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**I hereby give notice that a Confidential Regional Sport and Recreation  
Centre Committee Meeting will be held on:**

**Date: Tuesday, 12 November 2019**  
**Time: 5.30 p.m.**  
**Location: Council Chamber**  
**Civic Centre**  
**10 Watson Terrace**  
**Mount Gambier**

# **AGENDA**

## **Confidential Regional Sport and Recreation Centre Committee Meeting 12 November 2019**

**Andrew Meddle**  
**Chief Executive Officer**

**8 November 2019**

**7.5 UPDATE ON EXPRESSIONS OF INTEREST AND SELECT TENDER PROCESSES FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB – REPORT NO. AR19/54110**

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, K Amoroso, M Bruins, C Greco, P Jenner, S Mezinac, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.5 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (k) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- tenders for the:
  - supply of goods, or
  - the provision of services, or
  - the carrying out of works

The Regional Sport and Recreation Centre Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because The information provided relates to an on-going two-stage procurement process, for which all who have participated to date are expected to continue their involvement..

**7.5 UPDATE ON EXPRESSIONS OF INTEREST AND SELECT TENDER PROCESSES FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB – REPORT NO. AR19/54110**

**Meeting:** Regional Sport and Recreation Centre Committee

**CM9 Reference:** AF18/175

**Author:** Andrew Meddle, Chief Executive Officer

**Authoriser:** Andrew Meddle, Chief Executive Officer

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (k) tenders for the: supply of goods, or the provision of services, or the carrying out of works.

**REPORT RECOMMENDATION**

1. That Regional Sport and Recreation Centre Committee Report No. AR19/54110 titled 'Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub' as presented on 12 November 2019 be noted.
2. That Council endorse the approach to proceed through a select tender process with all six companies that participated in the Expressions of Interest process for the Community and Recreation Hub project.
3. That Council note that following the select tender process, a report will be brought back before Council enabling a decision to be made to proceed with a preferred supplier.



## **BACKGROUND**

To advise Council that an Expressions of Interest process was undertaken as the first part of a procurement process to secure a head contractor for the Community and Recreation Hub project.

This process was open to any company via the procurement platform Tenders SA, as required by granting funding requirements. It commenced on 22<sup>nd</sup> August 2019 and closed on 20<sup>th</sup> September 2019.

The intent of this process was to ensure that the companies expressing an interest in undertaking the project had the capacity and capability to undertake a project of this scope and scale. This included assessments of their experience in similar projects and their financial sustainability, together with an understanding of their intention to capture local content in the project. All submissions were deemed to comply with the Council's procurement rules and standards, despite varying in quality and quantity.

The cost of providing the Community and Recreation Hub was not sought or provided through this exercise.

Six expressions of interest were received and subsequently considered by a panel of officers and external experts. Having reviewed independently all submissions, the review group then met collectively and discussed its findings. All six were considered to have the potential to deliver a successful project. There was consensus that shortlisting further from the six submissions would not improve competitiveness or outcomes for the Council and community.

It is therefore recommended that the next stage of the procurement process includes all six companies who have lodged an expression of interest. The six companies are:

- BADGE Constructions (SA) Pty Ltd
- BMD Constructions
- Hutchinson Builders
- Kennett Pty Ltd
- Mossop Constructions and Interiors
- Sarah Constructions Pty Ltd

As a result of the process undertaken, feedback will be provided to the six companies to enable them to improve upon any deficiencies in their work prior to their final submission. This will give the Council a greater degree of certainty and quality when considering the final submissions as a result of the select tender process. This next process will focus on the time, quality and cost elements, having ascertained the credentials of the companies through the expressions of interest process.

Should a significantly greater number of expressions of interest have been submitted, it would have been the approach of the Council Administration to shortlist to reduce the number to probably five. The impact of not doing this will be to create a small amount of extra work in reviewing the extra submission. The disbenefit of this is outweighed by the expected benefits to the Council and community from having a larger pool to select from.

## **NEXT STEPS**

Given the update provided in the confidential briefing on 22<sup>nd</sup> October 2019 and the delay caused by the lack of completed structural engineering drawings, the next steps in the process are intended to be:

- Written advice to the six companies advising that they have been selected to proceed to the next stage in the process and advising them that the information to complete the select tender will be released in a single stage on Tuesday, 3<sup>rd</sup> December 2019 and will include a



bill of quantities and a draft contract and when the tender period will close (1200hrs on Friday, 24<sup>th</sup> January 2020).

- Communication with the Community Reference Group and an embargoed meeting with *The Border Watch* as to the current design (Monday, 2<sup>nd</sup> December 2019)
- Release of tender information to the six companies (Tuesday, 3<sup>rd</sup> December 2019);
- Close of tender period at 1200hrs (Friday, 24<sup>th</sup> January 2020);
- Assessment of the tender submissions;
- Clarification of submissions or elements within them (if required);
- Preparation of Council reports and Elected Member briefing;
- Decision by Council;
- Further negotiations with preferred two (or possibly three) tenderers; and
- Award of contract.

## CONCLUSION

Proceeding to the next stage of the procurement process with all six companies who have lodged an expression of interest. This provides a small element of contingency should a company decide not to proceed through the final elements of the process.

The timeframe to complete this work is very stretching for the Council and will be stretching for the tenderers, hence the importance of giving them information as early as possible and making them aware of the split in the release of information and what is being done to help them.

