

EWENMAR WASTE DEPOT SUNSET COMMITTEE MEETING

Attached are the Minutes of the meeting of the Ewenmar Waste Depot Sunset Committee Meeting held on Monday, 16th September 2019.

RECOMMENDATION:

That the Minutes of the Meeting of the Ewenmar Waste Depot Sunset Committee Meeting held on Monday, 16th September 2019, be received and noted and the following recommendations be adopted:

ITEM 5.1 COUNCIL OF COMMERCE REGARDING WASTE DEPOT OPENING HOURS. (G2-4.3)

RECOMMENDATION:

1. Information be received and noted;
2. Out of hours access of the Ewenmar Waste Depot is to be granted to business houses for emergencies only;
3. Out of hours access of the Ewenmar Waste Depot is to be granted to business houses by appointment only;
4. Access is subject to staff availability;
5. Warren Shire Council will require a minimum notice period of 3 hours prior to access;
6. Business houses will be charged an amount of \$70.00 per access request;
7. Should the business houses require access all day an amount of \$130.00 per hour will be charged;
8. Access of the Ewenmar Waste Depot will only be granted during normal office hours Monday – Friday, 8:30am – 5:00pm;
9. Access outside of the ordinary hours of the Ewenmar Waste Depot will be trialled for a period of 3 months; and
10. That Council investigate other access options and waste drop off as part of the transfer station design to assist business houses

WARREN SHIRE COUNCIL
Minutes of the Ewenmar Waste Depot Sunset Committee Meeting
held in the Council Chambers
on Monday, 16th September 2019 commencing at 3:07pm

Present: Councillor Pauline Serdity (Chairperson)
Councillor Heather Druce
Councillor Katrina Walker
Maryanne Stephens (Manager Health and Development Services MHD)
Rolly Lawford (Divisional Manager Engineering Services DMES)
Jaymie-Leigh Shortland (Minute Taker)

ITEM 1 APOLOGIES

Nil.

ITEM 2 MINUTES OF THE MEETING HELD 6TH AUGUST 2019

MOVED Druce/Walker that the Minutes of the Meeting held on 6th August 2019 be accepted as a true and correct record of that meeting subject the minutes being dealt with at a later date.

Carried

ITEM 3 BUSINESS ARISING FROM MINUTES

- Minutes were brought forward to Council, then deferred to be dealt with at a later date.
- Blue Drum with rubbish has been collected.
- A news item is to be put into the local paper about the Ewenmar Waste Depot.
- Larger signs noting the Ewenmar Waste Depot operating hours need to be ordered.
- A letterbox drop will be arranged, once the Ewenmar Waste Depot operating hours have been confirmed.

Carried

ITEM 4 ACTION CHECKLIST

MOVED: Walker/Druce that the information be received and noted, and items marked with an asterisk (*) be deleted.

Carried

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ITEM 5.1 COUNCIL OF COMMERCE REGARDING WASTE DEPOT OPENING HOURS.

(G2-4.3)

RECOMMENDATION TO COUNCIL:

MOVED Serdity/Druce that:

1. Information be received and noted;
2. Out of hours access of the Ewenmar Waste Depot is to be granted to business houses for emergencies only;
3. Out of hours access of the Ewenmar Waste Depot is to be granted to business houses by appointment only;
4. Access is subject to staff availability;
5. Warren Shire Council will require a minimum notice period of 3 hours prior to access;
6. Business houses will be charged an amount of \$70.00 per access request;
7. Should the business houses require access all day an amount of \$130.00 per hour will be charged;
8. Access of the Ewenmar Waste Depot will only be granted during normal office hours Monday – Friday, 8:30am – 5:00pm;
9. Access outside of the ordinary hours of the Ewenmar Waste Depot will be trialled for a period of 3 months; and
10. That Council investigate other access options and waste drop off as part of the transfer station design to assist business houses

Carried

ITEM 6 GENERAL BUSINESS

- It was noted that Warren had been advertised as a recycling IT drop-off zone, which was then confirmed.
- Council staff are working towards having cameras installed, and new keys issued for the Ewenmar Waste Depot.
- Concerns were raised about Council allowing business houses out of hours access. It was suggested that Ewenmar Waste Depot should be opened on Mondays to the whole community. A further discussion around this was held and it was concluded that it would not be cost effective to open the Ewenmar Waste Depot an extra day.
- An opinion was expressed that all community members including business houses need to conform to the hours set and special considerations should not be made as this then sets a precedent.
- Council staff will record the usage of “out of hours” access of the Ewenmar Waste Depot extensively for a period of three months, then reassess.
- It was noted that the recent winds have caused a large amount of windblown rubbish to leave the site. Council advised that Warren Youth Group has been engaged to complete a pickup service.

WARREN SHIRE COUNCIL

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ITEM 6 GENERAL BUSINESS

CONTINUED

- It suggested that Council apply for grant funding for fencing at the Ewenmar Waste Depot.
 - Council has appointed staff to manage the Ewenmar Waste Depot and 3 relief positions.
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ITEM 8 DATE OF NEXT MEETING

TBA.

