



Corporate & Works Committee Agenda

Agenda: *Corporate & Works Committee*

Date: *Monday 6 July 2015*

Time: *6.00pm*

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Recommendation only to the Full Council:

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- The voting of money for expenditure on works, services and operations.
- Rates, Fees and Charges.
- Donations
- Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.
- Matters not within the specified functions of the Committee.
- Asset Rationalisation.
- Corporate Operations:-
 - Statutory Reporting;
 - Adoption of Council's Community Strategic Plan, Delivery Program and Operational Plan;
 - Delegations; and
 - Policies.
- Tenders as per Regulation requirements.
- Leases required to be determined by Full Council by specific legislative requirements
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority:

- General financial and corporate management of the Council, except those specifically excluded by statute, by Council direction or delegated specifically to another Committee.
Note: This not to limit the discretions of nominated staff members exercising Delegated Authorities granted by the Council.
- Statutory reviews of Council's Delivery Program and Operational Plan;
- Finance Regulations, including:-
 - Authorisation of expenditures within budgetary provisions where not delegated;
 - Quarterly review of Budget Review Statements;
 - Quarterly and other reports on Works and Services provision; and
 - Writing off of rates, fees and charges because of non-rateability, bad debts, and impracticality of collection.
- Auditing.
- Property Management.
- Asset Management.
- Works and Services - Monitoring and Implementations.
- Legal Matters and Legal Register.
- Parks and Reserves Management.
- Infrastructure Management, Design and Investigation.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agenda (and as may be limited by specific Council resolution).
- Confirmation of the Minutes of its Meetings.
- Any other matter falling within the responsibility of the Corporate & Works Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.

Committee Membership: 7 Councillors

Quorum: The quorum for a Committee meeting is 4 Councillors.

Woollahra Municipal Council

Notice of Meeting

1 July 2015

To: Her Worship the Mayor, Councillor Toni Zeltzer ex-officio
Councillors Deborah Thomas (Chair)
Peter Cavanagh
Andrew Petrie
Matthew Robertson
Susan Wynne
Jeff Zulman (Deputy Chair)

Dear Councillors

Corporate & Works Committee – 6 July 2015

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Corporate & Works Committee** meeting to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 6 July 2015 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

Item	Subject	Page
1.	Leave of Absence and Apologies	
2.	Late Correspondence	
3.	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 15 June 2015	1
D2	Disclosure of Interest Returns Submitted by Designated Employees for the Period 1 April to 30 June 2015 (SC524)	3

Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Tender SC2813 - South Avenue Double Bay - Drainage and Streetscape Works.....	7
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Item No: D1 Delegated to Committee
Subject: **CONFIRMATION OF MINUTES OF MEETING HELD ON 15 JUNE 2015**
Author: Sue O'Connor, Administrative Assistant - Governance
File No: 15/82063
Reason for Report: The Minutes of the Corporate & Works Committee of 15 June 2015 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Corporate & Works Committee Meeting of 15 June 2015 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **DISCLOSURE OF INTEREST RETURNS SUBMITTED BY DESIGNATED EMPLOYEES FOR THE PERIOD 1 APRIL TO 30 JUNE 2015 (SC524)**
Author: Ailsa Crammond, Governance Services Coordinator
Approver: Craig Bennett, Manager Governance & Council Support
File No: 15/86213
Reason for Report: To table the disclosure of interest returns that have been received by Council during the period 1 April to 30 June 2015.

Recommendations:

- A. THAT the Disclosure of Interest Returns of the new designated persons who were required to submit a Primary Return during the period 1 April to 30 June 2015 be tabled.
- B. THAT Council note that the Primary Disclosure of Interest Returns have been submitted in accordance with the requirements of the Local Government Act 1993.

Background:

Councillors and designated persons are required to lodge a primary disclosure of interest return within three (3) months of becoming a Councillor or designated person and an annual return for each July 1 to June 30 period.

The purpose of this report is to table the Primary Returns of new staff members determined as Designated Persons who were required to submit a return during the period 1 April to 30 June 2015.

A designated person is described in Section 441 of the Local Government Act 1993 as:

S441 Who are “designated persons”?

