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

Date: Tuesday, 16 November 2021

Time: 6.00 p.m.

**Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier**

CONFIDENTIAL AGENDA

Council Meeting 16 November 2021

A handwritten signature in black ink, appearing to read 'Sarah Philpott', is positioned above the printed name and title.

**Sarah Philpott
Chief Executive Officer
12 November 2021**

26 NEW CONFIDENTIAL ITEMS

26.1 AF21/68 TENDER - PROCUREMENT - CAROLINE LANDFILL - CAPPING OF CELLS 3A & B – REPORT NO. AR21/70391

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR21/70391 AF21/68 Tender - Procurement - Caroline Landfill - Capping of Cells 3A & B.

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 matter to be considered relates to the consideration of a tender for works at Caroline Landfill - Capping of Cells 3A & B.



26.1 AF21/68 TENDER - PROCUREMENT - CAROLINE LANDFILL - CAPPING OF CELLS 3A & B – REPORT NO. AR21/70391

Committee:	Council
Meeting Date:	16 November 2021
Report No.:	AR21/70391
CM9 Reference:	AF13/64
Author:	Mark McDonald, Manager Waste and ReUse
Authoriser:	Barbara Cernovskis, General Manager City Infrastructure
Summary:	Caroline Landfill Cells 3A and B have reached capacity for waste entombed within the cells. Works are required to be undertaken to install a final cap on the cells in accordance with the Environment Protection Act 1993. The City of Mount Gambier issued an open Request for Tender seeking responses from suitably qualified tenderers for the capping of Cells 3A and B. This report details the process undertaken and provides a recommendation for Council's consideration.
Strategic Plan Reference:	Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Art, Culture and Heritage

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 Council Report No. AR21/70391 titled 'AF21/68 Tender - Procurement - Caroline Landfill - Capping of Cells 3A & B' as presented on 16 November 2021 be noted.
2. That Council:
 - (a) Authorises the award of the contract AF21/68 to the preferred tenderer Gambier Earth Movers Pty Ltd for the fixed lump sum amount of \$845,478.70 (GST exclusive).
 - (b) Authorises the Chief Executive Officer to execute contract documents between Council and the preferred tenderer.
 - (c) Authorises the Chief Executive Officer to approve additional justified expenditure during the contract.
 - (d) Authorises funds to be expended from General Ledger 8800.9800.9805 Caroline Landfill Cell Capping Provision.



