



CITY of SWAN

MINUTES

TENDERS REVIEW COMMITTEE MEETING

27 MARCH 2019

HELD AT MIDLAND TOWN HALL COUNCIL CHAMBERS AT 5.00PM

ATTENTION

These minutes are subject to confirmation.

Prior to acting on any resolution of the Tender Review Committee contained in these minutes, a check should be made of the minutes of the following Tender Review Committee to ensure that there has not been a correction made to the resolution.

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1. OPENING

Meeting declared open at 5.31pm by Presiding Member Cr McCullough.

2. ATTENDANCE AND APOLOGIES

Councillors:

Cr McCullough	Pearce Ward (Presiding Member)
Cr Kiely	Altone Ward
Cr Bailey	Pearce Ward
Cr McNamara	Whiteman Ward

Staff (Observers):

Mr J Coten	Executive Manager Operations
Ms A Albrecht	Manager Governance and Strategy
Mr D Bruce	Manager Project Management
Ms C Donegan	Contracts and Procurement Manager
Mr N Brown	Senior Project Manager
Ms M Dwyer	Governance Support Officer (Minutes)

Apologies:

Cr Kovalevs	Whiteman Ward
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Leave of Absence:

Cr Haynes	Whiteman Ward
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3. DECLARATIONS OF FINANCIAL INTERESTS AND INTERESTS AFFECTING IMPARTIALITY

Nil

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED UNANIMOUSLY to confirm minutes of the Tenders Review Committee meeting held on 27 February 2019.

(Cr Bailey - Cr McNamara)

6. CONFIDENTIAL ITEMS

The following report(s) are **CONFIDENTIAL** in accordance with section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- (e) a matter that if disclosed, would reveal -
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person

where the trade secret or information is held by, or is about, a person other than the local government.

RESOLVED UNANIMOUSLY that the Committee meet behind closed doors, having regard to the provisions of s.5.23(e)(ii) and/or (iii) of the *Local Government Act 1995*.

(Cr Bailey - Cr Kiely)

6.1 RFT19AP01 - PROVISION OF SUPERINTENDENT SERVICES TO ADMINISTER THE CONSTRUCTION CONTRACT FOR THE FIRST STAGE OF THE NEW JUNCTION DEVELOPMENT, MIDLAND.

Originating Officer – Antonius Pujianto, Senior Project Manager, Project Management
Reviewed for Compliance – Craig Challis, Procurement Planning Specialist, Contracts and Procurement

Manager Governance and Strategy advised Mr Foley (CEO) had declared an interest in this item as his son is a Director/Partner at JDSI Consulting Engineers Pty Ltd who submitted a tender.

Mr Foley was not present at the meeting. Mr Foley was not involved in the consideration of this tender, the recommendation made, or the writing or review of the report.

RECOMMENDATION

It is recommended that the Tenders Review Committee resolve to:

- 1) **Select** JDSI Consulting Engineers Pty Ltd as the preferred Tenderer for the *Provision of Superintendent Services to administer the construction Contract for the first stage of the New Junction Development, Midland / RFT19AP01* for the lump sum price of seventy nine thousand dollars (\$79,000.00) excluding GST; and
- 2) **Advise** all Tenderers accordingly.

MOTION that the Tenders Review Committee resolve to:

- 1) **Select** APP Corporation Pty Ltd as the preferred Tenderer for the Provision of Superintendent Services to administer the construction Contract for the first stage of the New Junction Development, Midland / RFT19AP01 for the lump sum price of one hundred and eighty four thousand and three hundred and seventy dollars (\$184,370) excluding GST;
- 2) **Advise** all tenderers accordingly; and
- 3) Record that the reason for changing the Officer’s Recommendation is that the City should obtain the best possible outcome for the New Junction project and APP Corporation Pty Ltd demonstrated the highest qualitative ranking.

(Cr Kiely -)

MOTION LAPSED due to the lack of a seconder.

MOTION that the Tenders Review Committee resolve to adopt the staff recommendation.

(Cr Bailey - Cr McNamara)

RESOLVED (3/1) TO:

- 1) **Select** JDSI Consulting Engineers Pty Ltd as the preferred Tenderer for the *Provision of Superintendent Services to administer the construction Contract for the first stage of the New Junction Development, Midland / RFT19AP01* for the lump sum price of seventy nine thousand dollars (\$79,000.00) excluding GST; and
- 2) **Advise** all Tenderers accordingly.

For: Crs Bailey, McCullough and McNamara

Against: Cr Kiely

6.2 RFT19NB04 - ALTERATIONS AND ADDITIONS TO THE MIDLAND / GUILDFORD CRICKET CLUB

Originating Officer – Neil Brown, Senior Project Manager, Project Management
Reviewed for Compliance – Tom Carmichael, Contracts and Procurement Officer,
Contracts and Procurement

RECOMMENDATION

It is recommended that the Tenders Review Committee resolve to:

- 1) **Select** Bistel Construction Pty Ltd as the preferred Tenderer for the *Alterations and Additions to Midland/Guilford Cricket Club - RFT19NB04* for the lump sum price of one million, six hundred and seventy-eight thousand, forty-six dollars and two cents (\$1,678,046.02) excluding GST;
- 2) **Accept** the provisional sums for the estimated price of one hundred and twelve thousand dollars (\$112,000.00) excluding GST; and
- 3) **Advise** all Tenderers accordingly.

MOTION that the Tenders Review Committee resolve to adopt the staff recommendation.

(Cr Bailey - Cr Kiely)

RESOLVED UNANIMOUSLY TO:

- 1) **Select** Bistel Construction Pty Ltd as the preferred Tenderer for the *Alterations and Additions to Midland/Guilford Cricket Club - RFT19NB04* for the lump sum price of one million, six hundred and seventy-eight thousand, forty-six dollars and two cents (\$1,678,046.02) excluding GST;
- 2) **Accept** the provisional sums for the estimated price of one hundred and twelve thousand dollars (\$112,000.00) excluding GST; and
- 3) **Advise** all Tenderers accordingly.

RESOLVED UNANIMOUSLY that the Tender Review Committee no longer meet behind closed doors.

(Cr Bailey - Cr Kiely)

7. OTHER BUSINESS

Nil

8. MEETING CLOSE

Meeting declared closed at 5.19pm by Presiding Member Cr McCullough.

Confirmed as a true and accurate record of the Tenders Review Committee meeting held on 27 March 2019.

Presiding Member of the Tenders Review Committee

Signed Date