There being no further business the meeting closed at 3:50 pm.

DRAFT

WARREN SHIRE COUNCIL
Report of the Infrastructure Projects Manager
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren, on Thursday 26th September 2019

ITEM 2 WARREN SHOWGROUND PAVILION REQUEST FOR TENDER, (RFT) T05/2019
(G4-1.7)

RECOMMENDATION

In accordance with Part 7, Division 4, Part 178 of the Local Government (General) Regulation,

1. Council enter into negotiations with Contractors to proceed with the Design and Construction of the Pavilion Building.
2. Council go to market again to include companies in the Central West to quote on this construction.

PURPOSE

To update Council on the results of the RFT (Tender) for the Design and Construction of a Show Pavilion at the Warren Showground.

BACKGROUND

Warren Shire Council received funding under the Regional Sports Infrastructure Fund for the construction of a show pavilion (Steel Clad Display Building) at the Warren Showground in October 2018. The Tender was advertised for the supply and construction of a 40m x 20m building including Industrial concrete floor. In accordance with the requirements of the Local Government Act and also Council's Procurement Policy, a Design and Construct RFT was advertised on Tenderlink for a period of 28 days from Friday the 2nd of August 2019. The tender closed at 4pm on the 30th of August 2019 and the electronic Tender Vault was unlocked and the documents downloaded on the 3rd of September 2019.

REPORT

During the tendering period the RFT was viewed 137 times and downloaded by 19 different companies. There were no forum enquiries received by Council asking for further information.

When the Tenderlink vault was opened on the 3rd of September 2019, there were Five (5) tender responses.

A Tender Evaluation Panel was formed to review all documents received on Wednesday the 18th of September. This Evaluation Panel was made up of the General Manager, the Infrastructure Projects Manager and Councillor Beech and witnessed by Council's Independent Internal Auditor, Mr Keith Coates.

Each tender response was studied and scored against the selection criteria. This selection criteria is at Attachment 1. All tender prices were well above the available budget. As pricing was 60% of the selection criteria the other selection criteria were closely looked at. It was decided that all responses were outside of the available budget.

FINANCIAL AND RESOURCE IMPLICATIONS

As this project was only possible by Council receiving funding from the Regional Sports Infrastructure Fund and this funding has already been received by Council, the money is only available for the intended purpose written in the Funding Deed. This funding must be spent on a Show Pavilion (Steel Clad Shed).

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ITEM 2 WARREN SHOWGROUND PAVILION REQUEST FOR TENDER, (RFT) T05/2019
CONTINUED

LEGAL IMPLICATIONS

The NSW Local Government Act and (General) Regulation contains all requirements of Tendering and the tendering process. Specifically, Part 7, Division 4, Clause 178 paragraphs 3 and 4 of the Local Government (General) Regulation. Council has the following options available to them;

Paragraph 3. A Council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:

Postpone or cancel the proposal for the contract:

invite, in accordance with Clause 167, 168 or 169, fresh tenders based on the same or different details:

invite, in accordance with Clause 168, fresh applications from persons interested in tendering for the proposed contract.

invite, in accordance with Clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract, enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender, and carry out the requirements of the proposed contract itself;

Paragraph 4. If a Council resolves to enter into negotiations as referred to in sub clause (3) (e), the resolution must state the following:

the Council's reasons for declining to invite fresh tenders or applications with the person or persons referred to in sub clause (3) (b) – (d) and

the Council's reasoning for determining to enter into negotiations with the person or persons referred to in sub clause (3) (e).

The tender evaluation panel recommends that Council considers inviting quotations from parties that did not apply on Tenderlink or any other suitable contractor(s).

RISKS

The major risk is that Council may not be able to achieve the construction of the structure with the funds available and that these funds will have to be returned to State Government.

STAKEHOLDER CONSULTATION

The Warren Showground Infrastructure Sub-Committee meets as required and is regularly consulted and discussions held on the process and planning of this project.

OPTIONS

As all tender responses were well above the available funds and Council have received quotes from other Suppliers and Constructors, who did not enter a RFT response on Tenderlink, it was decided by the Tender Panel to make recommendation to Council, of the options permissible in the Local Government Act and Regulation. The following options are permitted within the Local Government Act and Local Government Regulation;

- All tenderers will be notified by Council letter that they were not successful,
- Council staff be authorised to start negotiation with all tenderers and/ or other parties.

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ITEM 2 WARREN SHOWGROUND PAVILION REQUEST FOR TENDER, (RFT) T05/2019
CONTINUED

CONCLUSION

This project has been given a high level of publicity and all user groups at the Warren Showground/ Racecourse area are expecting works to progress. It is considered imperative that these works as approved are to be concluded with a suitable outcome to the user groups and the overall Warren community. This can only occur with further negotiation with relevant experienced suppliers/ contractors within the broader Central West area.