TYPE OF REPORT

Corporate

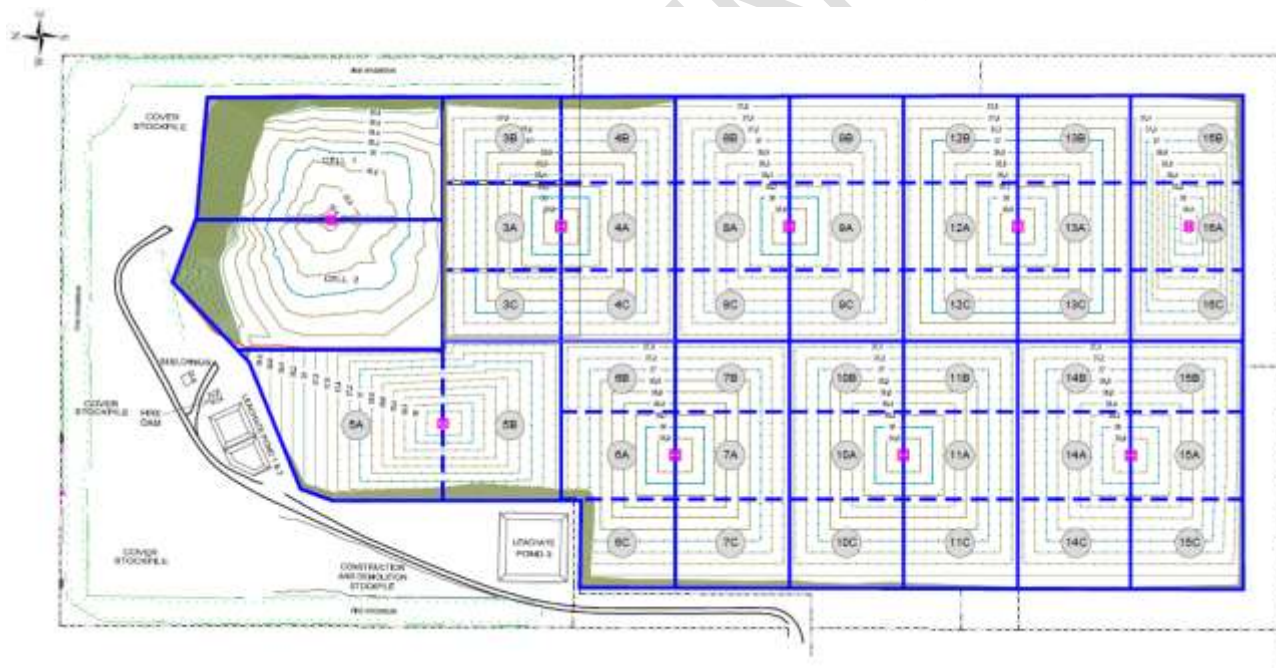
BACKGROUND

Council exists to provide services to its community; one of these services is Waste Management. Caroline Landfill is the only engineered landfill site located in the south east of South Australia and began operations in 1997. Council's goal in managing landfill assets is to meet the agreed level of service in the most cost-effective manner for present and future consumers.

Waste generated within City of Mount Gambier is managed through a number of services and infrastructure. Drop off waste is received via the City of Mount Gambier Waste Transfer Station located on Eucalypt Drive, Mount Gambier, with Council and commercial waste collections (including District Council of Grant and Wattle Range kerbside waste collections) being weighed at the Transfer Station and then received at Caroline Landfill. The Council collections are from urban and rural kerbside domestic collections, and commercial collections are from local commercial and industrial collections. Residual waste from the drop off waste is transported by a Contractor to Caroline landfill.

Caroline Landfill is developed in stages, with cell construction consisting of 16 cells covering approximately 2.0 hectares, each typically divided into three sub-cells. The cells will generally be constructed in an east-west direction across the full landfill width then moving to the successive cells to the south. The conceptual cell layout is shown in Figure 1.

Figure 1. Cell Layout



Waste disposal at Caroline Landfill commenced in 1997 with the construction of Cell 1. In October of 2020, Cell 3B reached capacity filling according to the designed landfill profile. An interim 300mm cap was constructed with on-site excavated soil by landfill operations staff as required according to EPA regulations.

Landfill design, as specified by the EP Act, comprises the following interconnected elements together with operational requirements that ensure minimal harm to the environment and the community:

- Liner system at the base and side of the landfill
- Leachate collection system
- Cover system

- Gas collection system
- Environmental monitoring system
- Post closure plan for maintenance and utilisation of the landfill after its closure.

The Cover system or Cap is a key element of the landfill designed in such a way as to reduce long term leachate generation by promoting runoff and reducing infiltration of rainwater into the waste mass. The cap will also serve to contain waste and emissions of landfill gas, dust, vapours and odours.

The final cap will comprise three layers which are from the surface down;

- Topsoil layer – an upper layer designed to promote and sustain the development of vegetation
- Subsoil layer – to support vegetation and provide enhanced soil moisture storage and evapotranspiration
- Clay barrier layer – an underlying compacted clay barrier to act as a barrier to infiltration of surface waters and emission of landfill gas.

The final cap overlies the interim cover – a layer of cover placed once a cell is filled to provide an interim cover prior to placement of the final capping.

Having reached capacity for filling of Cells 3A and B, design of the capping system was undertaken and submitted to EPA for approval. Approval of the capping design was granted by the EPA on 30 June 2021. A procurement tender process was undertaken in accordance with Council's Procurement Policy P420. Attachment 1 Procurement Recommendation Report outlines the procurement process undertaken with evaluations of the tender submissions.

PROPOSAL

Council endorse the recommendation as per the procurement report for AF21/68 Tender - Procurement - Caroline Landfill - Capping of Cells 3A & B and award the contract for works to the preferred tenderer.

Due to the nature of the works, the warmer months of summer and autumn are important to ensure completion of the capping works prior to the wetter months of winter. Excavation works at Caroline Landfill are reliant on dry weather to ensure adequate compaction of the clay cap to achieve the EPA barrier requirements for infiltration of surface waters and emissions of landfill gasses.

LEGAL IMPLICATIONS

Council is required to meet many legislative requirements including Australian and State legislation and State regulations. These include:

Legislation	Requirement
Local Government Act, 1999	Sets out role, purpose, responsibilities and powers of local governments including the preparation of a long-term financial plan supported by infrastructure and Asset Management Plans for sustainable service delivery.
Development Act and subordinate legislation (example Development Plan and Building Code)	Provides Council with the legislative framework to guide the preservation and enhancement of its landfill.
Environment Protection Act, 1993	To guide the development and operation of Caroline Landfill
State Records Act, 1997	Set out responsibilities and requirement in relation to the management of Council records.



Work Health and Safety Act, 2012	Sets out roles and responsibilities to secure the health, safety and welfare of persons at work
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Development and operation of waste depots for the disposal of waste (otherwise known as landfill facilities) in South Australia are activities of environmental significance and must be carried out in accordance with the *Environment Protection Act 1993* (the Act).

