



Council Chambers,  
BERRIGAN NSW 2712

Sir/Madam,

Notice is hereby given that an extraordinary Meeting of the Council of the Shire of Berrigan will be held in the **Council Chambers**, Berrigan, on **3<sup>rd</sup> May 2017 commencing at 9:00am, to consider and order upon the Tender T02/16/17 for the Yarrawonga Road Realignment.**

No business, other than that on the Agenda, may be dealt with at this meeting unless admitted by the Mayor.

ROWAN PERKINS  
GENERAL MANAGER



**Extraordinary Council Meeting**

**Wednesday 3<sup>rd</sup> May, 2017**

**BUSINESS PAPER**

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- 1. APOLOGIES**
  
- 2. DECLARATION OF ITEMS OF PECUNIARY OR OTHER INTEREST**
  
- 3. TENDER T02/16/17 YARRAWONGA ROAD REALIGNMENT**

**AUTHOR: Executive Engineer**

**STRATEGIC OUTCOME: Sustainable natural and built landscapes**

**STRATEGIC OBJECTIVE: 1.3 Connect and protect our communities**

**FILE NO: T02/16/17**

**RECOMMENDATION: - that the Council**

- 1. accepts the tender submission from Andrew Goldman Excavations in the amount of \$240,411.80;**
- 2. sign and seal the contract documents in relation to 1 above;**
- 3. appoint the Director of Technical Services as the Contract Superintendent.**

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**REPORT:**

This tender is for T02/16/17 Yarrawonga Road Realignment. As part of the 2016-17 financial year budget the realignment of the curve approximately 1.1km from the intersection of the Riverina Highway is scheduled to be completed.

The contract is a lump sum contract.

The total value of the contract based on Tender Price is \$240,411.80

## Items requiring Council Resolution

Tenders closed at 2:00pm Wednesday 19<sup>th</sup> April, 2017. At the time of closing a total of 4 submissions were received:

DOWER EDI WORKS PTY LTD  
 ELITE ROADS PTY LTD  
 RECIVIL PTY LTD  
 ANDREW GOLDMAN EXCAVATIONS

### Consideration of the Tenders

All tenders were considered by the Tender Evaluation Committee:

Matthew Clarke

Executive Engineer

Fred Exton

Director of Technical Services

### Consideration of Tenders

Each Tender was evaluated in accordance with the following evaluation Criteria:

Criteria	Highest Possible Score	Weighting
1. Price	4	5
2. Compliance with Specification	4	5
3. Track Record	4	2
4. Quality Systems	4	2
5. Availability of Appropriate Skills & Resources	4	2
6. Work Health & Safety Considerations	4	3
7. Contract completion date	4	3

A summary of each tenders evaluation by the tender assessment panel is provided in the confidential section.

### Summary

Based on the evaluation criteria, the tender assessment panel has selected the tender submission of Andrew Goldman Excavations as the preferred tender.

### Supervisor

The superintendent of the contract will be the Director of Technical Services and the superintendent's representative will be the Executive Engineer.

RESOLUTION

## Items requiring Council Resolution

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### 4. CLOSED COUNCIL

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

**Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.**

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

#### 4.1 TENDER T02/16/17 YARRAWONGA ROAD REALIGNMENT

This item is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Items requiring Council Resolution

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**RECOMMENDATION** - that the Council move into a closed session to consider the following business together with any reports tabled at the meeting.

And further that pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above and that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

**4.1 TENDER T02/16/17 YARRAWONGA ROAD REALIGNMENT**

Council closed its meeting at ..... The public and media left the Chamber.

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Items requiring Council Resolution

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Open Council resumed at .....

**RESOLUTIONS FROM THE CLOSED  
COUNCIL MEETING**

The following resolutions of the Council while the meeting was closed to the public were read to the meeting by the Mayor:

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**BERRIGAN SHIRE COUNCIL  
M E M O R A N D U M**

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**TO: GENERAL MANAGER**

**FROM: MAYOR**

**DATE: 26<sup>th</sup> APRIL 2017**

**SUBJECT: EXTRAORDINARY COUNCIL MEETING**

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Would you please convene an extraordinary meeting of the Council in accordance with the attached request.

Cr M Hannan  
MAYOR

27<sup>th</sup> April 2017

*Memo to the Mayor*

**Re: Extraordinary Council Meeting**

We the undersigned request that you call an extraordinary meeting of the Council, to be held on Wednesday 3<sup>rd</sup> May, 2017 commencing at 9:00am in the chambers to consider and order upon the following which we intend to move at the meeting:

1. Accept the tender submission from Andrew Goldman Excavations in the amount of \$240,411.80;
2. Sign and seal the contract documents in relation to 1. above;
3. Appoint the Director of Technical Services as the Contract Superintendent.

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