



## **SPECIAL COUNCIL MEETING**

# **MINUTES**

Special Meeting of the Council held in the  
Home and Community Care (HACC) Building, Muir Street, Mount Barker  
4:30pm Wednesday 18 May 2005

### **SPECIAL BUSINESS**

**Administration Building Contract  
and  
Relocation of Home and Community Care (HACC)**

**Rob Stewart  
CHIEF EXECUTIVE OFFICER**

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Part 5 of Division 6 Subdivision 1 of the Local Government Act 1995 requires Council Members and Employees to disclose any direct or indirect financial interest or general interest in any matter listed in this Agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter being discussed.

NB: A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision making procedure relating to the disclose matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

## 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

### Present

|                   |   |
|-------------------|---|
| Cr K Forbes       | Shire President - Rocky Gully / West Ward             |
| Cr D Williss      | Deputy Shire President - East Ward                    |
| Cr M Skinner      | East Ward   |
| Cr J Cameron      | Rocky Gully / West Ward                               |
| Cr K Clements     | Town Ward   |
| Cr B Hollingworth | Town Ward   |
| Cr J Mark         | Town Ward   |
| Cr J Moir         | South Ward  |
| Mr R Stewart      | Chief Executive Officer                               |
| Mr S Bell         | Executive Director Technical and Development Services |
| Mr J Byrne        | Executive Director Corporate and Community Services   |
| Mrs K Skinner     | Executive Secretary                                   |
| Ms C Delmage      | Administration Officer Minutes and Agenda             |

### Apologies

|           |               |
|-----------|---------------|
| Cr K Hart | Kendenup Ward |
|-----------|---------------|

### 3 REPORTS OF COMMITTEES & OFFICERS

#### 3.1 EXECUTIVE SERVICES REPORTS

##### Change To Order Of Business

The Presiding Member directed that Item 3.1.2 (Relocation Of Home and Community Care) be considered immediately before Item 3.1.1 (Amendment To Administration Office Contract).

#### 3.1.2 RELOCATION OF HOME AND COMMUNITY CARE (HACC)

The Shire President advised Councillors that the matter now coming before the Council needed to be considered pursuant to Regulation 10 of the Local Government (Administration) Regulations (1996), referring to the process to revoke or change a decision of the Council. The Shire President further advised that to revoke or change a decision he would need the support of one third ( $\frac{1}{3}$ ) of the number of members of the Council.

He then called on Councillors to indicate such support.

The following Councillors indicated support for the matter to be revoked or changed, to enable further discussion:

- Cr B Hollingworth
- Cr J Mark
- Cr K Forbes

**Moved Cr B Hollingworth, seconded Cr J Mark:**

**That the following Item, as considered at the Ordinary Meeting of the Council held on 10 May 2005, be revoked:**

***'That the Council endorse the relocation of the Home and Community Care (HACC) Service to the Hospital Grounds in Muir Street, Mount Barker as part of the Plantagenet Cranbrook (Multi Purpose) Health Service.***

**LOST (4/5)**

**No. 159/05'**

**CARRIED (6/2)**

**No. 166/05**

The Presiding Member then invited the matter to be re-presented.

**Moved Cr J Mark, seconded Cr B Hollingworth:**

**That the Council support the relocation of Home and Community Care (HACC) to the Plantagenet District Hospital Grounds on Muir Street, Mount Barker as part of the Plantagenet Cranbrook (Multi-Purpose) Health Service.**

**PROCEDURAL MOTION**

**Moved Cr D Williss, seconded Cr K Clements:**

**That the question be adjourned until further information from the Health Department regarding their plans for the proposed Plantagenet Cranbrook (Multi-Purpose) Health Service has been received by the Council for its consideration.**

**CARRIED (8/0)**

**No. 167/05**

### 3.1.1 AMENDMENT TO ADMINISTRATION OFFICE CONTRACT

#### TENDER C08/0405: CONSTRUCTION OF A NEW ADMINISTRATION OFFICE IN MOUNT BARKER - TENDER PRICE REDUCTION

**Location / Address:** Lowood Road, Mount Barker  
**Name of Applicant:** Shire of Plantagenet  
**File Reference:** CP/50/1  
**Author:** Stephen Bell  
**Date of Report:** 18 May 2005

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#### **Purpose**

The purpose of this report is for the Council to consider a list of potential savings offered by Wauters Enterprises to reduce the overall construction cost of the new Shire of Plantagenet Administration Office.