Development approval for Caroline landfill was initially approved by the Development Assessment Commission (DAC) under Development Number 382/0019/93 (dated 17 December 1993, Site Record 3).

Caroline Landfill operates in accordance with EPA licence 2504 and associated conditions as periodically updated in accordance with EPA requirements and changes to legislation.

STRATEGIC PLAN

Goal 3 – Our Diverse Economy

3.5 Reusing, recycling and waste management

We will work with the community to ensure there is better understanding of the impacts and responsible options available for reuse, recycling and waste management, including investigations as to how the city and region can be more self-sufficient.

3.5.2 Investing in sustainable waste management practices and progressive technology at the Council's Caroline Landfill facility, including methane collection and solar power options.

Caroline Landfill is a significant resource for the city and the wider region. As such it's future is dependent on the effective waste management at the site and adherence to EPA regulations to ensure minimal impact on the environment. Effective landfill waste management requires the waste to be entombed in such a way that it has minimal impact on the surrounding environment. Capping the cells at the end of the effective life ensures the waste cannot contaminate the surrounding environment by encapsulating the leachate and greenhouse gasses.

COUNCIL POLICY

The [City of Mount Gambier Caroline Landfill Asset Management Plan 2020-2029](#) outlines the framework for management of the Caroline Landfill site. This document should be read in conjunction with Council's Asset Management Policy, Asset Management Strategy and the following associated planning documents:

- Community Plan
- Long Term Financial Plan (LFTP)
- Annual Business Plan and Budget (ABP&B)
- Landfill Environment management Plan
- Future Cell Construction & Capping Plan 2021-2029 (Appendix A of the Caroline Landfill Asset Management Plan)

ECONOMIC IMPLICATIONS

Key envisioned outcomes, projects and services described in the Community Plan that directly relate to Council's landfill asset management are:

- Sustainability and environmental practices embedded in Council processes and decision making.
- A healthy and pristine natural environment, including underground aquifer system.
- Educate and support the community to reduce greenhouse gas emissions, water consumption and waste.



- Strive to make Mount Gambier a recognised environmentally sustainable place.
- Develop innovative programs to protect our environment.
- Develop and implement a strategy to facilitate a reduction greenhouse gas emissions.
- Reduce waste received at the landfill.

ENVIRONMENTAL IMPLICATIONS

As a significant resource for the south east region for South Australia, Caroline presents unique risks due to the location that have a significant impact on the environment and human health. It is important that as an engineered landfill, all waste management processes consider the impact potential harm can have on the environment. Council has a duty of care to comply with EPA requirements for the site.

To ensure environmental harm is mitigated into the future, all waste entombed at Caroline Landfill must be encapsulated effectively to prevent pollution into the natural aquifers surrounding the area. The engineered clay liner system in conjunction with the clay cover represents best practice techniques to ensure minimal impact from pollution. This is especially important given the environmental demands of the site with significant rainfall throughout the year. Surface water from rainfall allowed to penetrate the waste mass places significant pressure on the management of leachate.

SOCIAL IMPLICATIONS

As the only engineered landfill in the south east of South Australia, the Mount Gambier community along with the wider region place a significant reliance on Caroline Landfill as an effective waste management service. Should Caroline Landfill fail, the alternative would be to transport all waste to an alternate site capable of accepting waste material from the region. This would add significant cost to waste management that would be borne by the community.

