CITY OF ARMADALE

MINUTES

OF **TECHNICAL SERVICES COMMITTEE** HELD IN THE **COMMITTEE ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **WEDNESDAY, 7 APRIL 2010,** AT **7.00 PM.**

PRESENT:	Cr R Butterfield	Chair
	Cr K Lethbridge JP	
	Cr G A Best	
	Cr C J MacDonald	Deputy for Cr Munn
	Cr C M Wielinga	
	Cr D M Shaw	
APOLOGIES:	Cr L Sargeson	
LEAVE OF ABSENCE:	Cr J H Munn JP CMC	
	Cr W Mauger	
OBSERVERS:	Cr P J Hart	
	Cr R J Tizard	
IN ATTENDANCE:	Mr G Davies	Acting Executive Director Technical Services
	Mr J Gossmann	Manager Engineering and Design
	Mr P Lanternier	Manager Parks and Reserves
	Mr B Watkins	Manager Ranger and Emergency Services till 7.05pm
	Mr S Asmus	Manager Civil Works
	Mr J Glassford	Manager Property Services
	Ms N Brown	Asset Management Officer
	Ms V Carpenter	Minute Secretary
PUBLIC:	Nil	

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read by the Chairman.

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RESOLVED

Minutes of the Technical Services Committee Meeting held on 3 March 2010, be confirmed.

MOVED Cr Shaw
MOTION CARRIED (6/0)

ITEMS REFERRED FROM INFORMATION BULLETIN – ISSUE NO. 5

The following items were included for information in the "Technical Services" section:

- **Outstanding Matters & Information Items**
  Report on Outstanding Matters – Technical Services Committee T-1
- **Monthly / Quarterly Departmental Reports**
  Technical Services Works Programme T-2
- **Minutes of Occasional/Advisory Committees**
  Bungendore Park Management Committee Meeting Feb 2010 ..... T-8
  Miscellaneous
  Vandalism Statistics January 2010..... T-12
  Local Water Quality Improvement Plan T-15
  3rd Victorian Sustainable Development Conference T-23

Committee noted the information and no further items were raised for discussion and/or further report purposes.

I N D E X

TECHNICAL SERVICES COMMITTEE

7 APRIL 2010

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AUTHORISED OFFICERS

WARD	ALL
FILE REF:	
DATE	24 March 2010
REF	BW
RESPONSIBLE MANAGER	EDTS

In Brief:
- The appointment of Authorised Persons for the purposes of administering Local Laws relating to Technical Services.

Tabled Items

Activities and Trading in thoroughfares and Public Places Local Law
Local Government Property Local Law
Environment, Animals and Nuisance Local Law

Officer Interest Declaration

Nil

Strategic Implications

Nil

Legislation Implications

Section 9.10(1) Local Government Act 1995
Section 450 Local Government (Miscellaneous Provisions) Act 1960

Council Policy/Local Law Implications

Activities and Trading in Thoroughfares and Public Places Local Law
Environment, Animals and Nuisance Local Laws
Local Government Property Local Law

Budget/Financial Implications

Nil

Consultation

Executive Director Technical Services
Manager Ranger & Emergency Services

BACKGROUND

Nil

DETAILS OF PROPOSAL

To enable the following staff members to undertake the appropriate responsibilities it is a requirement that Council shall, in writing, appoint them to exercise on behalf of the Local Government the powers conferred on an "Authorised Person" for the purpose of enforcing various Local Laws generally.

Accordingly, and in an attempt to ensure full compliance is achieved, it is recommended that Council appoint the persons herein named as Authorised Persons.

COMMENT
The recommended appointment of the following persons as Authorised Officers is consistent with their position role description and will serve to facilitate and assist in the orderly business and performance of Technical Services.

T24/4/10 RECOMMEND

That the following persons:

- **Executive Director Technical Services;**
- **Manager Technical Services;**
- **Coordinator Technical Services;**
- **Manager Civil Works;**
- **Manager Parks; and**
- **Senior Sub Division Engineer;**

be appointed as "Authorised Persons" for the City of Armadale to exercise powers under:

- **Activities and Trading in Thoroughfares and Public Places Local Law;**
- **Environment, Animals and Nuisance Local Law; and**
- **Local Government Property Local Law.**

MOVED Cr Best
MOTION CARRIED (6/0)

The Manager Ranger and Emergency Service left the meeting at 7.05pm.