For the purposes of this Chapter, “designated persons” are:

- *the general manager*
- *other senior staff of the council*
- *a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest*
- *a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council’s functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member’s duty as a member of the committee and the member’s private interest.*

The incumbents of the following Council positions have been determined to be designated persons for the purpose of Section 441 of the Local Government Act 1993:

General Manager	Determined by Local Government Act 1993
Directors	Determined by Local Government Act 1993
Managers	Deemed to exercise designated persons functions
<i>Corporate Services</i>	
Governance & Corporate Planning Coordinator	Exercises designated persons functions
Team Leader – Corporate & Civic Support	Exercises designated persons functions
<i>Planning & Development</i>	
Assessment Officer	Exercises designated persons functions
Assistant Building & Compliance Officer	Exercises designated persons functions
Building & Compliance Officer	Exercises designated persons functions
Coordinator Regulatory Services	Exercises designated persons functions
Development Compliance Officer	Exercises designated persons functions
Duty Planners	Exercises designated persons functions
Environmental Health Officers	Exercises designated persons functions
Executive Planner	Exercises designated persons functions
Fire Safety Officer	Exercises designated persons functions
Food & Health Officer	Exercises designated persons functions
Heritage Officer	Exercises designated persons functions
Senior Assessment Officer	Exercises designated persons functions
Senior Building & Compliance Officer	Exercises designated persons functions
Senior Environmental Health Officer	Exercises designated persons functions
Senior Strategic Planner	Exercises designated persons functions
Strategic Heritage Officer	Exercises designated persons functions
Strategic Planner	Exercises designated persons functions
Team Leader Compliance	Exercises designated persons functions
Team Leader Development Control	Exercises designated persons functions
Team Leader Strategic Planning	Exercises designated persons functions
Urban Design Planner	Exercises designated persons functions
<i>Technical Services</i>	
Business Centres & Street Cleaning Coordinator	Exercises designated persons functions
Coordinator Assets & Parks Maintenance	Exercises designated persons functions
Coordinator Civil Works	Exercises designated persons functions
Coordinator Trees Maintenance	Exercises designated persons functions
Development Engineer	Exercises designated persons functions
Plant and Fleet Coordinator	Exercises designated persons functions
Project Manager Civil Works	Exercises designated persons functions
Project Manager – Open Space	Exercises designated persons functions
Property Officer	Exercises designated persons functions
Project Officer (Sustainable Business)	Exercises designated persons functions
Property Services Coordinator	Exercises designated persons functions
Purchasing Coordinator	Exercises designated persons functions
Senior Tree Officer	Exercises designated persons functions
Team Leader – Development Assessment	Exercises designated persons functions
Team Leader Environment & Sustainability	Exercises designated persons functions
Team Leader – Infrastructure Assets	Exercises designated persons functions
Team Leader Open Space & Rec Planning	Exercises designated persons functions
Trades Supervisor	Exercises designated persons functions
Traffic and Development Assessment Engineer	Exercises designated persons functions
Traffic & Transport Team Leader	Exercises designated persons functions
Tree Officers	Exercises designated persons functions

Section 450A(2)(a) of the Local Government Act 1993 requires the returns lodged with the General Manager be tabled at the first meeting held after the last day for lodgement. The purpose of this report is to table the Disclosure of Interest Returns of designated persons received by Council during the period 1 April to 30 June 2015.

Tabling of Returns:

Four new designated persons were required to submit a Primary Disclosure of Interest Return during the period and these designated persons submitted their returns in accordance with the legislative requirements.

Conclusion:

The Returns are tabled in accordance with the requirements of the Local Government Act 1993 and it is recommended that the information be noted.

Annexures

Nil

Item No: R1 Recommendation to Council
Subject: TENDER SC2813 - SOUTH AVENUE DOUBLE BAY - DRAINAGE AND STREETSCAPE WORKS
Author: Dave Byatt, Purchasing Coordinator
Approver: Jake Matuzic, Manager - Capital Projects
File No: 15/86296
Reason for Report: To recommend the outcome of a public tender

Recommendation:

- A. THAT Council enter into a Contract with Stateline Asphalt Pty Ltd for South Avenue, Double Bay – Drainage and Streetscape Works for the sum of \$262,938.50 (excluding GST).
- B. THAT successful and unsuccessful tenderers be advised accordingly.