CULTURAL IMPLICATIONS

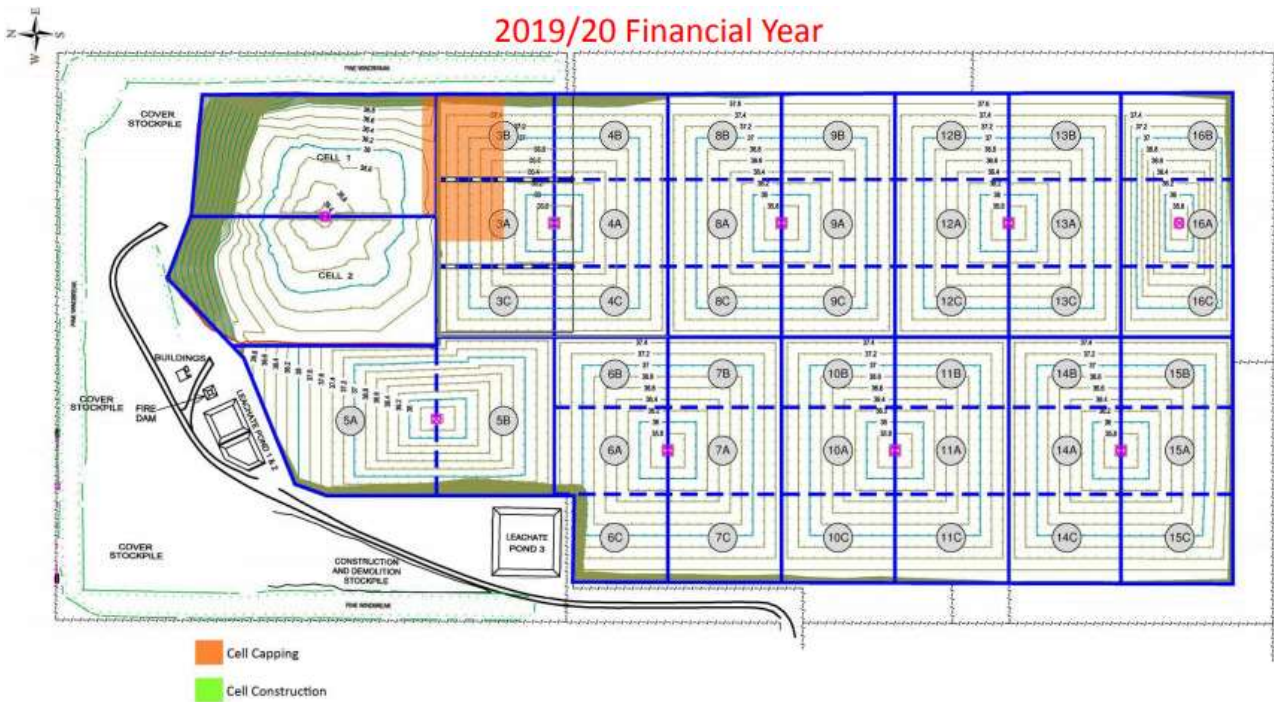
Nil

RESOURCE IMPLICATIONS

By awarding the contract for construction of the capping of Cell 3A & B, minimal impact will be made on Council staff with labour, equipment and material supplied by the contractor.

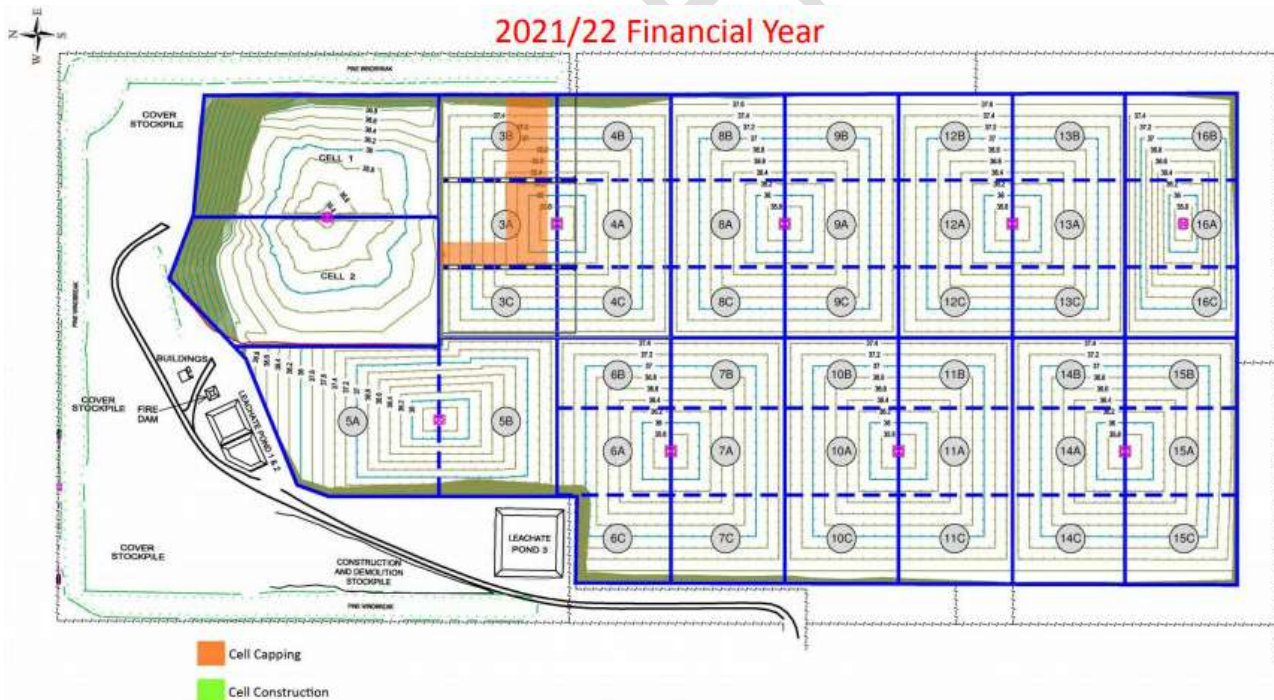
A budget provision for Caroline Landfill capping of \$700,000 was made in the 2020/21 Capital Expenditure budget as described in the Future Cell Construction & Capping Plan 2021-2029.