PRESENTATION – ASSET MANAGEMENT

During the next twelve months the Executive Director Technical Services has requested all Managers to make a short presentation to Councillors explaining the operations of their relevant departments.

The Manager Technical Services gave the first of these presentations relating to the Asset Management section.

As an introduction to the presentation, an 8 minute Institute of Public Works Engineering Australia (IPWEA) DVD titled "Sustainable Communities - Critical Insights", was shown, which was followed by a brief power point presentation on Council's Asset Management processes.

COST OF STREET LIGHTING

At the Council meeting held on 22 March 2010, Cr Munn referred the following matter to the Technical Services Committee.

> *That the matter of a review of the cost of street lighting due to increasing Synergy tariffs be referred to the Technical Services Committee and consideration be given to whether LED or solar lighting should be used in our car parks (refer pages Cor-9 and Cor-10 of Issue 5 of the Information Bulletin).*

The following comment has been provided by Cr Munn for consideration

> *I know we have discussed street lighting and cost before. With the rapid increase in tariff we maybe should review our policy, and maybe ask the residents whether they would be willing to have no street lights between 1.00 am and say dawn. Most robberies happen during day light hours and we should consider how much we could save and how it could be put to better use, rather than satisfy a perception of safety.*
>
> *Councils all over Australia are considering this same problem, and maybe we should do the same.*
>
> *I know SERAG has been instrumental in changing the lighting policies for council buildings and replacing the energy hungry lighting systems with environmental alternatives. However, in the new areas of development we should be looking at the new technologies. Some councils in the Eastern States are claiming savings of 70% on Park, Car Parks and other sporting facilities owned by councils.*

T25/4/10 RECOMMEND

> **That a report be provided to Committee regarding options for cost savings and energy efficiency alternatives in Council's street lighting system.**

MOVED Cr MacDonald
MOTION CARRIED (6/0)

TENDER NO. 01/10: TENDER FOR THE MAINTENANCE OF THE ARMADALE CBD & KELMSCOTT CBD STREETSCAPES

WARD	ALL
FILE REF	TEN/01/10
DATE	7 April 2010
REF	AL
RESPONSIBLE MANAGER	MP

In Brief:
- Tender No. 01/10 was recently called for the Maintenance of the Armadale CBD & Kelmscott CBD Streetscapes
- Four (4) tenders were received by the specified closing time.
- **Recommend**
  That Tender No. 01/10 for the Maintenance of the Armadale CBD & Kelmscott CBD Streetscape, Council not accept any tender received.

Tabled Items
Tender documents, tenders received.

Officer Interest Declaration
Nil.

Strategic Implications
Corporate Services
To achieve maximum community benefit from effective use of resources (staff, finances and information technology).

Legislation Implications
Assessment of Legislation indicates that the following regulations apply:
Local Government Act (Functions and General) Regulations 1996 s3.57 (11)(2)(f).

Council Policy/Local Law Implications
Assessment of Policy / Local Law indicates that the following are applicable:
Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications
Nil.

Consultation
Parks Officers

BACKGROUND
The Maintenance of the Armadale CBD & Kelmscott CBD Streetscapes was initially serviced through the Parks Departments day labour resource; however changes in the works schedule necessitated the requirement to engage contractors to perform this service. The original staff have been relocated to other duties within the Parks Department so as to effectively utilise the City's Parks resources. As the works required for the CBD areas will exceed $100,000 a tender has been called.

Existing Contract Information

No contract exists.

DETAILS OF PROPOSAL

The Request for Tender was advertised on the 23rd January 2010. Eleven (11) organisations requested tender documents with five (5) prospective Tenderers attending the mandatory onsite inspection. The City received submissions from four (4) companies as of the closing date of the tender.

The tender involves the maintenance of the Armadale & Kelmscott Streetscapes on a 7 day cycle and includes the following works:

- Garden Bed Maintenance
- Litter collection
- Rubbish bin maintenance
- Graffiti removal
- Public liaison
- Minor mowing & whipper snipping
- Footpath blowing
- Furniture & Fixture maintenance
- Minor tree pruning

CONTRACT TYPE	Schedule of Rates
CONTRACT DURATION	Two (2) years
COMMENCEMENT DATE	One week after Council approval
EXPIRY DATE	2 year period one week after Council approval
EXTENSION PERMITTED	No
ANNUAL CONTRACT COST	TBA
TOTAL CONTRACT COST	TBA
RISE AND FALL INCLUDED	No

SELECTION CRITERIA

The selection criteria and weightings for the evaluation of the tender are as follows:

Table 3: Selection Criteria

ITEM No.	DESCRIPTION	WEIGHTING
1.	Relevant Experience	20%
2.	Key Personnel Skills and Experience	20%
3.	Tenderer's Resources	15%
4	Demonstrated Understanding	20%
5.	Price	25%
	TOTAL	**100%**

Tenders Received
Tender were received form JCB Mowing, Programmed Property Services, Newscape Contractors and Hortwest Lawns and Landscape. An alternative tender was also submitted from Hortwest Lawns and Landscape.