#### **Background**

At its meeting of 10 May 2005, the Council resolved:

*Moved Cr D Williss, seconded Cr M Skinner:*

*THAT:*

- (1) Pursuant to Regulation 18 of the Local Government (Functions and General) Regulations 1996 the tender submitted by Wauters Enterprises for the amount of \$2,469,060.00 (inclusive of GST) be accepted for the construction of the Administration Offices.*
- (2) The tender from the Urban Building Company be rejected as failing to comply with the Tender requirements.*
- (3) Pursuant to Regulation 20 the successful tenderer be notified that the Council wishes to make minor variations in the Goods and Services required and prior to any contract being entered into pursuant to Part one (1) above of such variation, with agreement of the tenderer, are to be included in the contract.*
- (4) In the event that the minor variations referred to in part three (3) above are not able to be negotiated and agreed the provisions of paragraph two (2) of the Regulation may apply.*
- (5) Pursuant to Regulation 19 each Tenderer be advised of the Council's resolution with regard to this matter.*
- (6) A payment and project time line be included as part of the contract with the successful tenderer.*

CARRIED (7/2)

No. 164/05

Following the Council resolution, a meeting was convened with Wauters Enterprises to discuss areas where savings could be achieved to reduce the overall construction cost of the Administration Office. The meeting, held Thursday 12 May 2005, was attended by the following personnel:

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**Amendment To Administration Contract (Cont.)**

- John Wildman – Wauters Enterprises,
- Ian Howard – Howard and Associates,
- Shire President – Clr Kevin Forbes
- Chief Executive Officer – Rob Stewart
- Executive Director Technical and Development Services – Stephen Bell
- Building Surveyor – Alan Watkins

**Statutory Environment**

Part 4 of the Local Government (Functions & General) Regulations 1996 requires that tenders be publicly invited for the supply of goods or services if the consideration under the contract is, or is expected to be, more than fifty thousand dollars (\$50,000.00).

The tendering process for goods and services must be in accordance with Sections 11, 18, and 19 of the Local Government (Functions & General) Regulations 1996.

In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. The Council is to decide which of the tenders is most advantageous and may decline to accept any or all of the tenders received.

Regulation 19 requires the Council to advise each tenderer in writing the results of the Council's decision.

**Consultation**

At its meeting held 2 May 2005, the Administration Offices Advisory Committee considered all of the submitted Tenders and consulted with staff regarding the Tender prices, possible reductions in the Tender price, and the effect of the project on future loan borrowings.

At its meeting held 10 May 2005, the Council considered Tender C08/0405 and resolved to award the construction of the new Administration Office to Wauters Enterprises.

A meeting was convened with Wauters Enterprises on Thursday 12 May 2005 to discuss areas where savings could be achieved to reduce the overall construction cost.

**Policy Implications**

There are no policy implications for this report.

**Financial Implications**

Total borrowings for the project, as noted below, will be \$2,669,931

**Strategic Implications**

This project is consistent with the Shire of Plantagenet Strategic Plan. In particular it will allow for 'development of environmentally responsible public open space and natural resource management plans which appropriately reflect social and economic considerations' and will assist in achieving 'a better quality of life for the people of Plantagenet.'

**Amendment To Administration Contract (Cont.)**

The construction of new administration offices will better enable the Council and its officers to 'deliver, or facilitate the delivery of a range of services which respond to, and reflect, the physical, social and cultural well being of the community.'

Members should also be aware that the Occupational Safety and Health Act 1984 provides that an employer 'shall ...provide and maintain a working environment in which... employees are not exposed to hazards...' (S.19).

**Officer Comment**

By memorandum dated 17 May 2005, Wauters Enterprises have highlighted potential savings as noted in Table 1:

