



CITY of SWAN

MINUTES

TENDER REVIEW COMMITTEE

23 JUNE 2021

CONFIRMED MINUTES

These minutes were confirmed as a true and accurate record of the meeting at the Tender Review Committee held on 7 July 2021.

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1. OPENING

The Executive Manager Operations, Mr Coten as Presiding Officer under the provisions of the *Local Government Act 1995*, opened the meeting at 5.00pm pm and welcomed everyone present.

Mr Coten requested nominations for Presiding Member of the Committee. Cr Parry was nominated.

MOTION that the Council resolve to:

Appoint Cr Parry as Presiding Member of the Tender Review Committee for this meeting.

(Cr Henderson - Cr McNamara)

RESOLVED UNANIMOUSLY TO:

Appoint Cr Parry as Presiding Member of the Tender Review Committee for this meeting.

Mr Coten declared Cr Parry the Presiding Member of the Tender Review Committee for the meeting.

Cr Parry took the Chair.

2. ATTENDANCE AND APOLOGIES

Councillors:	Cr M Congerton	Whiteman Ward
	Cr P Jones	Pearce Ward (from 5.02pm)
	Cr J McNamara	Whiteman Ward
	Cr B Parry	Whiteman Ward (Presiding Member)
	Cr R Henderson	Swan Valley/Gidgegannup Ward

Staff:	Mr J Coten	Executive Manager Operations
	Ms A Albrecht	Manager Governance and Strategy
	Ms C Donegan	Contracts and Procurement Manager
	Mr K Boase	Coordinator Parks Maintenance

Leave of
Absence: Nil

Apologies:	Cr C McCullough	Pearce Ward
	Cr K Bailey	Pearce Ward

3. DECLARATIONS OF FINANCIAL INTERESTS AND INTERESTS AFFECTING IMPARTIALITY

Cr Parry disclosed an indirect financial interest in Item 6.1 - RFT21ML18-SOR - Supply of Waste Haulage and Disposal Services - Separable Parts as his employer is a customer of Cleanaway.

4. PUBLIC QUESTION TIME

Nil.

5. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED UNANIMOUSLY that the Minutes of the Tender Review Committee meeting held on 26 May 2021 be confirmed.

(Cr Congerton - Cr Henderson)

(Cr Parry – Cr Bailey) *reconfirmed 28 July 2021

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:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- (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 Tender Review Committee meet behind closed doors, having regard to the provisions of s.5.23(2)(c) and/or (e) of the *Local Government Act 1995*.

(Cr Congerton - Cr Henderson)

Cr Parry disclosed an indirect financial interest in Item 6.1 - RFT21ML18-SOR - Supply of Waste Haulage and Disposal Services - Separable Parts as his employer is a customer of Cleanaway. Cr Parry left the chambers at 5.02pm.

MOTION that the Council resolve to:

Appoint Cr Congerton as Presiding Member of the Tender Review Committee for item 6.1 as Cr parry has declared a financial interest and has left the chamber.

(Cr McNamara - Cr Henderson)

RESOLVED UNANIMOUSLY TO:

Appoint Cr Congerton as Presiding Member of the Tender Review Committee for item 6.1 as Cr parry has declared a financial interest and has left the chamber.

6.1 RFT21ML18-SOR - SUPPLY OF WASTE HAULAGE AND DISPOSAL SERVICES - SEPARABLE PARTS

Originating Officer — Mashallah Love, Construction and Maintenance Engineer, Construction and Maintenance

Reviewed for Compliance — Jason Cleasby, Contract Management Analyst, Contracts and Procurement

RECOMMENDATION

It is recommended that the Tenders Review Committee resolve to:

- 1) **Select** Appala Holdings Pty Ltd ATF Appala Unit Trust as the preferred Tenderer for the *Supply of Waste Haulage and Disposal Services – Separable Part A - RFT21ML18-SOR* for the initial period of thirty six (36) months from 1 July 2021 until 30 June 2024 the schedule of rates as per the Tenderer's Offer with the anticipated value of the Contract being one million six hundred ninety eight thousand five hundred eighty five dollars (\$1,698,585.00) excluding GST;
- 2) **Select** Appala Holdings Pty Ltd ATF Appala Unit Trust as the preferred Tenderer for the *Supply of Waste Haulage and Disposal Services – Separable Part B - RFT21ML18-SOR* for the initial period of thirty six (36) months from 1 July 2021 until 30 June 2024 the schedule of rates as per the Tenderer's Offer with the anticipated value of the Contract being one million four hundred eighty two thousand two hundred eight five dollars (\$1,482,285.00) excluding GST;
- 3) **Allow** the option to extend the Contract by a further twenty four (24) months; and
- 4) **Advise** all Tenderers accordingly.

