



MINUTES OF THE SPECIAL COUNCIL MEETING

18 SEPTEMBER 2024

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**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS
ON 18 SEPTEMBER 2024 COMMENCING AT 5:00PM.**

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Presiding Member, Cr GA Cosgrove opened the meeting at 5:00pm.

2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Councillors

Cr GJ Cosgrove	Shire President
Cr HR McTaggart	Deputy President
Cr JR Holmes	Councillor
Cr AT Pearse	Councillor
Cr RA Starick	Councillor
Cr AR Smyth	Councillor

Apologies

Cr JD Bagley	Councillor
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Staff

Mr Matt Fanning	Chief Executive Officer
Mrs Helen Sternick	Manager Corporate Services
Ms Erin Greaves	Manager Governance and Community
Mr Shane Noon	Manager Works

3.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME

Nil

4.0 DECLARATIONS OF INTEREST

Nil

5.0 CHIEF EXECUTIVE OFFICER

5.1 RFQ3 – 2024-25 RRG BITUMEN SEALING WORKS

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: RD.TEN.24.25
Date: 9 October 2024
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

To award WALGA eQuote Request for Quotation – RFQ03-2024/25 Yandanooka North East and Coalseam Road Sealing Works.

Key Points

- This RFQ is for the sealing of RRG widening works on the Coalseam and Yandanooka North East Roads
- Four Offers were received
- The RFQ was separated into 3 portions, two for the Yandanooka North East Road and one for the Coalseam Rd.
- Works are planned for completion between November 2024 and March 2025.

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 5.1 - RESOLUTION#01180924

MOVED: Cr RA Starick

SECONDED: Cr JR Holmes

Council:

- Accepts the submission for WALGA eQuote RFQ03-2024/25 Bitumen Sealing Yandanooka North East and Coalseam Road:**
 - Package 1: SLK 0.52 – 3.0km – Yandanooka North East Road
 - Package 2: SLK 3.0 – 5.5km – Yandanooka North East Road
 - Package 3: SLK 23.57 – 24.37km – Coalseam Roadreceived from Bitutek Pty Ltd, as recommended in the confidential Evaluation Report (Attachment 11.1.2) and identified as the most advantageous, for a schedule of rates value of \$437,809.76 exclusive of GST.
- Authorises the CEO to execute the contract for awarding RFQ03-2024-25 Bitumen Sealing Yandanooka North East and Coalseam Road in accordance with s.9.49A of the *Local Government Act 1995*.**

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 6/0

(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

Confidentiality

An attachment to this report is confidential in accordance with section 5.23 (2) of the *Local Government Act 1995* because it deals with –

- (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) “Information that has a commercial value to a person”*

Attachments

- 5.1.1 WALGA eQuote Documentation
- 5.1.2 Confidential Attachment - Evaluation Report circulated as separate confidential attachment as per s.5.23(2)(e)(ii)(iii)

Background

Request for Quotation were issued under the WALGA eQuote Preferred Supplier Panel - Roads, Infrastructure & Depot Services (PSP009) - RFQ03-2024/25 Yandanooka North East Rd and Coalseam Rd – Bitumen Sealing.

The works were divided into three work packages – Packages 1 to 3:

- Package 1: SLK 0.52 – 3.0km – Yandanooka North East Road
- Package 2: SLK 3.0 – 5.5km – Yandanooka North East Road
- Package 3: SLK 23.57 – 24.37km – Coalseam Road

The RFQ was issued 19 August 2024 and closed 2 September 2024.

Offers to Quote were issued to:

Supplier Name	Contact Details (name, phone, email, address etc)
Colas Western Australia Pty Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
Bitutek Pty Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
Boral Resources (W.A.) Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
Downer Infrastructure	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
Fulton Hogan Industries Pty Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel

Of these, four submissions were received.

Comment

The Qualitative Criteria was approved prior to the advertisement of the RFQ. Each Criterion was given the following weightings and included within the RFT document.

Criteria	Weighting
(a) Skills and experience of key field personnel	10%
(b) Technical support experience including seal design	10%
(c) Demonstrated capability and capacity including quality	10%
(d) Workplace OSH practices and procedures	10%
(e) Price	60%

The submissions were assessed against the Qualitative Criteria and each Criterion was given a score in accordance with the Evaluation Guide contained within the Evaluation Spreadsheets.

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A rating scale of zero-to-ten (0 - 5) was used for evaluating the Tender submissions in accordance with the Qualitative Criteria, with 0 being lowest and 5 being highest.

The evaluation report, including the overall evaluation scores and rankings, is attached.

The evaluation of the submissions received against the quantitative and qualitative criteria resulted in the rankings (in order of priority) as shown below –

Ranking	Offeror
1	Bitutek PL
3	Boral Resources Ltd
4	Colas Western Australia PL
2	Fulton Hogan PL

Consultation

Works Manager

Statutory Environment

The *Local Government Act 1995* at S3.57(1) (tenders for providing goods or services) requires that in certain circumstances, a local government is to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

The Local Government (Functions and General) Regulations 1996 at Regulation 11A (2) states that:

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
- (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
 - (aa) the supply of the goods or services is associated with a state of emergency or a COVID-19 declaration; or
 - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

Under Council Delegations Register item 1.2.17 c. Where the total consideration of a Tender Exempt procurement contract exceeds the \$250,000 delegated above, the decision is to be referred to Council.

Policy Implications

In obtaining WALGA eQuotes, the Shire's Purchasing Policy (1.3.1) requirements have been met. Our Regional Price Preference Policy was also applied in the attached tender assessment document.

Financial Implications

The estimate project expenditure to deliver the three packages is

- Package 1: SLK 0.52 – 3.0km – Yandanooka North East Road - \$450,000 comprising \$300,000 RRG funding and \$150,000 Council Funding
- Package 2: SLK 3.0 – 5.5km – Yandanooka North East Road- \$450,000 comprising \$300,000 RRG funding and \$150,000 Council Funding

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- Package 3: SLK 23.57 – 24.37km – Coalseam Road- \$450,000 comprising \$300,000 RRG funding and \$150,000 Council Funding

Of this the sealing component of the works is \$437,809.76 exclusive of GST.

Strategic Implications

Strategic Community Plan 2023-2033

1. Safe, efficient, and connected transport network

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6.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday, 16 October 2024 commencing at 5.00pm.

7.0 CLOSURE

The meeting was closed at 5:04pm.

These minutes were confirmed at an Ordinary Council meeting on 16 October 2024

Signed _____
Presiding Officer

Date: _____