TENDER EVALUATION
All tenders were evaluated according to the Selection Criteria in Table 3 and all conformed to the requirements of the tender. Each company provided documentation that demonstrated their relevant experience, key personnel, resources and understanding of the tender document.

However, the evaluation found significant discrepancies in the price submitted by each company for the various schedule of works. Although the total for the schedule of works is the determining factor for the weighting of Price, the variance of up to 500% in one schedule suggests concerns regarding the interpretation of the tender document. Additionally this variance does not represent true value to the City for the maintenance of the Armadale CBD & Kelmscott CBD areas and the total cost submitted by 3 of the 4 companies far exceeds the current budget allocation.

The alternative tender from Hortwest Lawns and Landscape was assessed and considered not to be of "value" to the City based on the variance in the schedule of works.

CONCLUSION
It is recommended that Council not accept any of the tenders submitted for the maintenance of the Armadale CBD & Kelmscott CBD Streetscapes and a review be undertaken of the tender documents with the view to re-tender in the immediate future.

T26/4/10 RECOMMEND

That pursuant to Regulation 18. (5) of the Local Government Act (Functions and General) Regulations 1996 Council decline to accept Tender 1/10 for the maintenance of the Armadale CBD & Kelmscott CBD Streetscapes because the prices submitted do not provide a benefit to the City.

MOVED Cr Shaw
MOTION CARRIED (6/0)

EXTENSION OF CONTRACT 06/09 FOR THE SUPPLY OF HIRED PLANT: WET HIRE OF EXCAVATOR

WARD	ALL
FILE REF	TEN/6/09
DATE	7 April 2010
REF	JC
RESPONSIBLE MANAGER	MCW

In Brief:

- Council approved the acceptance of the tender for the supply of hired excavator from 1 May 2009 to 30 April 2010 through resolution T30/4/09
- The Clause 4.1.2 included in the Request for Tender documents allowed for an extension of contract
- A panel of two tenderers were accepted in the above resolution
- The two tenderers have expressed interest in extending the contract 06/09 for another year
- **Recommend**
  That Council approves an extension of the contract 06/09 to B & J Breaker and All West Plant Hire as per Clause 4.1.2 of the Request for Tender for the period from 1 May 2010 to 30 April 2011 in accordance with their submitted expression of interest and Council's contract documentation and budget allocations.

Tabled Items
Tender documents; expression of interests to extend the contract.

Officer Interest Declaration
Nil

Strategic Implications
Corporate Services
To achieve maximum community benefit from effective use of resources (staff, finances and information technology).

Legislation Implications
Assessment of legislation indicates that the following regulations apply:
Local Government Act (Functions and General) Regulations 1996 s3.57 (11) (2) (f)

Council Policy/Local Law Implications
Assessment of Policy / Local Law indicates that the following are applicable:
Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications
Total current budget allocation within project costs as per 2009/10 and 2010/11 budgets.

Consultation
Civil Works supervisors

BACKGROUND
The acceptance of the tender 06/09 for the supply of hired plant: wet hire of excavator was approved by Council during meeting held in April 2009 through recommendation T30/4/09.

The contract includes the following clause:

"Clause 4.1.2 - Subject to the satisfactory performance of the Contract, the Principal may consider extending the Contract further for 12 months or part thereof. Such extension of this Contract shall be in accordance with the same terms and conditions including price schedule, or with negotiated price adjustments up to but not exceeding the changes in CPI (for Perth Capital City) as published by the Australian Bureau of Statistics for the last 12 months and shall be at the discretion of the Principal.

Subject to the above the Contractor shall notify the Principal, in writing, at least 120 days prior to the anniversary date of this Contract expressing its intention to be considered for any annual adjustment of rates or the renewal of the Contract."