MOTION that the Committee resolve to:

- 1) **Select** Appala Holdings Pty Ltd ATF Appala Unit Trust as the preferred Tenderer for the *Supply of Waste Haulage and Disposal Services – Separable Part A - RFT21ML18-SOR* for the initial period of thirty six (36) months from 1 July 2021 until 30 June 2024 the schedule of rates as per the Tenderer's Offer with the anticipated value of the Contract being one million six hundred ninety eight thousand five hundred eighty five dollars (\$1,698,585.00) excluding GST;
- 2) **Select** Appala Holdings Pty Ltd ATF Appala Unit Trust as the preferred Tenderer for the *Supply of Waste Haulage and Disposal Services – Separable Part B - RFT21ML18-SOR* for the initial period of thirty six (36) months from 1 July 2021 until 30 June 2024 the schedule of rates as per the Tenderer's Offer with the anticipated value of the Contract being one million four hundred eighty two thousand two hundred eight five dollars (\$1,482,285.00) excluding GST;
- 3) **Allow** the option to extend the Contract by a further twenty four (24) months; and
- 4) **Advise** all Tenderers accordingly.

(Cr McNamara - Cr Jones)

RESOLVED UNANIMOUSLY TO:

- 1) **Select** Appala Holdings Pty Ltd ATF Appala Unit Trust as the preferred Tenderer for the *Supply of Waste Haulage and Disposal Services – Separable Part A - RFT21ML18-SOR* for the initial period of thirty six (36) months from 1 July 2021 until 30 June 2024 the schedule of rates as per the Tenderer's Offer with the anticipated value of the Contract being one million six hundred ninety eight thousand five hundred eighty five dollars (\$1,698,585.00) excluding GST;
- 2) **Select** Appala Holdings Pty Ltd ATF Appala Unit Trust as the preferred Tenderer for the *Supply of Waste Haulage and Disposal Services – Separable Part B - RFT21ML18-SOR* for the initial period of thirty six (36) months from 1 July 2021 until 30 June 2024 the schedule of rates as per the Tenderer's Offer with the anticipated value of the Contract being one million four hundred eighty two thousand two hundred eight five dollars (\$1,482,285.00) excluding GST;
- 3) **Allow** the option to extend the Contract by a further twenty four (24) months; and
- 4) **Advise** all Tenderers accordingly.

Cr Parry returned to the chamber at 5.03pm

6.2 RFT21KB14-SOR - PROVISION OF MOWING SERVICES AND ASSOCIATED WORKS

Originating Officer – Keith Boase, Coordinator Parks Maintenance, Construction and Maintenance

Reviewed for Compliance – Megan Callus, Procurement Planning Specialist, Contracts and Procurement

RECOMMENDATION

It is recommended that the Tenders Review Committee resolve to:

- 1) **Select** Skyline Landscaping Services Group as the preferred Tenderer for the *Provision of mowing services and associated works – RFT21KB14-SOR* for the initial period of thirty-six (36) months from 1 July 2021 for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one million, fifty-eight thousand, four hundred and nine dollars and sixty-eight cents (\$1,058,409.68) excluding GST.
- 2) **Allow** the option to extend the Contract by a further twenty-four (24) months
- 3) **Advise** all Tenderers accordingly.

MOTION that the Council resolve to:

- 1) **Select** Skyline Landscaping Services Group as the preferred Tenderer for the *Provision of mowing services and associated works – RFT21KB14-SOR* for the initial period of thirty-six (36) months from 1 July 2021 for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one million, fifty-eight thousand, four hundred and nine dollars and sixty-eight cents (\$1,058,409.68) excluding GST.
- 2) **Allow** the option to extend the Contract by a further twenty-four (24) months
- 3) **Advise** all Tenderers accordingly.

(Cr Jones - Cr McNamara)

RESOLVED UNANIMOUSLY TO:

- 1) **Select** Skyline Landscaping Services Group as the preferred Tenderer for the *Provision of mowing services and associated works – RFT21KB14-SOR* for the initial period of thirty-six (36) months from 1 July 2021 for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one million, fifty-eight thousand, four hundred and nine dollars and sixty-eight cents (\$1,058,409.68) excluding GST.
- 2) **Allow** the option to extend the Contract by a further twenty-four (24) months
- 3) **Advise** all Tenderers accordingly.

