



CITY of SWAN

MINUTES

TENDERS REVIEW COMMITTEE

10 NOVEMBER 2021

CONFIRMED MINUTES

These minutes were confirmed as a true and accurate record of the meeting at the Tender Review Committee held on 18 November 2021.

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1. OPENING

The Chief Executive Officer, Mr Jeremy Edwards, as Presiding Officer under the provisions of the *Local Government Act 1995* opened the meeting at 5.00pm.

2. ATTENDANCE AND APOLOGIES

Councillors:	Cr A Kiely	Altone Ward
	Cr A Bowman	Pearce Ward
	Cr P Jones	Pearce Ward
	Cr C McCullough	Pearce Ward
	Cr M Congerton	Whiteman Ward
	Cr B Parry	Whiteman Ward
	Cr R Henderson	Swan Valley/Gidgegannup Ward (Deputy Member)

Staff:	Mr J Edwards	Chief Executive Officer
	Mr J Coten	Executive Manager Operations
	Ms K Leahy	Executive Manager Corporate
	Ms A Albrecht	Manager Governance
	Ms C Donegan	Contracts and Procurement Manager
	Mr K Amos	Acting Manager Project Management
	Ms A Widjaja	Manager Construction and Maintenance
	Ms M Callus	Procurement Planning Specialist
	Ms V Hodgins	General Counsel
	Ms D Cuming	Governance Officer (Minutes)

Leave of
Absence: Nil

Apologies: Nil

3. DECLARATIONS OF FINANCIAL INTERESTS AND INTERESTS AFFECTING IMPARTIALITY

Nil

4. ELECTION OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER

The first item of business of the Tenders Review Committee was to appoint a presiding member. The Chief Executive Officer conducted the election in accordance with Schedule 2.3, Division 1 of the *Local Government Act 1995*.

The CEO advised that he received one nomination from Cr McCullough, as there were no further nominations, Cr McCullough was declared as Presiding Member and assumed the chair.

MOTION that the Committee resolve to:

- 1) Elect a deputy Presiding Member.

(Cr Bowman – Cr Kiely)

RESOLVED UNANIMOUSLY TO:

- 1) Elect a deputy Presiding Member.

The Chief Executive Officer conducted the election in accordance with Schedule 2.3, Division 1 of the *Local Government Act 1995*.

The CEO called for nominations and received one nomination from Cr Parry, as there were no further nominations, Cr Parry was declared as Deputy Presiding Member.

5. PUBLIC QUESTION TIME

Nil

6. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED UNANIMOUSLY that the Minutes of the Tender Review Committee meeting held on 29 September 2021 be confirmed.

(Cr Parry – Cr Congerton)

7. 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 Parry)

At 5.06pm the meeting was closed to the public.

7.1 RFT21NDB52-SOR - PROVISION OF SERVICING AND MAINTENANCE OF RAINMAN CENTRALISED IRRIGATION SYSTEM INFIELD COMPONENTS

Originating Officer – Nick Del Borrello, Parks Contracts Supervisor, Construction and Maintenance

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

RESOLVED UNANIMOUSLY TO:

- 1) **Select** Aquamonix Pty Ltd as the preferred tenderer for the *Provision of servicing and maintenance of Rainman centralised irrigation system infield components – RFT21NDB52-SOR* for the initial period of thirty-six (36) months from the date of award for the schedule of rates as per the tenderer's offer with the anticipated value of the Contract being one million, two hundred and ninety five thousand, three hundred and sixty nine dollars and forty cents (\$1,295,369.40) excluding GST;
- 2) **Allow** the option to extend the Contract by a further twenty four (24) months

7.2 RFT21SD44 - CONSTRUCTION OF THE ELLENBROOK YOUTH CENTRE

Originating Officer — Samantha Durston, Project Manager – Buildings, Project Management.

Reviewed for compliance — William Charwood, Contract and Procurement Officer, Contracts and Procurement

RESOLVED (5/1) TO:

- 1) **Select** St Hilliers Contracting Pty Ltd as the preferred tenderer for the *Construction of the Ellenbrook Youth Centre RFT21SD44*
- 2) **Accept** the provisional sum for the estimated price
- 3) **Authorise** the Chief Executive Officer to enter into negotiations with St Hilliers Contracting Pty Ltd for the minor variations which meet the City's requirement for the Construction of the Ellenbrook Youth Centre
- 4) **Authorise** the Chief Executive Officer to remove the preferred tenderer status from St Hilliers Contracting Pty Ltd should negotiations for the minor variations be unsuccessful to the City and proceed to select and enter into negotiations for minor variations with Bistel Construction Pty Ltd
- 5) **Keep confidential** the values specified in parts 1 and 2 of this resolution until such time that the negotiations are finalised and the contract is awarded
- 6) **Advise** all tenderers accordingly.

For: Crs Congerton, Jones, Kiely, McCullough and Parry

Against: Cr Bowman

7.3 RFT21AF49 - CONSTRUCTION OF THE ELLENBROOK LEISURE CENTRE

Originating Officer – Alan Francis, Senior Project Manager, Project Management
Reviewed for Compliance – Megan Callus, Procurement Planning Specialist, Contract and Procurement

RESOLVED (4/2) TO:

- 1) **Select** Perkins (WA) Pty Ltd as the preferred tenderer for the *Construction of the Ellenbrook Leisure Centre - RFT21AF49* for the lump sum price
- 2) **Accept** the provisional sums for the estimated price
- 3) **Authorise** the Chief Executive Officer to enter into negotiations with Perkins (WA) Pty Ltd for the minor variations which meet the City's requirement for the Construction of the Ellenbrook Leisure Centre
- 4) **Authorise** the Chief Executive Officer to remove the preferred tenderer status from Perkins (WA) Pty Ltd should negotiations for minor variations be unsuccessful to the City and proceed to select and enter into negotiations for minor variations with ADCO Constructions Pty Ltd
- 5) **Keep confidential** the values specified in parts 1 and 2 of this resolution until such time that the negotiations are finalised and the contract is awarded
- 6) **Advise** all Tenderers accordingly.

For: Crs Congerton, Jones, McCullough and Parry

Against: Crs Bowman and Kiely

7.4 RFT21KB39-SOR – SUPPLY AND DELIVERY, AND SUPPLY AND APPLICATION OF TURF CARE PRODUCTS

Authorised Officer: Executive Manager, Operations

RESOLVED UNANIMOUSLY TO:

- 1) **Note** the error in the Council resolution for Item 6.1, *Supply and delivery, and supply and application of turf care products – RFT21KB39-SOR - Separable Part B; and*
- 2) **Make a note** in the official minutes for the Tenders Review Committee meeting held on 29 September 2021.

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

(Cr Kiely – Cr Bowman)

At 5.31pm the meeting was reopened to the public.

8. ADOPTION OF THOSE RECOMMENDATIONS CONTAINED IN ITEMS NOT WITHDRAWN

Nil

9. OTHER BUSINESS

Nil

10. MEETING CLOSE

There being no further business, the Presiding Member declared the meeting closed at 5.32pm.