The following contractors are part of a panel and have been awarded the contract 06/09 for one year with the option to be extended for another year:

- B & J Breaker
- All West Plant Hire

Existing Contract Information

Table 1 – Existing Contract Information

Current Contractor(s)	B & J Breaker and All West Plant Hire
Contract Type	Schedule of Rates
Contract Duration	One year
Commencement Date	1 April 2009
Expiry Date	30 April 2010
Extension Permitted	Yes
Annual Contract Cost	Within projects
Rise And Fall Clause Included	As per Clause 4.1.2 for a second year only

DETAILS OF PROPOSAL
B & J Breaker and All West Plant Hire have agreed to extend the contract as per conditions shown in Table 2.

DETAILS OF EXPRESSION OF INTEREST RECEIVED

Table 2 – Increase of Prices for the Contract 29/08 due for Extension

Contract Name	Prices increase for 10/11
B & J Breaker	Nil
All West Plant Hire	As per Clause 4.1.2

COMMENT
The Clause 4.1.2 of the Request for Tender clearly stipulates that the increase in price for the further year will be according to negotiated price adjustments up to but not exceeding the changes in CPI and shall be at the discretion of the Principal.

The above Table 3 shows the increase in price for the year 2010/11. The contractor B & J Breaker will maintain the current prices for the second year. All West Plant Hire will increase the price as per CPI increase between May 2009 and April 2010.

CONCLUSION
It is recommended to accept the extension of the contract 06/09 as per Table 3.

T27/4/10 RECOMMEND

That Council approves an extension of the contract 06/09 to B & J Breaker and All West Plant Hire as per Clause 4.1.2 of the Request for Tender for a further year for the period from 1 May 2010 to 30 April 2011 in accordance with their submitted revised prices and Council's contract documentation and budget allocations.

MOVED Cr Best
MOTION CARRIED (6/0)

MEMORANDUM OF AGREEMENT FOR ADVERTISING ON LITTER BINS

WARD	ALL
FILE REF:	ENG/1
DATE	14 March 2005
REF	CB
RESPONSIBLE MANAGER	EDTS

In Brief:

- The Memorandum of Agreement between Natsales Australia PTY Ltd is due to expire on 31 May 2010.
- In accordance with point 27 the Agreement, Natsales Australia Pty Ltd has requested an extension of a further 5 years to 31 May 2015.
- **Recommend**
  That the City of Armadale extends the Memorandum of Agreement with Natsales Australia Pty Ltd for a period of five years to 31 May 2015 under the current terms and conditions.

Tabled Items
Nil

Officer Interest Declaration
Nil

Strategic Implications
Corporate Services
To achieve maximum community benefit from effective use of resources

Legislation Implications
General assessment of relevant legislation (eg Local Government Act) has not revealed any restrictions.

Council Policy/Local Law Implications
General assessment has not revealed any applicable Policies / Local Laws.

Budget/Financial Implications
Nil

Consultation
Technical Services Officers

BACKGROUND
At its meeting of 26 April 2005 Council resolved (T27/04/05) to enter into a five year contract with Natsales Australia Pty Ltd commencing on 1 June 2005 for the provision of litterbins with advertising with the terms and conditions as stated in the Memorandum of Agreement.

The Memorandum Agreement is due to expire on 31 May 2010 however Point 27 of the Agreement allows the Contractor, subject to satisfactory performance to seek a further five year extension under the same terms and conditions. Natsales Australia Pty Ltd has requested a five year extension to 31 May 2015.

Natsales will continue to make the royalty payment of $100.00 per bin per annum which will equate to additional $5,000.00 per annum or $25,000 for the next five years. Along with this it is also estimated that there are cost savings of $4,000 per annum (cleaning, maintenance and replacing damaged bins) that the City would not have to undertake. With the five year extension these benefits equate to $45,000.00 for the City.

Natsales has provided satisfactory service over the past five years. As the type of service they provided makes it affordable for local businesses as well as reduces the amount of illegal advertising around the City it is in Council's interest to continue with the current Agreement. Accordingly it is recommended that the Memorandum of Agreement be extended for a further five years to 31 May 2015 under the current terms and conditions.

T28/4/10 RECOMMEND

That the City of Armadale extends the Memorandum of Agreement with Natsales Australia Pty Ltd for a period of five years to 31 May 2015 under the current terms and conditions.

MOVED Cr Wielinga
MOTION CARRIED (6/0)

MEETING CLOSED 8.08 PM.