



Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

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I hereby give notice that a Confidential Operational Standing Committee Meeting will be held on:

Date: Tuesday, 14 May 2019
Time: 5.45 p.m.
Location: Committee Room, Level 1
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Confidential Operational Standing Committee Meeting 14 May 2019

Graeme Maxwell
Chief Executive Officer

10 May 2019

7.2 SIR ROBERT HELPMANN THEATRE AND CIVIC CENTRE: FIRE DETECTION AND EMERGENCY SYSTEM UPGRADE – REPORT NO. AR19/19553

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Operational Standing Committee orders that all members of the public, except Councillors S Perryman, L Martin, C Greco, P Jenner and K Amoroso be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Operational Standing 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 To enable a discussion without prejudicing the commercial position of Council..

Committee:	Operational Standing Committee
Meeting Date:	14 May 2019
Report No.:	AR19/19553
CM9 Reference:	AF17/226
Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Judy Nagy, General Manager City Growth
Summary:	The report provides Council with the outcome of the tender process regarding the upgrade of the existing fire detection system and occupant warning system for the Civic Centre and Sir Robert Helpmann Theatre.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location

The Committee 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:

- (b) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business; or proposing to conduct business; or to prejudice the commercial position of the Council.

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/19553 titled 'Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade' as presented on 14 May 2019 be noted.
2. That Council accept the tender of RMW Fire Services for the Sir Robert Helpmann Theatre and Civic Centre Fire Detection and Emergency System Upgrade (as identified in Tender AF18/564) and enter into a contract as identified in the tender process.
3. An additional \$100,000 be reserved as a contingency sum for this project with equal contribution from both Country Arts SA and Council.



BACKGROUND

Council has recently advertised a tender for the upgrade of the existing fire detection system and occupant warning system for the Civic centre and Sir Robert Helpmann Theatre.

The capital project proposed is the upgrade of the existing fire detection system and occupant warning system for the Civic Centre and Sir Robert Helpmann Theatre. This building is jointly occupied by the City of Mount Gambier and the South Australian Country Arts trust (Country Arts Trust SA), as such the project is being jointly undertaken by both parties. On 23rd January, 2019 a Memorandum of Understanding outlining the procurement process of the project was signed by both parties. As part of the Memorandum of Understanding it was agreed that Council will take a leadership role in the management of the project, including the tender process, for which the Trust agrees and is very appreciative of.

The building has dual roles, being the offices of the Council and offices at the Sir Robert Helpmann Theatre operated by the Country Arts Trust.

The building constructed in 1979-1980 houses a theatre with the associated back of house area and offices and Council offices located on three levels. Whilst these two different occupancies are physically separated, due to the building layout, it is considered as a single entity and is reliant on one fire detection system for building fire safety requirements.

The current fire detection system within the building can be described simply as follows:

- A Fire Indication Panel (FIP)
- Hardware such as smoke and heat detectors
- Associated cabling between the FIP and the detectors

The existing Fire Information Panel has component faults occurring and it has been confirmed that spare parts of the existing panel are becoming difficult to source and the existing system needs replacement. To ensure consistency it is recommended the entire building occupant warning system is replaced with a new system.

An audit of the FIP and associated hardware instigated by both Country Arts SA and the City of Mount Gambier was carried out in October 2017. Based on the audit a proposal from System Solutions Engineering dated 20th December 2017 was submitted to Country Arts SA with the total estimated cost of \$250,000.00 to replace the FIP. The City of Mount Gambier has subsequently allocated \$125,000.00 in its 2018/2019 budget to undertake this work. Country Arts SA have also contributed \$125,000.00 towards this project.

It is important to understand that the current FIP and associated hardware combine as the Primary fire detection system for the whole building. Any failure of this system, leaves the building without a primary first response fire warning system, the result of which could be at worst a human casualty, but certainly at best, the use of a building with a known deficient fire warning system.

DISCUSSION

System Solutions Engineering was engaged to provide assistance and specialist technical support and guidance throughout the project including:

- Preparation of the documentation and specifications to form the basis of the tender process
- Tender phase, for responding to any queries raised by tenders, assess the quotes and provide recommendations
- Construction phase, for responding to any queries and oversee the work including the review of Operation and Maintenance Manuals.

The benefit of the use of specialist and technical expertise is acknowledged by both parties to ensure the project delivers the desired outcomes of mutual benefit to both parties.



