



MINUTES

Special Council Meeting

Thursday 28 January 2016

6.00pm

City of Albany Council Chambers

CITY OF ALBANY COMMUNITY STRATEGIC PLAN (ALBANY 2023)

VISION

Western Australia's most sought after and unique regional city to live, work and visit.

VALUES

All Councillors, Staff and Volunteers at the City of Albany will be...

Focused: on community outcomes

This means we will listen and pay attention to our community. We will consult widely and set clear direction for action. We will do what we say we will do to ensure that if it's good for Albany, we get it done.

United: by working and learning together

This means we will work as a team, sharing knowledge and skills. We will build strong relationships internally and externally through effective communication. We will support people to help them reach their full potential by encouraging loyalty, trust, innovation and high performance.

Accountable: for our actions

This means we will act professionally using resources responsibly; (people, skills and physical assets as well as money). We will be fair and consistent when allocating these resources and look for opportunities to work jointly with other directorates and with our partners. We will commit to a culture of continuous improvement.

Proud: of our people and our community

This means we will earn respect and build trust between ourselves, and the residents of Albany through the honesty of what we say and do and in what we achieve together. We will be transparent in our decision making and committed to serving the diverse needs of the community while recognising we can't be all things to all people.

SPECIAL COUNCIL MEETING
MINUTES – 28/01/2016

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS:

[6:00:08 PM](#) The Mayor declared the meeting open.

2. OPENING PRAYER:

“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 both past and present”.

3. PUBLIC QUESTION AND STATEMENT TIME:

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

No members of the public addressed Council.

4. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED):

Mayor	D Wellington
Councillors:	
Breaksea Ward	P Terry
Frederickstown Ward	G Stocks
Frederickstown Ward	C Dowling
Kalgan Ward	B Hollingworth
Vancouver Ward	N Mulcahy
Vancouver Ward	J Shanahun
West Ward	A Goode JP
West Ward	S Smith
Yakamia Ward	R Sutton
Yakamia Ward	A Moir
Staff:	
Chief Executive Officer	A Sharpe
Executive Director Corporate Services	D Olde
Executive Director Economic Development & Commercial Services	C Woods
Executive Director Works & Services	M Thomson
Executive Director Planning & Development	D Putland
Minute Secretary	J Williamson
Apologies:	
Kalgan Ward	J Price (Apology)
Breaksea Ward	R Hammond
Executive Director Community Services	A Cousins (Apology)

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5. DECLARATIONS OF INTEREST:

Name	Report Item Number	Nature of Interest
Nil	Nil	Nil

SCM013: CONTRACT C15033 CENTENNIAL PARK SPORTING PRECINCT, EASTERN PRECINCT FOOTBALL STADIUM

Land Description	:	Centennial Park Sporting Precinct
Proponent	:	City of Albany
Owner	:	City of Albany
Attachments	:	Confidential Briefing Note - Award of Tender for the Centennial Park Stadium and Development of the Eastern Precinct Confidential Briefing Note – Funding for the Centennial Park Sporting Precinct to be circulated under separate cover
Report Prepared by	:	Executive Director Works & Services (M. Thomson)
Responsible Officer	:	Chief Executive Officer (A Sharpe)

Responsible Officer’s Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Theme 3:** A Connected Built Environment
 - b. **Strategic Objective 3.3:** To develop vibrant neighbourhoods which retain our local character and heritage.
 - c. **Strategy 3.3.2:** Provide proactive planning and building services.

Maps and Diagrams:



In Brief:

- Following a competitive tender process, Council approval is sought to award the tender for the Contract C15033 Centennial Park Sporting Precinct, Eastern Precinct Football Stadium to Smith Constructions.

RECOMMENDATION

**SCM013: RESOLUTION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR GOODE
SECONDED: COUNCILLOR DOWLING**

THAT Council ACCEPT the tender from Smith Constructions and AWARD contract C15033 Centennial Park Sporting Precinct, Eastern Precinct Football Stadium.

**CARRIED 11-0
ABSOLUTE MAJORITY**

BACKGROUND

2. The Centennial Park Sporting Precinct (CPSP) is an ongoing project tied to various funding agreements with execution timetables related to funding conditions and other practical issues around scheduling of sporting club activities.
3. The Eastern Precinct Football Stadium (Main Stadium) is a fundamental element to the overall Centennial Park Sporting Precinct development along with the construction of the premier AFL sports field.
4. Tenders were called for the main stadium on the 18 November 2015 and closed on the 16 December 2015. It is important that construction works commence as early as possible to ensure practical completion in accordance with funding requirements and to minimise disruption to the sporting clubs affected by the project.
5. A confidential briefing note has been provided to outline the tender process and to provide additional detail concerning the individual tenders.

