

SHIRE OF BRUCE ROCK

MINUTES – SPECIAL COUNCIL MEETING 1 JUNE 2022

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SHIRE OF BRUCE ROCK

MINUTES – SPECIAL MEETING 1 JUNE 2022

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 3.00pm.

2. Record of Attendance / Apologies / Leave of Absence (Previously Approved)

President	Cr SA Strange
Deputy President	Cr AR Crooks
Councillors	Cr R Rajagopalan
	Cr KP Foss
	Cr PG Negri
	Cr J Verhoogt
	Cr BJ Waight
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Mr A O'Toole
Manager of Finance	Mrs JL Bow
Executive Assistant	Mrs Melissa Schilling

Apology	Cr RA Waye
	Cr NC Kilminster

Presentations	Rosalie Pech Eva (3.00pm – 4.30pm)
	Brad Wetherall (3.00pm – 4.30pm)

3. Declaration of Purpose of Meeting**4. Declarations of Interest**

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **financial** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **Closely Association Person and Impartiality** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with Section 5.60B and 5.65 of the Local Government Act 1995 the following disclosures of **Proximity** interest were made at the Council meeting.

Date	Name	Item No	Reason

5. Response to Previous Public Questions Taken on Notice**6. Public Question Time**

7. Announcements by Presiding Member

8. Reports of Officers

9. Confidential Items

Agenda Reference and Subject:	9.1.1 Tender 1.2021.22 Construction of New Supermarket
File Reference:	
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	<i>Item 9.1.1 Attachment A – Tender Review Quick Reference</i> <i>Item 9.1.1 Attachment B – Tender Review Marking Matrix</i>

OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution SCM Jun 22 – 9.1.1
Moved: Cr Rajagopalan Seconded: Cr Waight
That in accordance with Section 5.23 (2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:
2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following –
c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
e) a matter that if disclosed, would reveal –
(i) information that has a commercial value to a person; or
(ii) information about the business, professional, commercial, or financial affairs of a person,
Carried 7/0

OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution SCM Jun 22 – 9.1.3
Moved: Cr Rajagopalan Seconded: Cr Foss
That in accordance with Section 5.23(2) of the Local Government Act 1995, Council reopens the meeting to the members of the public.
Carried 7/0

Council decision varied to recommendation to confirm the preferred tenderer and clarify wording for delegation of the CEO for contract negotiations.

COUNCIL DECISION

Resolution SCM Jun 22 – 9.1.3

Moved: Cr Foss

Seconded: Cr Crooks

1. That Council approves the Tender Panel's Recommendation that Tenderer 1 as listed on the Tender Review Confidential Marking Matrix is the preferred tenderer, as being deemed the most advantageous to Council, for Tender RFT 1.2021.22 Construction of Bruce Rock Supermarket, subject to;
 - a) Confirmation that Financial Solvency details meet satisfactory levels required for the scale and value of this project.
 - b) Delegates to the CEO in accordance with s.5.42(1) of the *Local Government Act 1995* authority to negotiate minor variations to the contract RFT 1.2021.22 Construction of Bruce Rock Supermarket before and /or after execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996 with the preferred tenderer within three months of awarding tender.
 - c) Authorise the CEO to execute the contract for awarding RFT 1.2021.22 Construction of Bruce Rock Supermarket in accordance with s.9.49A of the *Local Government Act 1995*, on the provision that funding is secured.
 - d) That the remaining funding requirements for the construction of the Bruce Rock Supermarket are clarified and secured by the Shire of Bruce Rock, to be presented back to Council.
2. That Council advertises the tender for the provision of the refrigeration component for the Bruce Rock Supermarket Project; and quotations be obtained for the final fit out.

CARRIED BY ABSOLUTE MAJORITY 7/0

10. New Business of an urgent nature introduced by discussion of the meeting.

11. Closure of Meeting.

The Shire President Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.17pm.

These minutes were confirmed at a meeting on 16 June 2022.

Cr Stephen Strange
Shire President