The tender process was coordinated by Council's Procurement Officer in accordance with Council's Procurement Policy. At the close of tenders, 2 tenders were received from:

- Compliant Fire Services; and
- RNW Fire Services

An assessment of the two tenderers was carried out by 5 people, 2 Council employees, The Fire Engineer from System Solutions Engineering, the Infrastructure Manager of Country Arts SA and the Theatre Manager of the Sir Robert Helpmann Theatre. The process used involved a tender evaluation form which assesses various elements of the tenderers ability to perform the works in accordance with the conditions of the contract. Elements such as licences, work health and safety and quality of works were evaluated. Pricing was considered separately.

A summary of the evaluation and pricing is presented in the tables below.

Qualitative Summary

	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4	Evaluator 5	Average	Rank
Compliant Fire Service Pty Ltd	93	77	78	63.5	100	82.30	1
RNW Fire Services Pty Ltd	93	61	68.5	62	98	76.50	2

Pricing Summary

Compliant Fire Service Pty Ltd	*\$363,624.00
RNW Fire Services Pty Ltd	\$150,000.00

Comments

There was minimal difference between the qualitative scoring but massive difference in the pricing provided.

Some additional comments provided by the Fire Engineer who prepared the tender documentation for this project included:

Compliant Fire pricing is significantly higher than budget and "with the exception of the heritage element, or which we have no knowledge of relevance, all the PC Sums represent works required to be included"

RMW Fire Services pricing is lower than the budget of \$250,000. "No qualifications or exclusions therefore we have no reason to consider that documented items are not allowed for. As it is an existing site with areas of difficult access, it is recommended that should this offer be selected, a contingency sum of at least \$100,000 is considered."

Both tenders would be capable in undertaking the work. There is minimal difference between the qualitative scoring but massive difference in the pricing provided. Compliant Fire have experience in installing systems within public buildings such as theatres and large public halls. However, RNW Fire Services were also identified as a firm that would be able to undertake the work.



CONCLUSION

In summary the existing FIP system is faulty and needs to be fixed as a matter of urgency. The fire panel is no longer recognised as meeting the current standards within the Australian Standards, National Construction Code and the Development Act 1993 for a fire system design and installation.

The tender process has been undertaken following due diligence and in accordance with Council's Procurement Policy and Procedure and has gone through a thorough evaluation process with representatives from Country Arts SA, Council and an Independent person with relevant expertise in this matter.

There was minimal difference between the qualitative scoring of the tenders received but a massive difference in pricing.

When considering the experience and competence of the companies who submitted tenders significant weighting is placed upon the advice from the independent Fire Engineer who has had in depth involvement and input into this project. On this basis it is recommended that RMW Fire Services be the preferred tender, however it is recommended that should this offer be selected, a contingency sum of at least \$100,000 be accommodated for.

ATTACHMENTS

Nil

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 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade 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) (b) be kept confidential and not available for public inspection until 29 April 2019.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CONFIDENTIAL

**MINUTES OF CONFIDENTIAL OPERATIONAL STANDING COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, LEVEL 1, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 14 MAY 2019 AT 5.45 P.M.**

PRESENT: Cr Christian Greco (Presiding Member), Cr Steven Perryman, Mayor Lynette Martin (OAM), Cr Kate Amoroso, Cr Paul Jenner (via teleconference)

IN ATTENDANCE: Cr Frank Morello (arrived at 6.05 p.m.), Cr Sonya Meziniec (arrived at 6.06 p.m.)

OFFICERS IN ATTENDANCE	Chief Executive Officer	- Mr G Maxwell
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager Council Business Services	- Mrs P Lee
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Manager Development Services	- Mrs T Tzioutziouklaris
	Executive Administration Officer	- Mrs M Telford

7.2 SIR ROBERT HELPMANN THEATRE AND CIVIC CENTRE: FIRE DETECTION AND EMERGENCY SYSTEM UPGRADE – REPORT NO. AR19/19553

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Steven Perryman

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Operational Standing Committee orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, S Meziniec, F Morello and Council Officers G Maxwell, N Serle, B Cernovskis, P Lee, J Nagy, T Tzioutziouklaris and M Telford and Blue Lake Golf Club representatives Gary Stevens, Shane Fenwick, Rhonda Ferguson, Steve Smith and Peter Sealey be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade.