\$700,000

A further provision of \$750,000 was to be budgeted in the 2021/22 financial year to complete the capping of Cell 3A & B.



\$750,000

VALUE FOR MONEY

During the planning stage for the tender process, a decision was made to combine the two works programs for capping of Cells 3A & B. Efficiencies could be realised by having the equipment onsite to complete the works in a single process thus saving costs for the overall project. This has been

proven as evidenced in the tender process undertaken. A potential saving of >\$400,000 can be realised.

RISK IMPLICATIONS

As a fully engineered landfill, the risk of not undertaking capping works to adequately entomb the waste in Cells 3A & B in accordance with EPA regulations have a potential for significant environmental impact on the surrounding aquifers and natural environment. These risks include:

- Contamination of the surrounding ground waters in the underlying aquifers should waste or leachate escape the encapsulated cell.
- Landfill gas created by the breakdown of rubbish escaping to the atmosphere.
- Significant production of leachate as surface water leeches through the waste mass.
- Erosion of the interim cap as surface water drains off the surface causing waste to become exposed and vulnerable to vermin infestation.
- Fines and expiations issued by the EPA for failure to adequately manage waste at the site.
- Potential closure of the site by the EPA.
- Potential reputational harm for the City of Mount Gambier.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

The procurement tender process was undertaken in accordance with Council Procurement Policy P420. The tender was advertised through SA Tenders and Contracts.

Once awarded, contractors that provided tenders will be notified of the outcome of the tender evaluation and provided feedback on their submission in accordance with Council's Procurement Policy.

IMPLEMENTATION STRATEGY

Council has engaged AECOM Australia Pty Ltd over a number of years to provide technical expertise in the design and monitoring of Caroline Landfill. AECOM will provide project management assistance to monitor the construction process and ensure the quality standards are met to ensure compliance with EPA requirements.

The successful contractor is also required to provide Level 1 Supervision of the construction process to ensure testing requirements of material types and compaction results are met in accordance with the construction specifications approved by the EPA.

All communication between Council and contractors including AECOM will be undertaken through the Manager Waste and ReUse.


CONCLUSION AND RECOMMENDATION

Council has a duty of care as the owner and operator of the Caroline Landfill site to comply with the *Environment Protection Act 1993* regarding waste management. In accordance with this Act, Cells 3A & B having reached capacity for waste filling must be appropriately entombed with the construction of the final cap in accordance with EPA guidelines as per the approved engineering design.

In order to accomplish this work, contractors appropriately qualified to undertake this work are required to be engaged by Council. The attached Procurement Recommendation Report outlines the process and probity of engaging a suitably qualified contractor. It is recommended that Council consider the Procurement Recommendation Report and authorise the award of the contract AF21/68 to the preferred tenderer Gambier Earth Movers Pty Ltd for the fixed lump sum amount of \$845,478.70 (GST exclusive).



ATTACHMENTS

1. Tender AF21/68 Caroline Landfill Capping of Cells 3A & B - Procurement Recommendation Report - November Council Meeting 2021 [↓](#) 

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PROCUREMENT RECOMMENDATION REPORT

Request for Tender AF21/68

Caroline Landfill: Capping of Cells 3A & B

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Procurement Recommendation Report

1. Background

The City of Mount Gambier issued an open Request for Tender (RFT) on 23 July 2021 seeking responses from suitability qualified tenderers for the capping of Cells 3A and B at Caroline Landfill, located on Vorwerk Road approximately 12 kilometres South East of Mount Gambier. At close of tender on 20 August 2021, five conforming submissions were received.

This report details the procurement process and provides a recommendation for Council's consideration.

2. Acquisition Strategy Used

In order to ensure best value for money and maximum community benefit and pursuant to Council's Procurement policy, an open market tender was used to secure a suitably qualified contractor to undertake the works.

Probity oversight and overall process; submission evaluation, due diligence checks and preparation of this procurement recommendation report has been completed by the Council.

The procurement process and evaluation methodology has followed a rigorous and robust process and met the requirements for procurement under Council's Policy P420 Procurement and Disposal of Land and Assets and the SA Local Government Act 1999 (SA).

