; the Territory will verify certification status when assessing this Response.</p> <p>Should the Tenderer fail to hold a Certificate the Response will be considered non-conforming.</p> <p><i>Note – Under the Secure Local Jobs Code any subcontractor engaged to perform “Territory Funded Work” (as defined in the Government Procurement Act 2001) will also be required to hold a Secure Local Jobs Code Certificate. Tenderers are encouraged to note in their Response the subcontractors it intends to engage for Territory Funded Work, and whether they hold current Secure Local Jobs Code Certificate, noting that commencement of work by those subcontractors will be conditional on holding a Secure Local Jobs Code Certificate.</i></p> <p>Part B Labour Relations, Training and Workplace Equity Plan</p> <p>The Tenderer must submit a Labour Relations, Training and Workplace Equity Plan (Plan) with its Response using the applicable template available at https://www.procurement.act.gov.au/secure-local-jobs/resources . The Plan must be completed in full, with no omissions. A Response whose Plan fails to meet this requirement will be considered non-conforming.</p>	YES/NO

3.3. Fair and Safe Employment Evaluation Criteria

- 3.3.1 Following the evaluation of the Fair and Safe Employment Evaluation Criteria, the Territory will determine whether a Tenderer will proceed for consideration in the RFT process.
- 3.3.2 The Tenderer is required to submit the **Fair and Safe Employment Evaluation (FSEE) Criteria** **Response,** using the template available at

<https://www.procurement.act.gov.au/secure-local-jobs/resources> as a standalone and complete submission. The FSEE Criteria Response should not reference any other part of a Tenderer's submission and should be self-contained.

FAIR AND SAFE EMPLOYMENT EVALUATION CRITERIA	ASSESSMENT OUTCOME
<p>FSEE1 Secure Local Jobs Code compliance</p> <p>Tenderer's ongoing compliance with their Secure Local Jobs Code obligations including:</p> <ul style="list-style-type: none"> a) Tenderer has submitted a completed and compliant Labour Relations Training and Workplace Equity Plan for the procurement; b) Tenderer has complied with and met Labour Relations Training and Workplace Equity Plan reporting obligations for any applicable contracts in the preceding 12 months; and c) Tenderer has maintained compliance with prescribed legislation under the Secure Local Jobs Code (see Appendix A of the <i>Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2021</i>). <p>The Tenderer is required to submit the Fair and Safe Employment Evaluation Criteria Response, using the template available on the Secure Local Jobs Code Website.</p> <p>For further details on the evaluation of this Assessment Criterion, see the <i>Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2021</i>.</p>	<p>Satisfactory/Not Satisfactory</p>
<p>FSEE2 Reputational risk</p> <p>Whether the Tenderer has demonstrated any actions or omissions that would be likely to have a material adverse effect on:</p> <ul style="list-style-type: none"> a) The reputation of the Territory or a relevant Territory entity in relation to its status as a model employer, that only contracts with other employers who show model behaviour towards their employees; b) The risk to the Territory entity posed by procuring from an unethical Tenderer; and c) The public interest, or public confidence in the Territory and/or its procurement framework. <p>The Tenderer is required to submit the Fair and Safe Employment Evaluation Criteria Response, using the template availableⁱ at https://www.procurement.act.gov.au/secure-local-jobs/resources</p>	<p>Satisfactory/Not Satisfactory</p>

FAIR AND SAFE EMPLOYMENT EVALUATION CRITERIA	ASSESSMENT OUTCOME
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For further details on the evaluation of this Assessment Criterion, see the *Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2021*).

3.4. Weighted Assessment Criteria

- 3.4.1.** The Territory will assess Tenders against the following weighted Assessment Criteria.
- 3.4.2.** At the conclusion of the assessment of the weighted Assessment Criteria, Tenders will be assigned a numerical score based on assessed risk and weighting of each weighted Assessment Criteria.

WEIGHTED CRITERIA	WEIGHTING
<p>WC1 Past Experience, Technical, Managerial Skills and Resources to complete the project on time and on budget</p> <p>Provide and describe the following:</p> <ul style="list-style-type: none"> a) Provide and describe past performance on completed similar projects in the past 5 years including: <ul style="list-style-type: none"> a. Project scope, value, date and duration; b. Relevance of the nominated projects to the proposed project; c. Role of nominated personnel on the project(s) d. Any liquidated damages deducted for late time performance; b) Nominated personnel including CVs of key personnel that will be engaged on this project, including backup personnel; c) Organisational structure identifying nominated personnel and key subcontractors that will be engaged on this project, including backup personnel; d) Professional/technical capability of key personnel demonstrating past experience in project specific tasks and community / stakeholder management to meet the requirements of this project including details of relevant qualifications and experience; e) Statement on the availability, percentage of time to be allocated on this project and details of other commitments of all key personnel. Response should also specify the time key personnel will spend on site. 	15%

WEIGHTED CRITERIA**WEIGHTING**

- f) Nominate an example of a Project Management Plan (including QA Plan) used on a similar project in the past 5 years;
- g) Details of the project specific elements (including communications plan) of the PMP to be implemented in the delivery of this project;

Note: The Evaluation Team may also use records of performance, claims, and compliance of Codes provided by other ACT Government Directorates or Consultants engaged by the ACT Government to determine the Tenderers past performance on similar types of projects.