LINK TO POLICY AND/ OR COMMUNITY STRATEGIC PLAN

- 3.2. Quality Community Infrastructure and Facilities
- 3.2.4 Maintain community facilities to an appropriate standard,

SUPPORTING INFORMATION

Nil.

ATTACHMENT

Request for Tender Selection Criteria.

WARREN SHIRE COUNCIL
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ITEM 2 WARREN SHOWGROUND PAVILION REQUEST FOR TENDER, (RFT) T05/2019
CONTINUED

Attachment 1

TENDER SELECTION CRITERIA

Mandatory	Criteria
M1	Financial capacity to perform the Contract.
M2	Past experience of the Applicant (at least 2 contracts of same nature and value completed in the last 3 years).

The Weighted Criteria are;

Weighted	Criteria	Weighted %
W1	Price of Tender	60%
W2	Assessed capability and capacity of the Applicant	40% made up of;
W2.1	Past performance and experience of the Applicant Approach and understanding of the work generally	15%
W2.2	Experience, skills and qualifications of nominated key personnel Proposed project resourcing and use of subcontractors	15%
W2.3	Project delivery timeframe/ milestones/ plan Availability to commission as soon as practical	10%
Total		100%

WARREN SHIRE COUNCIL
Report of the Infrastructure Projects Manager
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ITEM 3 WARREN SKATE PARK REQUEST FOR TENDER, (RFT) T06/2019 (G4-1.12)

RECOMMENDATION

In accordance with the requirements of the Local Government Act and Council's Procurement Policy that Council accept the tender as received and reviewed by the Tender Evaluation Panel for the Design and Construction of a Skatepark from Oasis Skate Parks Pty Ltd for a tendered amount of \$430,000 (inclusive of GST) within the Carter Oval Sporting Precinct.

PURPOSE

To update Council on the results of the RFT (Tender) for the Design and Construction of the Warren Skatepark at the Carter Oval Sporting Precinct.

BACKGROUND

Warren Shire Council will receive funding on signing Murray Darling Basin Authority (MDBA) agreement, for community facilities in Warren. It was decided by Council to use some of this funding to construct a Skatepark for the youth of Warren. In accordance with the requirements of the Local Government Act and Council's Procurement Policy, a Design and Construct RFT (selective tender) was advertised on Tenderlink for a period of 28 days from Friday the 2nd of August 2019. The tender closed at 4pm on the 6th of September 2019 and the electronic Tender Vault was unlocked and the documents downloaded on the 9th of September 2019.

REPORT

During the tendering period the RFT was viewed 8 times and downloaded by 2 different companies. There were no forum enquiries received by Council asking for further information. When the Tenderlink vault was opened on the 9th of September 2019, there was only one (1) tender response.

A Tender Evaluation Panel was formed to review all documents received on Wednesday the 18th of September. This Evaluation Panel was made up of the General Manager, the Infrastructure Projects Manager and Councillor Beach and witnessed by Council's Independent Internal Auditor Mr Keith Coates.

Although this was the only RFT response received, the response was studied and scored against the selection criteria. This selection criteria is at Attachment 1. The tender price was within the available budget and all other Selection Criteria were met by the tender response. The contractor responding to this RFT is well experienced with the Design and Construction of Skateparks throughout regional NSW and met all requirements of the RFT.

FINANCIAL AND RESOURCE IMPLICATIONS

This project is only possible by Council receiving both public and community funding as determined by the Skatepark Carter Oval Development Sub Committee of the Sporting Facilities Committee as well as funding from the MDBA. This funding is yet to be received by Council, the money is only available for the intended purpose written in the Funding Deed.

LEGAL IMPLICATIONS

The NSW Local Government Act and (General) Regulation contains all requirements of Tendering and the tendering process. All of these requirements have been met by this RFT and RFT response.

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ITEM 3 WARREN SKATE PARK REQUEST FOR TENDER, (RFT) T06/2019 CONTINUED

RISKS

The Risks to Council are that it is reliant on public and community funding although the majority of funding will be from the MDBA. This sporting facility will enhance and integrate into the proposed Carter Oval Sporting Precinct.

STAKEHOLDER CONSULTATION

The Warren Community via the Sporting Facilities Committee and the Skatepark Carter Oval Development Sub Committee have been consulted and will be updated as required on the progress of this project.

OPTIONS

Nil

CONCLUSION

This project has been given a high level of publicity and has been on the “wish list” for several years, it will be an asset to Warren, especially for the youth of Warren.

LINK TO POLICY AND/ OR COMMUNITY STRATEGIC PLAN

- 3.2. Quality Community Infrastructure and Facilities
- 3.2.4 Maintain community facilities to an appropriate standard,

SUPPORTING INFORMATION

Nil.

ATTACHMENT

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ITEM 3 WARREN SKATE PARK REQUEST FOR TENDER, (RFT) T06/2019 CONTINUED

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The Weighted Criteria are;

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W2.2	Experience, skills and qualifications of nominated key personnel Proposed project resourcing and use of subcontractors	15%
W2.3	Project delivery timeframe/ milestones/ plan Availability to commission as soon as practical	10%
Total		100%