3. Procurement Process Details

3.1 Documentation Used

A collaborative approach with key stakeholders was utilised in the preparation of the tender specification documentation. Council engaged the services of AECOM Australia Pty Ltd to prepare a Construction Quality Assurance (CQA) Plan and detailed design drawings for the construction. All of which were developed in accordance with the SA EPA *Guidelines Environmental Management of landfill facilities (municipal solid waste and commercial industrial general waste)*, April 2019.

This CQA plan will ultimately provide a means of managing quality and materials whilst demonstrating to stakeholders that the construction complies with the design during the works implementation. The plan details milestone and hold points, inspections, documentation review and approvals required.

The RFT documentation was prepared taking into account:

- Local Government Act 1999 (SA)
- Council's P420 Procurement and Disposal of Land and Assets
- Detailed specification and drawings, facility detail and response schedules for required outcomes.
- Draft Contract Terms and Conditions
- City of Mount Gambier Contractor Management Guide

Tender documentation was uploaded to SA Tenders & Contracts website portal:



New Tender Details for CMG049745

Tender Issued By:
City of Mount Gambier

Type:
Request for Tender

Opening Date:
23/07/2021 18:00

Closing Date:
20/08/2021 12:00

Contract No.
No. AF21/68

Tender Name:
Tender AF21/68 Caroline Landfill Capping of Cells 3A & B

Description:

The City of Mount Gambier (the Council) invites Tenders from suitably qualified Tenderers for the Capping of Cells 3A and B at Caroline Landfill, located on Vorwerk Road approximately 12 kilometres South East of Mount Gambier. (the Services). The Council will enter into a Contract for Services with the successful Tenderer. The Contract will be a fixed lump sum Contract.

Council has previously constructed Engineered Landfill Cells (Cell 1, Cell 2, Cell 3A, Cell 3B and Cell 3C) and the site is a functioning landfill and will need to remain fully operational during the course of this contract.

In general, this tender is for the construction of a clay cap to an approximate area of approximately 12.130m² to Cell 3A and Cell 3B landfill. Contractors are to supply and place all material as detailed in the specification of works included in the Construction Quality Assurance (CQA) Plan and Specifications.

Tender Link:
This tender can be viewed here: [Tender AF21/68 Caroline Landfill Capping of Cells 3A & B](#)

3.2 Tenders Submitted

Tenders closed with SA Tenders and Contracts at 12.00 Noon ACST on 20 August 2021. Five tender submissions were received and downloaded by Procurement:

- BMD Constructions Pty Limited
- Gambier Earth Movers Pty Ltd
- Mibus Bros (Aust) Pty Ltd
- T & J Constructions Pty Ltd
- Teagle Contracting Pty Ltd

SA Tenders & Contracts Screenshot:

Tender Team Details

Tender Box Opened: 23/08/2021 10:32 AM

Downloaded Tender Responses: 23/08/2021 10:33 AM

3.3 Conformance Assessment

Conformance assessment was undertaken by Procurement and all tender submissions received were compliant.

3.4 Probity/Conflict of Interest

No Probity or Conflict of Interest issues were identified in relation to this procurement (refer AR21/59255 Probity and Evaluation Plan; AR21/62661 Probity and Evaluation Plan Process Log).

3.5 Due Diligence

The following due diligence checks were made:

- ABN/ACN checks
- Financial Capacity
- Licences and Accreditation
- Insurance
- Work Health Safety and Risk Management
- Environmental Management Systems
- Quality Systems
- COVID-19 Strategy for potential impacts/disruptions

4. Evaluation Methodology

4.1 Approved Evaluation Methodology

The evaluation criteria and weightings for this procurement which outlined the proposed approach for the evaluation:

Table 1 – Evaluation criteria, scoring and weighting:

2. Qualitative Evaluation Criteria	Comments	Max Score	Score	% applied weighting	Final Score
Organisation Structure, Facilities and Resources		10		10	0
Experience		10		20	0
Customer Service Plan		10		5	0
Implementation Schedule and Transition Plan		10		25	0
Proposed Methodology/Approach		10		25	0
Value Added Services, Improvements & Innovations		10		5	0
Local Content *refer definition below for scoring		10		10	0
Total:		70		100	0

Scoring against evaluation criteria was undertaken using a scale from 1 to 10 (10 representing the maximum available score)

Table 2 – Evaluation score ranges

Qualitative Evaluation Criteria	EXCELLENT Full achievement of the requirements specified in the RFT. Demonstrated strengths, no significant weaknesses or omissions.	VERY GOOD Sound achievement of the requirements specified in the RFT. May contain minor weaknesses or omissions which may be acceptable as offered.	SATISFACTORY Reasonable achievement of the requirements specified in the RFT. Some weaknesses or omissions, which can be corrected/overcome with minimum effort.	UNSATISFACTORY Minimal achievement of the requirements specified in the RFT. Some weaknesses or omissions which may be possible to correct/overcome and make acceptable.	UNACCEPTABLE Totally deficient and non-compliant.
Score ranges	9-10	7-8	5-6	2-4	0-1
Score ranges	9-10	7-8	5-6	2-4	0-1
• Local Content	Full intended use of compliant local service providers, local materials or working with local agencies to secure labor.	Good intended use of compliant local service providers, local materials or working with local agencies to secure labor.	Reasonable intended use of compliant local service providers, local materials or working with local agencies to secure labor.	Minimal intended use of compliant local service providers, local materials or working with local agencies to secure labor.	No intended use of compliant local service providers, local materials or working with local agencies to secure labor.

