



AGENDA

**SPECIAL COUNCIL MEETING**

To be held on

**Thursday 2 March 2023**

Commencing at 3.30pm

Shire of Boyup Brook Council Chambers, Boyup Brook

A handwritten signature in black ink, appearing to read "Kyron", is located to the left of the typed name.

**Athanasios Kyron**  
Acting Chief Executive Officer



## **NOTICE OF SPECIAL COUNCIL MEETING**

To:

Cr Richard F Walker – Shire President  
Cr Helen C O'Connell – Deputy Shire President  
Cr Sarah E G Alexander  
Cr Steele Alexander  
Cr Charles A D Caldwell  
Cr Philippe Kaltenrieder  
Cr Darren E King  
Cr Kevin J Moir  
Cr Adrian Price

Athanasios Kyron      Acting Chief Executive Officer  
Carolyn Mallett      Deputy Chief Executive Officer  
Maggie Le Grange      Acting Executive Assistant

A Special Council Meeting of the Shire of Boyup Brook will be held on Thursday 2 March 2023 in the Shire Chambers, Shire of Boyup Brook, 55 Abel Street, Boyup Brook – commencing at 3.30pm.

The purpose is to award Tender 23/001 for the Upgrade of the Boyup Brook Town Hall Precinct Building.

Athanasios Kyron  
Acting Chief Executive Officer

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**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.

**2. RECORD OF ATTENDANCE**

Councillors:	Shire President	Richard F Walker
	Deputy Shire President	Helen C O'Connell
	Councillor	Sarah E G Alexander
		Steele Alexander
		Charles A D Caldwell
		Philippe Kaltenrieder
		Darren E King
		Kevin J Moir
		Adrian Price

Staff:	Acting Chief Executive Officer	Athanasios Kyron
	Deputy CEO	Carolyn Mallett
	Executive Assistant	Maggie Le Grange

APOLOGIES:

LEAVE OF ABSENCE:

MEMBERS OF PUBLIC:

**3. DISCLOSURE OF INTEREST**

#### 4. REPORT

##### 4.1 Tender for the Upgrade of the Boyup Brook Town Hall Precinct Building

Location:	Not applicable
Applicant:	Not applicable
Disclosure of Officer Interest:	None
Author:	Lauren Carlin, Project Officer
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	Tender Evaluation Report

#### **SUMMARY**

This Report is for Council to consider and award the Town Hall Precinct Upgrades Tender. Request For Tender (RFT) Opening date was 31st January 2023, with a closing date of 21st February 2023, at 4:00pm (AWST). The RFT open duration was 21 business days. Nine (9) tender packages were sent out to prospective contractors with only one (1) submission received from BRC Building Solutions.

Please note a first RFT was advertised, opening 10<sup>th</sup> December 2022 and closing 24<sup>th</sup> December 2022 with no submissions being received. This resulted in a second RFT being required with the scope of works broken down into three criteria, to encourage potential tender applications. These criteria were Town Hall Building Precinct upgrades, with Drainage being a separate tender option and the third tender option was for the combined building upgrade and drainage project.

#### **BACKGROUND**

The qualitative assessment was completed by the Evaluation Panel on 1<sup>st</sup> March 2023. Panel members consisted of Lauren Carlin (Project Officer), Jason Forsyth (Manager Works & Services) and Carolyn Mallett (Deputy CEO). Conflict of Interest Declaration forms were signed by all Panel members confirming that they have no relationship with the tenderer. Each member of the Panel assessed the submissions separately.

Tender Assessment Matrix		
1	Quoted Price	30
2	Relevant Experience	20
3	Tenderers resources	20
4	Demonstrated Understanding	20
5	Exclusions, Exemptions, Value Adding	10
		100

BRC Building Solutions are Bridgetown based and have extensive recent experience with similar works in other South West Local Governments. They meet all requirements of the Tender, show compliant Work Health and Safety Management Systems and provided good proof of successful past projects and outcomes.

Overall, the offer of the contract price is \$639,129.60 excluding GST and is considered to reflect the full scope of work outlined. The Evaluation Panel note that whilst they were the only tender received, it was a detailed and strongly represented Tender Application. It is anticipated that the contract will commence 8<sup>th</sup> March 2023, with the contractor to take possession of the site on 15<sup>th</sup> March 2023.

## **COMMENT**

BRC Building Solutions is the Evaluation Panel's recommended Tenderer. The basis for this decision is as follows:

1. Quality - Received a high qualitative non priced score and have completed similar works for other South West Local Governments.
2. Price – BRC Building Solutions offer was below the Shire's cost estimate for the project.
3. A reference check was completed with Leigh Gutheridge, Shire of Bridgetown-Greenbushes.

In summary, BRC Building Solutions offer is consistent with current market trends and enables the Shire to progress our capital works program in the current over-committed market.

## **CONSULTATION**

John Filippone (Director) of Procurement PLUS, (a specialist in the field of procurement) reviewed the Tender documents, the Evaluation process and Evaluation Report. The resulting feedback from Mr Filippone is that ... "the Evaluation report is thorough and tells the story well. I would expect that Council will support the recommendation."

## **STATUTORY OBLIGATIONS**

The *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996* require a Local Government to invite tenders for contracts exceeding \$250,000 in value, and that state-wide public notice of the invitation be given.

## **POLICY IMPLICATIONS**

Council Policy – Purchasing Policy F.03

## **BUDGET/FINANCIAL IMPLICATIONS**

The funding for this tender is included in the 2022/2023 adopted Annual Budget, combined with the reallocation of LRCI Phase 3 project funds per Council Resolution 22/12/180, to undertake the works with the total project allocation being \$735,000.

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION – ITEM 4.1**

That Council:

1. **Awards Tender 23/001 Town Hall Precinct Upgrades to BRC Building Solutions.**
2. **Authorises the Acting Chief Executive Officer to sign a contract on behalf of the Shire of Boyup Brook for Tender 23/001 Town Hall Precinct Upgrade.**

## **5. CLOSURE OF MEETING**

There being no further business the Shire President, thanked all for attending and declared the meeting closed at.....