Background

The road and drainage infrastructure in South Avenue Double Bay, between Ocean Avenue and Cooper Street was identified as requiring renewal, and included in the 2014/15 Capital Works Program.

Works include the reconstruction of the road pavement, concrete kerb and gutter, reconstruction of sections of footpaths and driveways, drainage pit and pipe upgrades and associated landscaping works. The area of works is shown in the following aerial photograph:



Invitation to Tender

Tender SC2813 for South Avenue, Double Bay - Drainage & Streetscape Works was advertised in the Tenders section of the Sydney Morning Herald commencing on Tuesday 12 May 2015, and in the Wentworth Courier on Wednesday 13 May 2015.

A Pre-Tender meeting was held on 27 May 2015 at 10.30am. All tenderers who had registered their interest in the tender were invited to attend. Questions raised by tenderers were answered and a record of the questions and answers was circulated to all tenderers who attended, or who were unable to attend but registered their wish to receive information.

An addendum to the tender was also issued to the attendees and posted on Council's tender website.

Tenders for this project closed at 2.30pm on Thursday 4 June 2015. A total of four (4) tenders were received prior to the closing date and time. All the tenders received by the closing date and time are listed in Table 1:

Table 1

TENDERER
Civil Works (NSW) Pty Ltd
North Shore Paving Co Pty Ltd
Starcon Group Pty Ltd
Stateline Asphalt Pty Ltd

Tender Assessment

The tender assessment panel comprised David Byatt, Purchasing Coordinator as the convenor and independent member of the tender panel, Yasas De Silva, Team Leader Infrastructure Assets as the Commissioning Officer and Peter Cassilles, Consultant Engineer as the Project Manager for the delivery of the Project.

Council has resolved that a probity adviser should be included during the tender assessment stage for high risk, high value or sensitive projects. This contract was deemed to not meet this definition and it was agreed that a probity adviser should not be included in the tender process.

Prior to the closing date, the tender panel agreed on the following weightings that would be used against the advertised selection criteria:

Cost and Pricing	45%
Demonstrated experience and capacity	25%
Program and methodology	15%
Quality Management (WHS, environment and quality)	10%
Duration of works	5%

All tenders received were deemed conforming and their lump sum prices and duration of works are listed in Table 2:

Table 2

TENDERER	Lump sum tender price (excl GST)	Time (weeks)
Civil Works (NSW) Pty Ltd	\$284,398.00	9
North Shore Paving Co Pty Ltd	\$430,325.98	16
Starcon Group Pty Ltd	\$262,075.00	13
Stateline Asphalt Pty Ltd	\$262,938.50	7

The tenders were assessed in accordance with the selection criteria stated in the tender documents.

The tenders were given a preliminary score on each item of the selection criteria, which resulted in a total score out of 100. Tenderers were ranked in accordance with their scores.

Post-Tender Interviews were not required as the two highest ranked tenderers are both known to Council having completed similar works in the recent past.

Assessment of highest ranked tenderers

Table 3 shows the scores and rankings of all tenders considered.

Table 3

TENDERER (ranked by total score)	CRITERIA						TOTAL SCORE (100%)
	Demonstrated Experience and Capacity (25%)	Program and methodology (15%)	Quality Management (WHS, Environmental and Quality) (10%)	Duration of Works (5%)	Sub Total Non Pricing Criteria	Cost and Pricing (45%)	
Stateline Asphalt Pty Ltd	16.41	15.00	6.88	5.00	43.29	44.85	88.14
Starcon Group Pty Ltd	15.63	10.00	5.00	2.69	33.32	45.00	78.32
Civil Works (NSW) Pty Ltd	17.97	6.25	7.50	3.89	35.61	41.47	77.08
North Shore Paving Co Pty Ltd	19.53	7.50	9.38	2.19	38.60	27.41	66.01