The tender evaluation considers both price and non-financial qualitative criteria.

Emphasis has been placed on awarding the tender to a contractor who can:

- meet the project timelines required (works completed by April 2022)
- propose an appropriate project methodology and implementation schedule
- demonstrate previous experience in cell capping

4.2 Evaluation Team

Table 3 – Tender Evaluation Team

Name	Position Title	Role
Andrew Thompson	Design Engineer	Evaluator 1
Mark McDonald	Manager Waste & ReUse	Evaluator 2
Chris Habets	Construction Coordinator	Evaluator 3
Michael McCarthy	Manager Governance & Property	Evaluator 4

4.3 Evaluation

All tenders progressed to the weighted evaluation stage. Scoring was undertaken individually and submitted individually against the defined and weighted qualitative (non-financial) criteria and a summary prepared by Procurement. No conflicts of interest were declared by members of the tender evaluation team (TET).

Table 4 – Submission Qualitative (non-financial) Scoring Summary

QUALITATIVE SUMMARY	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4	Average	Rank
BMD Constructions Pty Limited	94.5	87	75	87	85.88	3
Gambier Earth Movers Pty Ltd	99	90	82.5	87	89.63	1
Mibus Bros (Aust) Pty Ltd	93.5	88	77.5	85	86.00	2
T & J Constructions Pty Ltd	79.5	74.5	72	73	74.75	4
Teagle Contracting Pty Ltd	76.5	75	75.5	56	70.75	5

Table 5 – Tendered pricing (exc GST)

PRICING (exc GST)	Total
BMD Constructions Pty Limited	\$1,443,279.76
Gambier Earth Movers Pty Ltd	\$845,478.70
Mibus Bros (Aust) Pty Ltd	\$1,091,461.00
T & J Constructions Pty Ltd	\$1,863,546.00
Teagle Contracting Pty Ltd	\$1,231,902.00

Table 6 – Value for Money outcome

VALUE FOR MONEY	Tendered indicative value (TV)	Evaluation Score (ES)	TV ÷ ES = Value for Money	Final Ranking
BMD Constructions Pty Limited	\$1,443,279.76	85.88	\$ 16,805.77	3
Gambier Earth Movers Pty Ltd	\$845,478.70	89.63	\$ 9,432.99	1
Mibus Bros (Aust) Pty Ltd	\$1,091,461.00	86.00	\$ 12,691.41	2
T & J Constructions Pty Ltd	\$1,863,546.00	74.75	\$ 24,930.38	5
Teagle Contracting Pty Ltd	\$1,231,902.00	70.75	\$ 17,412.04	4

5. Tender Evaluation Team Recommendation

Following a comprehensive evaluation process of the tenders received, and consideration of the views of the TET at a meeting held 26 September 2021, **Gambier Earth Movers Pty Ltd** was unanimously selected by the TET as the preferred tenderer on the following basis:

- Highest TET consensus score of all tenderers for the non-financial qualitative assessment criteria highlighted in Table 4 – Submission Qualitative (non-financial) Scoring Summary above.

- The most competitive tendered fixed lump sum price at \$845,478.70 – 22.5% lower than closest priced competitor.
- Local company offering the best overall value for money tender through an adequately resourced team (low cost of mobilisation and no accommodation expense) with support to local businesses wherever possible during construction. Local sub-contractors nominated: SMS Geotechnical, Tonkin Consulting and Cameron Lock Surveying.
- Methodology showed a good understanding of the works requirements with an implementation schedule that will deliver the required outcomes.
- Extensive previous experience and working relationship with Council on a number of civil engineering projects with previous cell capping experience at Caroline Landfill.
- Current status on Council's Prequalified Contractor Register.

In overall terms, considering both qualitative non-financial criteria and tender pricing, Gambier Earth Movers Pty Ltd.'s tender submission is ranked as the highest scoring submission and is considered to offer the best value-for-money outcome with minimum risk.

