



MINUTES

Special Council Meeting

Tuesday, 5 November 2019 at 5.40pm

Disclaimer

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 I) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Town of East Fremantle expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

Copyright

The Town wishes to advise that any plans or documents contained within the Minutes may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

The Town wishes to advise that any plans or documents contained within this Agenda may be subject to copyright law provisions (Copyright Act

CONTENTS

1.	OFFICIAL OPENING	1
2.	ACKNOWLEDGEMENT OF COUNTRY	1
3.	RECORD OF ATTENDANCE	1
3.1	Attendance	1
3.2	Apologies	1
3.3	Approved	1
4.	DISCLOSURES OF INTEREST	1
4.1	Financial	1
4.2	Proximity	1
4.3	Impartiality	1
5.	PUBLIC QUESTION TIME	2
5.1	Responses to previous questions from members of the public taken on notice	2
5.2	Public Question Time	2
6.	BUSINESS	3
6.1	Carpark Works 2019/20 – Tender Acceptance	3
6.2	Cr T Natale – Appointment to Town Planning Committee	5
7.	CLOSURE	5

**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135
CANNING HIGHWAY EAST FREMANTLE ON TUESDAY 5 NOVEMBER 2019.**

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 5.40pm

2. ACKNOWLEDGEMENT OF COUNTRY

“On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging.

3. RECORD OF ATTENDANCE

3.1 Attendance

The following members were in attendance:

Mayor J O’Neill	Presiding Member
Cr C Collinson	
Cr K Donovan	
Cr J Harrington	
Cr A McPhail	
Cr D Nardi	
Cr A Natale	
Cr A Watkins	

The following staff were in attendance:

Mr G Tuffin	Chief Executive Officer
Mr A Malone	Executive Manager Regulatory Services
Mr P Kocian	Executive Manager Corporate Services
Mr S Gallagher	Operations Manager
Ms J May	Minute Secretary

There were no members of the public in attendance.

3.2 Apologies

Cr M McPhail

3.3 Approved

Nil.

4. DISCLOSURES OF INTEREST

4.1 Financial

Nil.

4.2 Proximity

Nil.

4.3 Impartiality

Nil.

5. PUBLIC QUESTION TIME

5.1 Responses to previous questions from members of the public taken on notice
Nil.

5.2 Public Question Time
Nil

6. BUSINESS

6.1 Carpark Works 2019/20 – Tender Acceptance

Applicant:	Town of East Fremantle
File ref:	RFT01-19/20
Prepared by:	Stephen Gallagher, Operations Manager
Supervised by:	Gary Tuffin, Chief Executive Officer
Voting requirements:	Simple Majority
Documents table:	Nil
Attachments:	1. Confidential Tender Evaluation RFT01-19/20

Purpose

To advise Council on the evaluation of the Request for Tender submissions received for the Carpark Works 2019/20 and to endorse the most suitable contractor.

Executive Summary

This Tender has been undertaken as part of the Capital Works Program that was approved by Council in this financial year's budget. The works are scheduled to be completed in November and December 2019.

The Tender was advertised with 9 submissions received. A more detailed assessment was done on the lowest three priced Tenders in accordance with Sections 1.6 Evaluation Process and 1.7 Selection Criteria.

Interviews were held to clarify details of the submissions and better assess the applicants. Accordingly the following is recommended:

It is recommended that Council:

1. *accept the Tender submitted by Prime Civil Pty Ltd for \$184,330.20 (excl. GST) to complete the Carpark Works 2019/20.*
2. *authorise the Chief Executive Officer to sign and affix the Town's Common Seal to the tender contract with Prime Civil Pty Ltd.*

Background

As part of the Towns 2019-20 Capital Works program, tender RFT01/19-20 was advertised in the West Australian newspaper on 5 October 2019 to select a contractor to provide carpark works at both Wauhop Park and John Tonkin Park (carpark turn around) within the Town.

Tenders closed at 4:00pm Friday 25 October 2019 and there were nine (9) submissions received.

Consultation

Chief Executive Officer
Operations Supervisor

Tender interviews were held with the assessed top three tenderers.

Reference checks in relation to previous works was undertaken for the preferred (recommended) tenderer, and positive feedback was provided by the referees in relation to their capability and quality.

Prior to commencement of works, the contractor (on behalf of Council) will distribute a letter to all affected properties.

Statutory Environment

Local Government Act 1995 s3.57 – Tenders for providing goods or services

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Regulations 1996 require that tenders be publicly invited for such contracts where the estimated cost of providing the total service exceeds \$150,000.

Policy Implications

Purchasing Policy 2.1.3

Financial Implications

Council has allowed for the carpark works in their 2019/20 Budget.

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Yes

Comment

A table assessment of all nine tenders was carried out resulting in three being selected for further consideration. The table attached indicates the results given to each of those submissions based on the tender prices and the qualitative selection criteria with a summarised ranking.

Confidential Attachment 1 outlines that assessment and contains confidential information in accordance with s5.23(2)(e)(iii) of the Local Government Act 1995.

In this respect it is recommended that the Tender be awarded to Prime Civil Pty Ltd.

6.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 011119

Moved Cr Natale, seconded Cr A McPhail

That Council

- 1. accept the Tender submitted by Prime Civil Pty Ltd for \$184,330.20 (Ex GST) to complete the Carpark Works 2019/20.**
- 2. authorise the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the tender contract with Prime Civil Pty Ltd.**

(CARRIED UNANIMOUSLY)



Following queries by elected members, officer advised that:

John Tonkin Park Turnaround

- no trees would be removed in the construction of the turnaround area.
- the turnaround could not be reduced in size
- there were 3 bays available in this area for dropoff/pickup
- there was a footpath connection to facilitate disabled access.

Wauhop Park Carpark

- given the project would come under budget, it was intended to include the brickpaved ramp in these works at an extra cost of \$15,000.

Following matters raised, officers undertook to:

- further investigate any traffic visibility issues in relation to the entry point to the Wauhop Park carpark given its proximity to the Preston Point Road roundabout
- investigate the possible use of “tonerplas” and/or “tonerpave” as a recycled asphalt option.

6.2 Cr T Natale – Appointment to Town Planning Committee

At the Special Meeting held on 22 October 2019 the following elected members were appointed as members of the Town Planning Committee:

- Mayor O’Neill
- Cr Collinson
- Cr Harrington
- Cr Nardi
- Cr Watkins

Subsequent to this meeting, Cr Natale had sought membership to this Committee.

6.2 RECOMMENDATION/COUNCIL RESOLUTION 021119

Moved Cr Watkins, seconded Cr Collinson

That Cr Natale be appointed to the Town Planning Committee.

(CARRIED UNANIMOUSLY)

(ABSOLUTE MAJORITY)

7. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 5.52pm.

I hereby certify that the Minutes of the special meeting of the Council of the Town of East Fremantle, held on 5 November 2019, Minute Book reference 1. to 7. were confirmed at the meeting of the Council on

19 NOVEMBER 2019

[Signature]

Presiding Member