## ATTACHMENTS

Nil



**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.5 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until On the completion of the contract.
2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CONFIDENTIAL

**MINUTES OF CONFIDENTIAL REGIONAL SPORT AND RECREATION CENTRE  
COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 12 NOVEMBER 2019 AT 5.32 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello, Cr Steven Perryman

**OFFICERS IN ATTENDANCE:**

Chief Executive Officer	- Mr A Meddle
General Manager Community Wellbeing	- Ms B Cernovskis
General Manager City Infrastructure	- Mr N Serle
General Manager City Growth	- Dr J Nagy
Acting General Manager Council Business Services	- Mr J Zwijnenburg
Community Engagement Officer	- Mrs H Gajic

**7.5 UPDATE ON EXPRESSIONS OF INTEREST AND SELECT TENDER PROCESSES FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB – REPORT NO. AR19/54110**

**COMMITTEE RESOLUTION**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, K Amoroso, M Bruins, C Greco, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.5 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (k) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- tenders for the:
  - supply of goods, or
  - the provision of services, or
  - the carrying out of works

The Regional Sport and Recreation Centre Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because The information provided relates to an on-going two-stage procurement process, for which all who have participated to date are expected to continue their involvement..

**CARRIED**

Cr Greco left the meeting at 6.58 p.m. and did not return

**COMMITTEE RESOLUTION**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Regional Sport and Recreation Centre Committee Report No. AR19/54110 titled 'Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub' as presented on 12 November 2019 be noted.
2. That Council endorse the approach to proceed through a select tender process with all six companies that participated in the Expressions of Interest process for the Community and Recreation Hub project.
3. That Council note that following the select tender process, a report will be brought back before Council enabling a decision to be made to proceed with a preferred supplier.

**CARRIED**





### **COMMITTEE RESOLUTION**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

### **CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.5 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until On the completion of the contract.
2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**



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**I hereby give notice that a Confidential Council Meeting will be held on:**

**Date:** Tuesday, 19 November 2019  
**Time:** 6.00 p.m.  
**Location:** Council Chamber  
Civic Centre  
10 Watson Terrace  
Mount Gambier

# **AGENDA**

## **Confidential Council Meeting 19 November 2019**

**Andrew Meddle**  
**Chief Executive Officer**

**15 November 2019**

**25.10 UPDATE ON EXPRESSIONS OF INTEREST AND SELECT TENDER PROCESSES FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB – REPORT NO. AR19/54110**

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Zwijnenburg, N Serle, A Watson, and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.10 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub.

The Council is satisfied that, pursuant to section 90(3) (k) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

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  - the provision of services, or
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The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because The information provided relates to an on-going two-stage procurement process, for which all who have participated to date are expected to continue their involvement..



**25.10 UPDATE ON EXPRESSIONS OF INTEREST AND SELECT TENDER PROCESSES FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB – REPORT NO. AR19/54110**

**Meeting:** Regional Sport and Recreation Centre Committee

**CM9 Reference:** AF18/175

**Author:** Andrew Meddle, Chief Executive Officer

**Authoriser:** Andrew Meddle, Chief Executive Officer

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

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**REPORT RECOMMENDATION**

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## NEXT STEPS

Given the update provided in the confidential briefing on 22<sup>nd</sup> October 2019 and the delay caused by the lack of completed structural engineering drawings, the next steps in the process are intended to be:

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- Communication with the Community Reference Group and an embargoed meeting with *The Border Watch* as to the current design (Monday, 2<sup>nd</sup> December 2019)
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- Decision by Council;
- Further negotiations with preferred two (or possibly three) tenderers; and
- Award of contract.

### **CONCLUSION**

Proceeding to the next stage of the procurement process with all six companies who have lodged an expression of interest. This provides a small element of contingency should a company decide not to proceed through the final elements of the process.

The timeframe to complete this work is very stretching for the Council and will be stretching for the tenderers, hence the importance of giving them information as early as possible and making them aware of the split in the release of information and what is being done to help them.

### **ATTACHMENTS**

Nil



**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.5 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until On the completion of the contract.
2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CONFIDENTIAL



**MINUTES OF CONFIDENTIAL COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 19 NOVEMBER 2019 AT 6.00 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Ben Hood, Cr Frank Morello, Cr Steven Perryman

<b>OFFICERS IN</b>	Chief Executive Officer	- Mr A Meddle
<b>ATTENDANCE:</b>	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Acting General Manager Council Business Services	- Mr J Zwijnenburg
	Manager Development Services	- Mrs T Tzioutziouklaris
	Media and Communications	- Mrs A Watson
	Executive Administration Officer	- Mrs F McGregor



**25.10 UPDATE ON EXPRESSIONS OF INTEREST AND SELECT TENDER PROCESSES  
FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB –  
REPORT NO. AR19/54110**

**RESOLUTION 2019/368**

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor the *Local Government Act 1999* the Council orders that all members of the public, except be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.10 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub.

The Council is satisfied that, pursuant to section 90(3) (k) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- tenders for the:
  - supply of goods, or
  - the provision of services, or
  - the carrying out of works

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because The information provided relates to an on-going two-stage procurement process, for which all who have participated to date are expected to continue their involvement.

**CARRIED**



**RESOLUTION 2019/369**

Moved: Cr Ben Hood  
Seconded: Cr Max Bruins

1. That Regional Sport and Recreation Centre Committee Report No. AR19/54110 titled 'Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub' as presented on 12 November 2019 be noted.
2. That Council endorse the approach to proceed through a select tender process with all six companies that participated in the Expressions of Interest process for the Community and Recreation Hub project.
3. That Council note that following the select tender process, a report will be brought back before Council enabling a decision to be made to proceed with a preferred supplier.

**CARRIED**

**RESOLUTION 2019/370**

Moved: Cr Max Bruins  
Seconded: Cr Kate Amoroso

**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.5 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until On the completion of the contract.
2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**