6. **Budget Position**

A budget provision for Caroline Landfill capping of \$700,000 was made in the 2020/21 Capital Expenditure budget as described in the Future Cell Construction & Capping Plan 2021-2029. A further provision of \$750,000 was to be budgeted in the 2021/22 financial year to complete the capping of Cell 3A & B.

During the planning stage for the tender process, a decision was made to combine the two works programs for capping of Cells 3A & B. Efficiencies could be realised by having the equipment onsite to complete the works in a single process thus saving costs for the overall project. This has been proven as evidenced in the tender process undertaken. A potential saving of >\$400,000 can be realised.

Currently the Caroline Landfill Capping Provision Account balance to draw from is \$3,039,089.99.

7. **Contract Administration**

A formal fixed lump sum construction contract will be executed to deliver these works. The contractor will be required to submit a full Work Health Safety Plan with associated documents and Risk Management Plan to Council prior to any works commencing onsite and in accordance with the contract terms and conditions.

The contract and associated works will be managed internally by Council staff within existing resources whilst also utilising specialist external advice/support from AECOM Australia Pty Ltd.

8. **Conclusion**

The TET has undertaken evaluation in accordance with the planned procurement strategy, and the tender recommendation as presented in this report is a true reflection of the evaluation undertaken. The following recommendation is presented for formal consideration and approval.

9. **Recommendation**

That Council:

1. Authorises the award of the contract AF21/68 to the preferred tenderer Gambier Earth Movers Pty Ltd for the fixed lump sum amount of \$845,478.70 (GST exclusive).



2. Authorises the Chief Executive Officer to execute contract documents between Council and the preferred tenderer.
3. Authorises the Chief Executive Officer to approve additional justified expenditure during the contract.
4. Authorises funds to be expended from General Ledger 8800.9800.9805 Caroline Landfill Cell Capping Provision.



Lisa HINTON
PROCUREMENT OFFICER

CONFIDENTIAL



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 26.1 AR21/70391 AF21/68 Tender - Procurement - Caroline Landfill - Capping of Cells 3A & B 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 12 months after the completion of the tender works, with the name of the successful tenderer and the tender contract value to be disclosed following execution of a contract.
2. Further that Council delegates the power to review, revoke, but not extend 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 CITY OF MOUNT GAMBIER COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 16 NOVEMBER 2021 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Mezinec, Cr Max Bruins, Cr Paul Jenner, Cr Frank Morello

OFFICERS IN ATTENDANCE:

Chief Executive Officer	- Mrs S Philpott
General Manager City Infrastructure	- Ms B Cernovskis
General Manager Shared Services	- Mr D Barber
General Manager City Growth	- Mr T Coote
Acting General Manager Community Wellbeing	- Mrs G Davison
Manager Governance and Property	- Mr M McCarthy
Manager Waste and ReUse	- Mr M McDonald
Manager Finance	- Ms J Scoggins
Media and Communications Coordinator	- Ms S McLean
Executive Administrator City Infrastructure	- Ms S Wilson
Executive Administrator City Growth	- Ms T Chant

26 NEW CONFIDENTIAL ITEMS

26.1 AF21/68 TENDER - PROCUREMENT - CAROLINE LANDFILL - CAPPING OF CELLS 3A & B – REPORT NO. AR21/70391

RESOLUTION 2021/382

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

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 the Mayor, Councillors and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison, M McCarthy, M McDonald, J Scoggins, S McLean, S Wilson and T Chant be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR21/70391 AF21/68 Tender - Procurement - Caroline Landfill - Capping of Cells 3A & B.

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 matter to be considered relates to the consideration of a tender for works at Caroline Landfill - Capping of Cells 3A & B.

CARRIED

RESOLUTION 2021/383

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

1. That Council Report No. AR21/70391 titled 'AF21/68 Tender - Procurement - Caroline Landfill - Capping of Cells 3A & B' as presented on 16 November 2021 be noted.
2. That Council:
 - (a) Authorises the award of the contract AF21/68 to the preferred tenderer Gambier Earth Movers Pty Ltd for the fixed lump sum amount of \$845,478.70 (GST exclusive).
 - (b) Authorises the Chief Executive Officer to execute contract documents between Council and the preferred tenderer.
 - (c) Authorises the Chief Executive Officer to approve additional justified expenditure during the contract.
 - (d) Authorises funds to be expended from General Ledger 8800.9800.9805 Caroline Landfill Cell Capping Provision.

CARRIED

RESOLUTION 2021/384

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinec

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 26.1 AR21/70391 AF21/68 Tender - Procurement - Caroline Landfill - Capping of Cells 3A & B 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 12 months after the completion of the tender works, with the name of the successful tenderer and the tender contract value to be disclosed following execution of a contract.
2. Further that Council delegates the power to review, revoke, but not extend 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