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

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The Operational Standing 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 To enable a discussion without prejudicing the commercial position of Council.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Mayor Lynette Martin

1. That Operational Standing Committee Report No. AR19/19553 titled 'Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade' as presented on 14 May 2019 be noted.
2. That Council accept the tender of RMW Fire Services for the Sir Robert Helpmann Theatre and Civic Centre Fire Detection and Emergency System Upgrade (as identified in Tender AF18/564) and enter into a contract as identified in the tender process.



3. An additional \$100,000 be reserved as a contingency sum for this project with equal contribution from both Country Arts SA and Council.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Steven Perryman

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 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade 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) (b) be kept confidential and not available for public inspection until 29 April 2020.
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CARRIED



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

Date: Tuesday, 21 May 2019
Time: 6.00 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Confidential Council Meeting 21 May 2019

Graeme Maxwell
Chief Executive Officer

17 May 2019

26 CONFIDENTIAL ITEMS OF COMMITTEES

26.1 CONFIDENTIAL ITEMS OF THE OPERATIONAL STANDING COMMITTEE HELD ON 14/05/2019

26.2 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade – Report No. AR19/19553

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

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Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Judy Nagy, General Manager City Growth
Summary:	The report provides Council with the outcome of the tender process regarding the upgrade of the existing fire detection system and occupant warning system for the Civic Centre and Sir Robert Helpmann Theatre.
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CONCLUSION

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ATTACHMENTS

Nil

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 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade 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) (b) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis 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, 21 MAY 2019 AT 6.00 P.M.**

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

IN ATTENDANCE:

Acting Chief Executive Officer	-	Dr J Nagy
General Manager Community Wellbeing	-	Ms B Cernovskis
General Manager Council Business Services	-	Mrs P Lee
General Manager City Infrastructure	-	Mr N Serle
Manager Development Services	-	Mrs T Tzioutziouklaris
Manager Executive Administration	-	Mr M McCarthy
Media and Communications Coordinator	-	Ms S McLean
Executive Administration Officer	-	Mrs F McGregor

26 CONFIDENTIAL ITEMS OF COMMITTEES

26.1 CONFIDENTIAL ITEMS OF THE OPERATIONAL STANDING COMMITTEE HELD ON 14/05/2019

Pursuant to Section 75A of the Local Government Act 1999, Cr Morello disclosed an actual conflict of interest in Item 26.2:

"While it is a legislative requirement that the fire detection system meets the relevant standards, I intend to leave the chamber.

Cr Morello informed the meeting of the manner in which they intend to deal with the *actual conflict of interest in Item 26.3* as follows:

I intend to leave the chamber. "

In accordance with Section 75A of the Local Government Act 1999 Cr Morello left the Chamber for Item 26.2 at 8.55 p.m.

26.2 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade – Report No. AR19/19553

RESOLUTION 2019/124

Moved: Cr Christian Greco
Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Operational Standing Committee orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, B Hood, M Bruins, F Morello and Council Officers N Serle, B Cernovskis, P Lee, J Nagy, T Tzioutziouklaris, M McCarthy, S McLean and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire



Detection and Emergency System Upgrade.

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

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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 To enable a discussion without prejudicing the commercial position of Council.

CARRIED



MOTION

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Operational Standing Committee Report No. AR19/19553 titled 'Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade' as presented on 14 May 2019 be noted.
2. That Council accept the tender of RMW Fire Services for the Sir Robert Helpmann Theatre and Civic Centre Fire Detection and Emergency System Upgrade (as identified in Tender AF18/564) and enter into a contract as identified in the tender process.
3. An additional \$100,000 be reserved as a contingency sum for this project with equal contribution from both Country Arts SA and Council.

RESOLUTION 2019/125

Moved: Cr Max Bruins

Seconded: Cr Steven Perryman

AMENDMENT

Moved: Cr Max Bruins

Seconded: Cr Steven Perryman

1. That Operational Standing Committee Report No. AR19/19553 titled 'Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade' as presented on 14 May 2019 be noted.
2. That Council accept the tender of RMW Fire Services for the Sir Robert Helpmann Theatre and Civic Centre Fire Detection and Emergency System Upgrade (as identified in Tender AF18/564) and enter into a contract as identified in the tender process.

Carried

The Amendment becomes the Motion

CARRIED

Cr Morello returned to the meeting at 9.05 p.m

RESOLUTION 2019/126

Moved: Cr Christian Greco

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 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade 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) (b) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.

2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED