



SHIRE OF
DOWERIN
TIN DOG TERRITORY

AGENDA

Special Council Meeting

To be held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Tuesday 7 March 2023
Commencing 1.00pm





NOTICE OF MEETING

Dear President and Councillors,

A Special Council Meeting will be held on Tuesday 7 March 2023 in the Shire of Dowerin Council Chambers, 13 Cottrell Street, Dowerin commencing at 1.00pm. The purpose of the meeting will be to adopt RFT T2023-01 - Maintenance Grading Road Works and the RFT T2023-02 - Supply of Bituminous Seal Works.

Rebecca McCall
Chief Executive Officer
2 March 2023

DISCLAIMER

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Dowerin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

It should be noted that the Attachment hyperlinks may not be functional from this document when sourced from the Shire of Dowerin's website. Attachment copies follow on from the end of the Agenda.

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Shire of Dowerin
Special Council Meeting
1.00pm Tuesday 7 March 2023



1. Official Opening

The President welcomes those in attendance and declares the meeting open.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr RI Trepp	President
Cr BA Ward	Deputy President
Cr WG Allsopp	
Cr DP Hudson	
Cr LG Hagboom	
Cr NP McMorran	
Cr JC Sewell	
Cr AJ Metcalf	

Staff

Ms R McCall	Chief Executive Officer
Mr A Wooldridge	Deputy Chief Executive Officer
Ms L Dreghorn	Executive & Governance Officer

Members of the Public:

Apologies:

Approved Leave of Absence:


3. Public Question Time

4. Disclosure of Interest

Councillors are to complete a Disclosure of Interest Form for each item they are required to disclose an interest in. The Form should be given to the Presiding Member before the meeting commences. After the meeting, the Form is to be provided to the Executive & Governance Officer for inclusion in the Disclosures Register.

5. OFFICER'S REPORTS – ASSET & WORKS

5.1 Request for Tender – T2023-01 Maintenance Grading Road Works

<h1>Asset & Works</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	28 February 2023	
Location:	Not applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Linley Dreghorn, Executive & Governance Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Functions & General) Regulations 1996</i>	
Sharepoint Reference:	Organisation/Corporate Management/Tendering	
Disclosure of Interest:	Nil	
Attachments:	Confidential Attachment 5.1A –Tender Specifications	

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents the draft tender specifications for the Request for Tender (RFT) – T2023-01 Maintenance Grading Road Works to Council for consideration and, if satisfactory, adoption.

Background

The Shire of Dowerin is committed to applying the objectives, principles and practices outlined in Policy 3.11 Purchasing Policy, to all purchasing activities and to ensuring alignment with the Shire's strategic and operational objectives.

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering procedures [F&G Reg.13].

The Asset and Works Committee were consulted in the preparation of the specifications of the tender documentation.

Comment

The RFT package will include all relevant documentation in accordance with legislative requirements and will incorporate the relevant selectional qualitative criteria and weightings (as approved by Council) to be applied during the tender analysis.

Permission is sought from Council to advertise this RFT in accordance with legislative requirements, with a report to be provided to the next Ordinary Meeting of Council following the close of tenders for determination, once the appropriate advertising and evaluation process is completed.

Consultation

Rebecca McCall, Chief Executive Officer
 Ben Forbes, Asset & Works Coordinator
 Asset & Works Committee – February 2023 Meeting
 Council Workshop – February 2023 Meeting

Policy Implications

Policy 3.11 – Purchasing Policy and Policy 3.15 – Regional Price Preference Policy are applicable.

Strategic Implications

Strategic Community Plan

Community Priority: Our Infrastructure
 Objective: We have functional infrastructure that meets the needs of the community.
 Outcome: 3.2
 Reference: 3.2.3

Asset Management Plan

Identified key controls and actions associated with asset management are factored into the Asset Management Plan.

Long Term Financial Plan

Identified key controls and actions associated with financial management are factored into the Long-Term Financial Plan.

Statutory Implications

Section 3.57 of the *Local Government Act 1995* is applicable and states:

“3.57. Tenders for providing goods or services

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.”*

Division 2 of the *Local Government (Functions & General) Regulations 1996* is applicable for the conduct of a tender process.