DISCUSSION

6. The City of Albany advertised state-wide and locally for tenders.
7. A total of 46 sets of documents were downloaded from the City of Albany website.
8. The City received 7 completed tender documents and these were submitted to the Procurement and Contracts Office on/before the stipulated closing date and time.
9. Tenders were subsequently opened, the name of the tenderer/s were recorded in the tender register.
10. The standard tender process was applied, ensuring the necessary accountability and transparency when considering submissions. The tender was evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall point score for the tender.
11. Evaluation of Tenders.

The tender evaluation panel assessed tenders independently by marking each criterion out of 10. Criteria and weighting were as follows:

Criteria	% Weighting
Relevant Experience	15%
Tenderer's Resources	5%
Demonstrated Understanding	20%
Corporate Social Responsibility	5%
Cost	55%
Total	100%

12. The following table summarises the tenderers and the overall evaluation scores applicable.

Tenderer	Total
Tenderer A - Smith Constructions	625.90
Tenderer B	617.77
Tenderer C	586.62
Tenderer D	584.56
Tenderer E	584.21
Tenderer F	535.25
Tenderer G	520.33

13. On the basis of the total evaluation score, the highest weighting being applied to cost, relevant experience, and demonstrated understanding the most suitable company is considered to be Smith Constructions.

GOVERNMENT & PUBLIC CONSULTATION

14. There is no consultation required for the award of the construction of the Eastern Precinct Football Stadium, Centennial Park.
15. The funding bodies will be advised with regard to the outcome of the tender process and timeframe for construction.

STATUTORY IMPLICATIONS

16. Regulation 11 of the *Local Government (Functions and General) Regulations 1996* (Regulations) requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$150,000.
17. 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.
18. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council's decision.
19. In accordance with Section 6.8 (1)(b) of the *Local Government Act 1995*; "A local government is not to incur expenditure from its municipal fund for an additional purpose except where expenditure – is authorised in advance by resolution. **Absolute Majority required.**"

POLICY IMPLICATIONS

20. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Organisation's Operations Delay in award of tender may increase the risk of not delivering the project within specified timeframe and funding deadlines.	Possible	Major	High	Award contract as soon as possible to ensure the project remains on track for delivery
Financial. Second State Government funding instalment not approved as part of the state budget process.	Unlikely	Major	Medium	Continue to work with the State Government to secure the second funding instalment. Consider funding options as part of the City's annual budget process for 2016-17. Award the tender and continue with the project to secure all other related funding.
Reputation Project does not proceed as a result of non award of the tender, resulting in community expectations not being met.	Possible	Major	High	Proceed with the award of the tender and continue with the project.

FINANCIAL IMPLICATIONS

22. The recommended tenderers lump sum price is below the estimated costs for construction and is within budget.
23. There is financial implication over two financial years (ie. 2015/2016 and 2016/2017) and therefore by accepting this tender Council is committed to making an allocation in the 2016/2017 budget to complete the project.
24. Reference is made to the recent confidential briefing note (attached) detailing project funding and risks concerning project delivery.

LEGAL IMPLICATIONS

25. Contractual terms for all aspects of this project will need to be rigorously applied.

ENVIRONMENTAL CONSIDERATIONS

26. Environmental consideration in respect to the project has been made in the design and development stage and there are no issues in relation to this item.

ALTERNATE OPTIONS

27. The options are:
- Council can accept the recommended tender
 - Not approve any tender, or
 - Select an alternative tender.

SUMMARY CONCLUSION

28. On reviewing the submissions, Smith Constructions are deemed the most advantageous tenderer across the evaluation criteria for the construction of the Centennial Park Sporting Precinct, Eastern Precinct Football Stadium. Their tender was well detailed and demonstrated a good understanding of the tender objectives.
29. This report recommends that the tender from Smith Constructions be accepted.

Consulted References	:	<i>Local Government Act 1995 Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing Council Policy – Buy Local (Regional Price Preference)</i>
File Number (Name of Ward)	:	<i>CP.DEC.1</i>
Previous Reference	:	<i>N/A</i>

6. CLOSURE OF MEETING

[6:02:04 PM](#) There being no further business the Mayor declared the meeting closed.



Dennis W Wellington
MAYOR