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# MINUTES

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## **DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING**

**Wednesday 15 September 2021**

6.00pm

Council Chambers

CITY OF ALBANY  
COMMUNITY STRATEGIC PLAN (ALBANY 2023)



**Development & Infrastructure Services Committee**  
**Terms of Reference**

**Functions:** The Committee is responsible for:

**Development Services:**

The delivery of the “*Liveable Environmental Objectives*” contained in the City of Albany Strategic Plan:

- Advocate, plan and build connected, liveable communities.
- Create a community that supports people of all ages and backgrounds.
- Create vibrant neighbourhoods which are safe yet retain our local character and heritage.

**Infrastructure Services:**

The delivery of the “*Clean and Green Objectives*” contained in the City of Albany Strategic Plan:

- To protect and enhance our pristine natural environment.
- To promote environmental sustainability.
- To promote our region as clean and green.

**It will achieve this by:**

- (a) Developing policies and strategies;
- (b) Establishing ways to measure progress;
- (c) Receiving progress reports;
- (d) Considering officer advice;
- (e) Debating topical issues;
- (f) Providing advice on effective ways to engage and report progress to the Community; and
- (g) Making recommendations to Council.

**Membership:** Open to all elected members.

**Meeting Schedule:** Monthly

**Meeting Location:** Council Chambers

**Executive Officers:** Executive Director Infrastructure, Development & Environment

**Delegated Authority:** None

DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE  
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1. **DECLARATION OF OPENING** - The Chair declared the meeting open at 6.00pm.

2. **PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**

*“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”*

*“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.*

*We would also like to pay respect to Elders past, present and emerging”.*

3. **RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

Mayor	D Wellington
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**Councillors:**

Member	E Doughty (Chair)
Member	R Sutton (Deputy Chair)
Member	Vacant
Member	P Terry
Member	M Benson-Lidholm JP
Member	J Shanahun
Member	S Smith
Member	C Thomson

**Staff:**

Chief Executive Officer	A Sharpe
Executive Director Infrastructure, Development and Environment	P Camins
Manager Operations	D Lawrence
Meeting Secretary	A James
Personal Assistant	A Paulley

**Apologies:**

Member	T Sleeman
Member	A Goode JP
Member	R Hammond (Leave of Absence)
Member	G Stocks (Deputy Mayor) (Leave of Absence)

**Election Candidates:**

Anne Sparrow	Candidate for Breaksea Ward
Thomas Benson-Lidholm	Candidate for Breaksea Ward
Jamie Scally	Candidate for Yakamia Ward
Anthony McCormick	Candidate for Frederickstown Ward

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**4. DISCLOSURES OF INTEREST - Nil**

Name	Committee/Report Item Number	Nature of Interest
Nil		

**5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**DIS273 – Aquaculture Facility (Stage 2) – 2 Swarbrick Street, Emu Point**

The matters raised by the Friends of Emu Point and Emu Point Slipway Services at the DIS Committee meeting on 11 August 2021 are noted and are similar to those that were raised during the public consultation period. These matters were addressed within the agenda item.

**6. PUBLIC QUESTION TIME**

In accordance with City of Albany Standing Orders Local Law 2014 (as amended) the following points apply to Public Question Time:

- 5) The Presiding Member may decide that a public question shall not be responded to where—*  
*(a) the same or similar question was asked at a previous Meeting, a response was provided and the member of the public is directed to the minutes of the Meeting at which the response was provided;*  
*(b) the member of the public asks a question or makes a statement that is offensive, unlawful or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to rephrase the question or statement in a manner that is not offensive, unlawful or defamatory.*

There were no requests to address Council from Members of the Public.

**7. PETITIONS AND DEPUTATIONS - Nil**

**8. CONFIRMATION OF MINUTES**

**RESOLUTION**

**MOVED: COUNCILLOR BENSON-LIDHOLM**  
**SECONDED: COUNCILLOR THOMSON**

**THAT the minutes of the Development and Infrastructure Services Committee meeting held on 11 August 2021 as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 8-0**

**9. PRESENTATIONS - Nil**

**10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS - Nil**

## DIS278: PANEL OF SUPPLIERS – PROVISION OF TRAFFIC CONTROL

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: <b>Commercial in Confidence - Confidential Briefing Note under separate cover</b>
<b>Report Prepared By</b>	: Operations Administration Coordinator (T Rogister)
<b>Authorising Officer:</b>	: Executive Director, Infrastructure Development & Environment (P Camins)

### CONFIDENTIAL ATTACHMENT

*It is recommended that if discussion is required in regards to details contained within the Confidential Attachment, that the matters are discussed behind closed doors, in accordance with section 5.23(2)(c) & (e)(ii) of the Local Government Act 1995, being: a contract which may be entered into and information that has commercial value.*

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar/Priority:** Place
  - **Outcome:** A safe, sustainable and efficient transport network.

### In Brief:

- Following a competitive tender process, Council approval is sought to award the tender for the Contract C21002 Panel of Suppliers – Provision of Traffic Control.
- The contract shall be in force from 1 October 2021 or date of award (whichever occurs latest) until 30 September 2022, with mutually agreed and price negotiated options to extend for a further one (1) year period, and then a final one (1) year period, in accordance with the Specification to the Principal's satisfaction.

### **Electoral Caretaker Period Policy Statement**

*The Authorising Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision. The CEO therefore recommends this report for consideration by Council.*

### RECOMMENDATION

#### DIS278: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR THOMSON**  
**SECONDED: COUNCILLOR TERRY**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 8-0**

#### DIS278: AUTHORISING OFFICER RECOMMENDATION

THAT Council AWARD Contract C21002 – Panel of Suppliers – Provision of Traffic Control to the tenderers recommended by the evaluation panel, as detailed in the Confidential Briefing Note.

## BACKGROUND

2. The City's current contract with Advanced Traffic Management is due to expire 30<sup>th</sup> September 2021. It is necessary to establish a new contract for the provision of traffic management.
3. Tenders were called for C21002 – Panel of Suppliers – Provision of Traffic Control.
4. The tender is for all work necessary to provide for the safe movement of traffic and the protection of persons and property through and or around work sites within the City.

## DISCUSSION

5. Four (4) completed tender documents were submitted on/before the advertised closing date and time.

### Evaluation of Tenders

6. The tender panel evaluated tenders using the weighted criteria methodology across six (6) areas, show in Table 1.

**Table 1 – Evaluation Criteria**

Criteria	% Weighting
Cost	35%
Relevant Experience	15%
Key Personnel Skills and Experience	15%
Tenderer's Resources	15%
Demonstrated Understanding	15%
Corporate Social Responsibility	5%
<b>Total</b>	<b>100%</b>

7. The following table 2 summaries the tenders and the overall evaluation scores applicable.

**Table 2 – Summary of Tender Submissions**

Tenderer	Weighted Score
Tenderer A	681.68
Tenderer B	656.45
Tenderer C	542.38
Tenderer D	527.82

8. Tenderer A ranked highest with the highest total weighted score.
9. From the evaluation scoring, clarification and financial check processes Tenderers A, B and C are the preferred tenders and it is recommended that their tenders be accepted and the contract awarded.

## GOVERNMENT & PUBLIC CONSULTATION

10. A request for tenders was published in the West Australian on Wednesday 21 July 2021, and the Albany Weekender on Thursday 22 July 2021.

## STATUTORY IMPLICATIONS

11. Regulation 11 of the Regulations requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$250,000.00.



12. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
13. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council's decision.
14. Voting Requirement: **Simple Majority.**

## POLICY IMPLICATIONS

15. The City of Albany Purchasing Policy (Tenders and Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

## RISK IDENTIFICATION & MITIGATION

16. The risk identification and categorisation relies on the City's Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Business Interruption:</b> <i>Non-compliance with contract or business failure resulting in inadequate traffic management</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply goods and services</i>
<b>People Health and Safety:</b> <i>Increased project risk due to inadequate traffic management</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Only tenders from reputable companies who have the required certification considered.</i>
<b>Opportunity:</b> <i>To ensure that all construction and maintenance work on the City's transport network are conducted in the safest and most efficient manner.</i>				

## FINANCIAL IMPLICATIONS

17. The costs per job will be included in the specific budget line item.

## LEGAL IMPLICATIONS

18. Nil

## ENVIRONMENTAL CONSIDERATIONS

19. Nil

## ALTERNATE OPTIONS

20. The alternate options are:
  - a. Council may elect to accept the recommended tender; or
  - b. Not approve any tender.

## CONCLUSION

21. It is recommended, based on the evaluation scoring, clarification and financial check processes, that the tender be awarded to Tenderers A, B and C.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>• Local Government Act 1995</li> <li>• Local Government (Functions and General) Regulations 1996</li> <li>• Council Policy: Purchasing Policy (Tenders and Quotes)               <ul style="list-style-type: none"> <li>○ Tender Procedure</li> <li>○ Evaluation Procedure (Tenders and Quotes)</li> </ul> </li> <li>• Council Policy: Buy Local Policy (Regional Price Preferences)</li> </ul>
<b>File Number (Name of Ward)</b>	:	C21002 (All Wards)
<b>Previous Reference</b>	:	P21002 – current contract for Provision of Traffic Control.

## DIS279: PROVISION OF PLUMBING SERVICES

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: <b>Commercial in Confidence - Confidential Briefing Note under separate cover</b>
<b>Report Prepared By</b>	: Operations Administration Coordinator (T Rogister)
<b>Authorising Officer:</b>	: Executive Director Infrastructure Development and Environment (P Camins)

### CONFIDENTIAL ATTACHMENT

*It is recommended that if discussion is required in regards to details contained within the Confidential Attachment, that the matters are discussed behind closed doors, in accordance with section 5.23(2)(c) & (e)(ii) of the Local Government Act 1995, being: a contract which may be entered into and information that has commercial value.*

### STRATEGIC IMPLICATIONS

1. This item relates to the following outcome/s of the City of Albany Strategic Community Plan 2032 (adopted August 2021):
  - **Pillar/Priority:** Place
  - **Outcome:** Responsible growth, development and urban renewal.