Risk Implications

Risk Profiling Theme	Supplier/Contract Management
Risk Category	Project Budget
Risk Description	\$200,001 - \$500,000
Consequence Rating	Moderate (3)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Moderate (5)
Key Controls (in place)	RRG 5 Year Plan AMP and LTFP

Action (Treatment)	Develop Standardised Contracts; Document Financial Controls
Risk Rating (after treatment)	Adequate

Financial Implications

The tender amounts will be a consideration in the 2023/2024 Capital Road Construction budget.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation - 5.1

That, by Simple Majority, in accordance with Section 3.57 of the *Local Government Act 1995* and Division 2 of the *Local Government (Functions and General) Regulations 1996*, Council:

- 1. Endorses the Tender Specifications for the RFT - T2023-01 Maintenance Grading Road Works, as presented in Confidential Attachment 5.1A;**
- 2. Approves the Selection Criteria and Weightings as contained in the Tender Specifications mentioned in point 1 above;**
- 3. Endorses advertising of the Tender Specifications for the RFT - T2023-01 Maintenance Grading Road Works; and**
- 4. Notes that a confidential report will be presented to Council at the next Ordinary Meeting of Council following the close of tender submissions and completion of the tender evaluation process.**

5.2 Request for Tender – T2023-02 Supply of Bituminous Seal Works

<h2>Asset & Works</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	28 February 2023	
Location:	Not applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Linley Dreghorn, Executive & Governance Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Functions & General) Regulations 1996</i>	
Sharepoint Reference:	Organisation/Corporate Management/Tendering	
Disclosure of Interest:	Nil	
Attachments:	Confidential Attachment 5.2A –Tender Specifications	

Purpose of Report

Executive Decision
 Legislative Requirement

Summary

This Item presents the draft tender specifications for the Request for Tender (RFT) – T2023-02 Supply of Bituminous Seal Works to Council for consideration and, if satisfactory, adoption.

Background

The Shire of Dowerin is committed to applying the objectives, principles and practices outlined in Policy 3.11 Purchasing Policy, to all purchasing activities and to ensuring alignment with the Shire’s strategic and operational objectives.

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire’s tendering procedures [F&G Reg.13].

The Asset and Works Committee were consulted in the preparation of the specifications of the tender documentation.

All bituminous seal projects undertaken within the Shire of Dowerin will be completed by the successful tenderer for the duration of the contract.

Comment

The RFT package will include all relevant documentation in accordance with legislative requirements and will incorporate the relevant selectional qualitative criteria and weightings (as approved by Council) to be applied during the tender analysis.

Permission is sought from Council to advertise this RFT in accordance with legislative requirements, with a report to be provided to the next Ordinary Meeting of Council following the close of tenders for determination, once the appropriate advertising and evaluation process is completed.

Consultation

Rebecca McCall, Chief Executive Officer
 Ben Forbes, Asset & Works Coordinator
 Asset & Works Committee – February 2023 Meeting
 Council Workshop – February 2023 Meeting

Policy Implications

Policy 3.11 – Purchasing Policy and Policy 3.15 – Regional Price Preference Policy are applicable.

Strategic Implications

Strategic Community Plan

Community Priority: Our Infrastructure
 Objective: We have functional infrastructure that meets the needs of the community.
 Outcome: 3.2
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Asset Management Plan

Identified key controls and actions associated with asset management are factored into the Asset Management Plan.

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Section 3.57 of the *Local Government Act 1995* is applicable and states:

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Risk Implications

Risk Profiling Theme	Supplier/Contract Management
Risk Category	Project Budget
Risk Description	\$200,001 - \$500,000
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Risk Matrix Rating	Moderate (5)
Key Controls (in place)	RRG 5 Year Plan AMP and LTFP

Action (Treatment)	Develop Standardised Contracts; Document Financial Controls
Risk Rating (after treatment)	Adequate

Financial Implications

The tender amounts will be a consideration in the 2023/2024 Capital Road Construction budget.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation - 5.2

That, by Simple Majority, in accordance with Section 3.57 of the *Local Government Act 1995* and Division 2 of the *Local Government (Functions and General) Regulations 1996*, Council:

1. **Endorses the Tender Specifications for the RFT - T2023-02 Supply of Bituminous Seal Works, as presented in Confidential Attachment 5.2A;**
2. **Approves the Selection Criteria and Weightings as contained in the Tender Specifications mentioned in point 1 above;**
3. **Endorses advertising of the Tender Specifications for the RFT - T2023-02 Supply of Bituminous Seal Works; and**
4. **Notes that a confidential report will be presented to Council at the next Ordinary Meeting of Council following the close of tender submissions and completion of the tender evaluation process.**

6. Closure