**TABLE 1 – POTENTIAL SAVINGS**

|    | Projected Saving without compromising Quality  | Saving   |
|----|--|----------|
| 1  | Reduce hardware provisions to \$17,000   | \$4,000  |
| 2  | Alternative toilet partitions  | \$580    |
| 3  | Delete operable walls to meeting rooms B and C and substitute acoustic partition and pair solid core door to Shire President / Councillor Room.        | \$5,168  |
| 4  | Alternative toilet fittings  | \$420    |
| 5  | Alternative fixed louvre screens in Dura-gal hit and miss screening with removable segments to Council Room and single swing gates in lieu of sliders. | \$5,088  |
| 6  | Reduced thickness of roof anticon insulation but maintaining necessary R value.  | \$1,280  |
| 7  | Substitute PVC for stainless steel tactile tiles to foyer, glued to timber flooring.   | \$1,848  |
| 8  | Substitute domestic frames type fixed silicone joint glazing in lieu of Dampalon vertical cladding.  | \$2,840  |
| 9  | Brick paving externally in lieu of exposed coloured aggregate concrete.  | \$12,337 |
| 10 | Redesign entry public notice boards.   | \$420    |
| 11 | Use existing PABX and UPS. Provision for changeover now \$5,000.   | \$15,000 |
| 12 | Brick paving to courtyards in lieu of tiling.  | \$2,123  |
| 13 | Alternative stainless steel kitchen stove and range hood.  | \$2,900  |
| 14 | Reuse existing flagpoles.  | \$2,811  |
| 15 | Alternative marble floor strip tiles.  | \$2,295  |

TOTAL \$59,110

After discussing the potential savings with the Architect, Ian Howard, it is recommended that the list of potential savings be endorsed with the exception of Line Item No. 2. It is the opinion of the Architect that the alternative toilet partitions will not be as practical or durable as those proposed in the Tender documentation. Therefore, the revised saving will be \$58,530.00.

If endorsed by the Council, the revised Tender price for the construction of the new Shire of Plantagenet Administration and amount of loan borrowings required to finance the project will be as noted in Table 2.



## Amendment To Administration Contract (Cont.)

**TABLE 2 – REVISED TENDER PRICE**

| Description   | Amount<br>(GST Exc)  |
|---|----------------------|
| Tender submission from Wauters Enterprises dated 22 April 2005                | \$2,244,600          |
| Potential Savings identified by Wauters Enterprises dated 17 May 2005         | \$58,530             |
| <b>REVISED TENDER PRICE</b>   | <b>(\$2,186,070)</b> |
| Allowance for internal fit-out of Administration Office and Council Chambers  | \$200,000            |
| Allowance for Contingencies (5.0% Min)  | \$120,000            |
| Allowance for carparking and landscaping to site of Administration Building   | \$100,000            |
| <b>PART A – TOTAL CONSTRUCTION COSTS</b>                                      | <b>\$2,606,070</b>   |
| Howard and Associates original fee proposal                                   | \$150,690            |
| Variation 1 – Change to design following first public meeting                 | \$21,069             |
| Variation 2 – Change to design following reduction in project costs by \$400K | \$23,340             |
| Variation 3 – Artistic impressions of new building for public display         | \$900                |
| <b>SUB-TOTAL (1)</b>  | <b>(\$195,999)</b>   |
| Subtract payments to Howard and Associates – 2003/2004                        | \$52,106             |
| Subtract funds to be transferred from Reserve – 2004/2005                     | \$50,032             |
| <b>SUB-TOTAL (2)</b>  | <b>(\$102,138)</b>   |
| <b>PART B - REMAINING DESIGN COSTS (1 - 2)</b>                                | <b>\$93,861</b>      |
| <b>TOTAL LOAN BORROWINGS (PART A + B)</b>                                     | <b>\$2,699,931</b>   |

All of the prices shown in the above table are exclusive of GST. The Shire of Plantagenet will claim back the GST component of the total project cost.

It should be noted that the Water Corporation have requested minor changes to the design of the sewer tunnel. Wauters Enterprises are currently reviewing their Tender price for the sewer tunnel and will provide a revised cost in the near future. However, it is anticipated that the revised tender price for the sewer tunnel will not be excessive.

**Voting Requirements**

Simple Majority

**OFFICER'S RECOMMENDATION / COUNCIL DECISION**

Moved Cr M Skinner, seconded Cr J Mark:

That pursuant to the Council's resolution of 10 May 2005 accepting the tender of Wauters Enterprises for the construction of the Shire of Plantagenet Administration Building subject to such minor alterations as could be negotiated, authority is now granted to the Shire President and the Chief Executive Officer to affix the Council's seal to the contract documentation for the construction in the revised amount of \$2,186,070 exclusive of GST.

**CARRIED (7/1)**

**No. 168/05**

**4 CLOSURE OF MEETING**

6:25pm The Presiding Member declared the meeting closed.

**CONFIRMED: CHAIRPERSON\_\_\_\_\_ DATE: .../.../....**