#### In Brief:

- Following a competitive tender process, Council approval is sought to award the tender for the Contract C21006 – Provision of Plumbing Services.
- The contract is for an initial two (2) year period from 1 October 2021, with a mutually agreed and price negotiated option for a further one (1) year, in accordance with the Specification to the Principal's satisfaction.

#### **Electoral Caretaker Period Policy Statement**

*The Authorising Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision. The CEO therefore recommends this report for consideration by Council.*

### RECOMMENDATION

#### DIS279: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR SMITH**

**SECONDED: COUNCILLOR SHANHUN**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 8-0**

#### DIS279: AUTHORISING OFFICER RECOMMENDATION

THAT Council AWARD Contract C21006 – Provision of Plumbing Services to the tenderer recommended by the evaluation panel, as detailed in the Confidential Briefing Note attached to this report.

### BACKGROUND

2. The City's current contract with Albany Plumbing and Gas is due to expire on 30<sup>th</sup> September 2021. It is necessary to establish a new contract for the provision of plumbing services.
3. Tenders were called for C21006 – Provision of Plumbing Services.

4. The tender is for plumbing services for maintenance, repairs and minor works to the value of \$10,000.00 (for any single project). The tender includes both reactive and preventative plumbing and hydraulic maintenance. The Albany Leisure and Aquatic Centre, Western and Eastern Oval Pavilions and the Retravision Stadium are the assets that require programmed preventative maintenance.

## **DISCUSSION**

5. A total of three (3) tender documents were issued by the City of Albany.
6. Two (2) completed tender documents were submitted on/before the advertised closing date and time.

### **Evaluation of Tenders**

7. The tender panel evaluated tenders using the weighted criteria methodology across six (6) areas, shown in Table 1.

**Table 1 – Evaluation Criteria**

<b>Criteria</b>	<b>% Weighting</b>
Cost	30%
Relevant Experience	30%
Key Personnel Skills and Experience	10%
Tenderer's Resources	10%
Demonstrated Understanding	15%
Corporate Social Responsibility	5%
<b>Total</b>	<b>100%</b>

8. The following Table 2 summaries the tenders and the overall evaluation scores applicable.

**Table 2 – Summary of Tender Submissions**

<b>Tenderer</b>	<b>Weighted Score</b>
Tenderer A	731.51
Tenderer B	610.15

9. Tenderer A ranked highest with the highest total weighted score.
10. From the evaluation scoring, clarification and financial check process Tenderer A is the preferred tender and it is recommended that their tender be accepted and the contract awarded.

## **GOVERNMENT & PUBLIC CONSULTATION**

11. A request for tenders was published in the West Australian on Wednesday 21 July 2021, and the Albany Weekender on Thursday 22 July 2021.

## **STATUTORY IMPLICATIONS**

12. Regulation 11 of the Regulations requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$250,000.00.
13. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
14. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council's decision.

15. Voting Requirement: **Simple Majority**

**POLICY IMPLICATIONS**

16. The City of Albany Purchasing Policy (Tenders and Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

**RISK IDENTIFICATION & MITIGATION**

17. The risk identification and categorisation relies on the City's Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Business Interruption</b> <i>Non-compliance with contract or business failure resulting in asset failure</i>	Unlikely	Moderate	Medium	General conditions of contract allow for contract termination on the basis of failure to supply goods and services
<b>People Health and Safety</b> <i>Increased risk of public health due to inadequate response times to asset failure</i>	Possible	Major	High	Only tenders from reputable companies who have the required certification considered.
<b>Opportunity:</b> To maintain City's plumbing and hydraulic assets to maximise life, capacity and function.				

**FINANCIAL IMPLICATIONS**

18. The cost (weighted 30%) was calculated by averaging the Cost Score for both the Hourly Rate (Schedule of Rates) including after hours and the Preventative Maintenance (Lump Sum).
19. The costs per job will be included in the specific budget line item.

**LEGAL IMPLICATIONS**

20. Nil

**ENVIRONMENTAL CONSIDERATIONS**

21. Nil

**ALTERNATE OPTIONS**

22. The options are:
- Council may elect to accept the recommended tender; or
  - Not approve any tender.

**CONCLUSION**

23. It is recommended, based on the evaluation scoring, clarification and financial check processes that the tender be awarded to Tenderer A.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> <li>Local Government (Functions and General) Regulations 1996</li> <li>Council Policy: Purchasing Policy (Tenders and Quotes) <ul style="list-style-type: none"> <li>Tender Procedure</li> <li>Evaluation Procedure (Tenders and Quotes)</li> </ul> </li> <li>Council Policy: Buy Local Policy (Regional Price Preferences)</li> </ul>
<b>File Number (Name of Ward)</b>	:	C21006 (All Wards)
<b>Previous Reference</b>	:	C17020 – current contract for Provision of Plumbing Services.

**11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN - Nil**

**12. MEETING CLOSED TO THE PUBLIC – 6:08pm**

**13. CLOSURE – 6.08pm**

There being no further business the Chair declared the meeting closed at 6.08pm.

*(Unconfirmed Minutes)*

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Councillor Emma Doughty  
**CHAIR**