1. **Cost and Pricing:** the lowest price is deemed to achieve 100% of the score for this criterion. The lowest price is divided by the other tenderers' prices to give their respective scores as percentages.
2. **Demonstrated Experience and Capacity:** Information was requested pertaining to size and value of past works, types of works performed and complexity of past works. From this information the tender panel assessed the level of demonstrated experience for each tenderer
3. **Program & Methodology:** Information was requested pertaining to project program, construction management plan, traffic management plan and environmental management plan. From the information received the evaluation panel assessed the contractor's ability to sequentially carry out the works.
4. **Management Systems (WHS, Environment and Quality):** Assessment of Quality, Environment controls and WH & S, scored according to comprehensiveness of documentation and evidence of it being applied to past projects. The highest scores were allocated for systems with independent accreditation
5. **Duration of Works:** The shortest time is deemed to achieve 100% of the score for this criterion. The shortest time is divided by other tenderer's times to give their respective scores as percentages

Comment

The two highest scoring tenders are Stateline Asphalt Pty Ltd and Starcon Group Pty Ltd.

Both of these companies submitted competitive tenders. The following is a brief summary of each of these tenderers' submissions.

1. Stateline Asphalt Pty Ltd

Stateline Asphalt Pty Ltd tendered the 2nd best lump sum price to undertake the works and was the highest scoring tenderer across the non-pricing criteria. Stateline Asphalt Pty Ltd is a small civil construction company that has good experience in this type of works across the local government sector.

They have predominantly completed civil construction, and have recently completed several projects for Woollahra Council, including the Yarranabee Park path upgrade project. They have also been awarded the first stage of the Paddington Street Paddington project.

From direct experience on a number of projects we have found that Stateline Asphalt are a good contractor that do not make unreasonable variation requests, and are worthy of engaging for future projects.

Stateline Asphalt Pty Ltd have an engineering professional in charge, and scored highest for the program and methodology, submitting shortest duration of works of 7 weeks, which was considered well thought out and achievable.

They have well documented quality management systems that ensure that all Work Health and Safety, Environment and Quality Assurance controls are adequately addressed during construction.

Stateline Asphalt Pty Ltd submitted a total price of \$6,000 for anticipated provisional rate items that are subject to confirmation during construction. This represents 2.3% of the contract sum which is a manageable risk. Stateline Asphalt Pty Ltd submitted a tender price which is only \$863.50 greater than the lowest priced tenderer.

2. Starcon Group Pty Ltd

Starcon Group Pty Ltd tendered the lowest lump sum price to undertake the works, however they were the lowest scoring tenderer across the non-pricing criteria. Starcon Group Pty Ltd is a small civil construction company that has good experience in this type of works across the local government sector.

Starcon Group Pty Ltd have predominantly completed civil construction works, and have recently been awarded contracts for the Union Street/Underwood Street Upgrade Works and the Fairfax Road/Preston Avenue Upgrade Projects.

Starcon Group Pty Ltd scored second highest for the program and methodology, and submitted a duration of works of 13 weeks, which was considered well thought out, however it is almost twice as long as the shortest program.

They have a basic quality management system and satisfactory Work Health and Safety and Environment Management.

Starcon Group Pty Ltd submitted a total price of \$7,200 for anticipated provisional rate items that are subject to confirmation during construction. This represents less than 3% of the contract sum which is a manageable risk.

Tender Assessment Panel Opinion

The tender panel is of the opinion that the tender of Stateline Asphalt Pty Ltd is the most advantageous to Council in terms of value for money, quality of work and the ability to complete the works within an acceptable time frame.

Identification of Income and Expenditure:

All figures below exclude GST.

The total budget allocation for this project is \$255,000. To date approximately \$20,000 has been spent on survey, consultation, detailed design and project management. Therefore the remaining available budget is approximately \$235,000.

The preferred tenderer's lump sum price for this project is \$262,938.50

The total anticipated funding required for this project is estimated to be \$285,000. This includes an allowance of approximately \$25,000 for project and construction management and any project variations which includes the anticipated provisional rate items priced.

The shortfall of \$50,000 will be found from savings made in the Capital works program and reported as part of the September Budget Review.

Conclusion

The tender panel recommends that Council enter into a Contract with Stateline Asphalt Pty Ltd for the South Ave, Double Bay – Drainage and Streetscape Works for the sum of \$262,938.50 (excluding GST).

Annexures

Nil

Political Donations – matters to be considered by Councillors at Meetings