6.3 RFT21DM26-SOR - PROVISION OF WET HIRE OF EXCAVATORS - SEPARABLE PARTS

Originating Officer – David Mather, Coordinator – Engineering Maintenance, Construction and Maintenance

Reviewed for Compliance – Jack Roser, Contracts and Procurement Officer, Contracts and Procurement

RECOMMENDATION

It is recommended that the Tenders Review Committee resolve to:

- 1) **Select Giant WA t/a Universal Diggers** as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part A* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty two thousand two hundred forty six dollars and fifty cents (\$322,246.50) excluding GST;
- 2) **Select Giant WA t/a Universal Diggers** as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part B* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one hundred seventeen thousand nine hundred fifty four dollars and forty cents (\$117,954.40) excluding GST;
- 3) **Select SCM Earthmoving** as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part C* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty seven thousand four hundred seventy two dollars and seventy five cents (\$327,472.75) excluding GST;
- 4) **Select SCM Earthmoving** as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part D* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty six thousand seven hundred forty four dollars and seventy two cents (\$326,744.72) excluding GST;
- 5) **Select SCM Earthmoving** as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part E* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one hundred ninety four thousand six hundred thirty eight dollars and eighty cents (\$194,638.80) excluding GST;

- 6) **Allow** the option to extend the Contract by a further twenty-four months;
and
- 7) **Advise** all Tenderers accordingly.

MOTION that the Committee resolve to:

- 1) **Select** Giant WA t/a Universal Diggers as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part A* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty two thousand two hundred forty six dollars and fifty cents (\$322,246.50) excluding GST;
- 2) **Select** Giant WA t/a Universal Diggers as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part B* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one hundred seventeen thousand nine hundred fifty four dollars and forty cents (\$117,954.40) excluding GST;
- 3) **Select** SCM Earthmoving as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part C* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty seven thousand four hundred seventy two dollars and seventy five cents (\$327,472.75) excluding GST;
- 4) **Select** SCM Earthmoving as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part D* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty six thousand seven hundred forty four dollars and seventy two cents (\$326,744.72) excluding GST;
- 5) **Select** SCM Earthmoving as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part E* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one hundred ninety four thousand six hundred thirty eight dollars and eighty cents (\$194,638.80) excluding GST;
- 6) **Allow** the option to extend the Contract by a further twenty-four months;
and
- 7) **Advise** all Tenderers accordingly.

(Cr Henderson - Cr Jones)

RESOLVED UNANIMOUSLY TO:

- 1) **Select** Giant WA t/a Universal Diggers as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part A* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty two thousand two hundred forty six dollars and fifty cents (\$322,246.50) excluding GST;
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- 3) **Select** SCM Earthmoving as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part C* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty seven thousand four hundred seventy two dollars and seventy five cents (\$327,472.75) excluding GST;
- 4) **Select** SCM Earthmoving as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part D* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being three hundred twenty six thousand seven hundred forty four dollars and seventy two cents (\$326,744.72) excluding GST;
- 5) **Select** SCM Earthmoving as the preferred Tenderer for the *RFT21DM26-SOR provision of wet hire of excavators – separable part E* for the initial period of thirty-six months for the schedule of rates as per the Tender's Offer with the anticipated value of the Contract being one hundred ninety four thousand six hundred thirty eight dollars and eighty cents (\$194,638.80) excluding GST;
- 6) **Allow** the option to extend the Contract by a further twenty-four months;
and
- 7) **Advise** all Tenderers accordingly.

**7. ADOPTION OF THOSE RECOMMENDATIONS CONTAINED IN ITEMS
NOT WITHDRAWN**

Nil

8. OTHER BUSINESS

8.1 TENDER REVIEW COMMITTEE - TERMS OF REFERENCE

Ward: (All Wards) (Governance and Strategy)

Disclosure of Interest: Nil

Authorised Officer: (Chief Executive Officer)

RECOMMENDATION

That the Tender Review Committee resolve to:

- 1) Endorse the updated Terms of Reference and refer to Council for adoption.

MOTION that the committee resolve to:

- 1) Endorse the updated Terms of Reference and refer to Council for adoption.
- 2) Recommend to Council to amend the meeting frequency to every four weeks, 3 weeks prior to each Council meeting.

(Cr Henderson - Cr Jones)

Following discussion Cr Henderson withdrew the motion

MOTION that the committee resolve to:

- 1) Endorse the updated Terms of Reference and refer to Council for adoption.

(Cr Jones - Cr Congerton)

RESOLVED UNANIMOUSLY TO:

- 1) Endorse the updated Terms of Reference and refer to Council for adoption.

9. MEETING CLOSE

There being no further business, the Presiding Member declared the meeting closed at 5.08pm.