WC2 Project Methodology, Appreciation and Program.

Provide and describe the following:

- a) A detailed program for the project includes specific staging, approvals, site establishment and construction tasks to complete the works within the contract period;
- b) A succinct appreciation of the project methodology including critical activities and methods of achieving project completion dates;
- c) Potential project specific risks, mitigation measures and how the risks will be managed during the project, including but not limited to:
 - a. Capacity of suppliers and subcontractors to meet the program;
 - b. Managing long lead time items for materials and supply chain issues;
 - c. Managing environmental requirements;
 - d. Pedestrian and cyclists; and
 - e. Stakeholder management including nearby residents and businesses.
- d) Understanding of the MW21 form of contract and how the Tenderer will use the provisions within the contract to work collaboratively with the Territory and the Principal's Authorised Person (PAP).

20%

Note: Previous performance information held by the Territory may also be considered (if available) and the assessment will include consideration of any other significant risks associated with the delivery of this project.

WEIGHTED CRITERIA		WEIGHTING
WC3	Work Health and Safety	
	<i>Note: Tenderers must provide a response to each of the two parts that form this weighted assessable criterion. Each part is separately scored at 50% of the Weighting.</i>	
	A Implementation of a WHS site management system	
	Tenderers are to demonstrate that their internal personnel have experience in implementing a WHS site management system, and that they have implemented a relevant WHS site management plan in a similar project within the last five years.	
	B Project-specific issue response	
	<ul style="list-style-type: none">Work Health and Safety Management Plan	
	Tenderers are to provide an example of a contract specific WHS site management plan implemented on a similar project, both in value and complexity, within the last five years and explain why the example is relevant to the current project.	30%
	<ul style="list-style-type: none">Consideration of Site-Specific Requirements	
	Tenderers are to identify the work activities which present a higher WHS risk and outline how these higher risks will be eliminated, mitigated, or managed.	
	<ul style="list-style-type: none">Subcontractor Management	
	Tenderers are to outline how stakeholders and subcontractors will be managed across the delivery of the proposed works. Tenderers should identify the stakeholders or subcontractors whose work activities present a higher WHS risk and identify how these higher risks will be eliminated, mitigated, or managed.	
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	Financial	
WC4	Provide the following:	
	<ul style="list-style-type: none">a) The completed Pricing Schedule/Response Schedule with the Tenderer’s financial offer;b) Daily hire rates to be used when pricing variations and day works for resources (people and plant) for the duration of the project.	25%
	<i>Note: Analysis of the financial offer, including rates in the Pricing Schedule may be undertaken by the Evaluation Team to assist in determining the preferred Tenderer. This may include a sensitivity analysis of costs involving the extension of provisional quantities and/or foreseeable variations.</i>	
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WC5	Local Industry Participation	
	The Territory will assess the extent to which the Tenderer has demonstrated that it will ensure capable local businesses are given	10%

WEIGHTED CRITERIA	WEIGHTING
<p>full, fair and reasonable opportunity to participate in the provision of the Works during the term of the proposed contract.</p> <p>Tenderers must complete and submit an Economic Contribution Test (ECT). The ECT template is available at: https://www.procurement.act.gov.au/canberra-region-lipp</p>	

3.4.3 Notwithstanding any other term of this RFT or Standard Conditions, in its assessment the Territory may make enquiries of referees.

3.5. Non-weighted Assessment Criteria

The Territory will take into account in its assessment the following non-weighted Assessment Criteria.

NON-WEIGHTED EVALUATION CRITERIA	ASSESSMENT OUTCOME
<p>NWC1 Secure Local Jobs Code – content of Labour Relations, Training and Workplace Equity Plan</p> <p>The Territory will assess the extent to which the Tenderer’s Labour Relations, Training and Workplace Equity Plan (Plan) demonstrates how the business will support employment security, health and wellbeing, diversity, and career development for workers, as well as previous compliance with the Code and Plans (where applicable). The Plan must have been developed in consultation with the business’s employees and include a statement about how this has been done.</p> <p>The Tenderer is required to submit the Labour Relations, Training and Workplace Equity Plan, as a standalone and complete submission. The Labour Relations, Training and Workplace Equity Plan should not reference any other part of a Tenderer’s submission and should be self-contained.</p> <p>For further information see: https://www.procurement.act.gov.au/supplying-to-act-government/securelocaljobs</p>	<p>1 – 10 / VFM Assessment</p>

ⁱ Check this link before inserting <https://www.procurement.act.gov.au/secure-local-jobs/resources>.