



Public Agenda Briefing Forum – 11 July 2023

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1. Official Opening

The Presiding Member opened the meeting at 6:30pm and welcomed Councillors, Staff and Members of the Public Gallery. The Presiding Member also acknowledged the Traditional Owners of the land on which we meet the Whadjuk Noongar people.

2. Attendance, Apologies and Leave of Absence

Councillors

South East Ward

John Giardina

South West Ward

Mary Cannon

North West Ward

Lisa Cooper (Presiding Member)

Dylan O'Connor

North Ward

Kathy Ritchie (Presiding Member)

Members of Staff

Chief Executive Officer

Gary Ticehurst - Acting Chief Executive Officer

Executive Team

Sinead McGuire - Director Asset Services

Nicole O'Neill - Director Community Engagement

Gary Ticehurst - Director Corporate Services

Andrew Fowler – Tutt -A/Director Development Services

Administration Support

Kaitlan Schilling – A/Executive Assistant to the CEO

Members of the Public 2

Members of the Press Nil.

Apologies

Cr Janelle Sewell

Cr Brooke O'Donnell

Cr Sue Bilich

Margaret Thomas JP (Mayor)

Leave of Absence Previously Approved Cr Geoff Stallard

3. Declarations of Interest

3.1. Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matter to be discussed at the meeting. (Section 5.56 of the *Local Government Act 1995*.)

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- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

Nil.

3.2. Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

Nil.

4. Announcements by the Member Presiding Without Discussion

Nil.

5. Public Question Time

Public questions will be allowed and received following the presentation of the report.

6. Public Statement Time

Public statements will be allowed and received following the presentation of the report.

Nil.

7. Public Submissions Received in Writing

Nil.

8. Petitions Received

Nil.

9. Confidential Items Announced But Not Discussed

Nil.

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10. Reports to Council

10.1. Development Services Reports

No reports presented.

10.2. Asset Services Reports

No reports presented.

10.2.1. RFT 2302 Provision of Traffic Management Services - Award of Tender

The Director Asset Services provided a presentation on this report.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

Previous Items	OCM 325/2021, 86/2016; 204/2016
Directorate	Asset Services
Business Unit	Asset Maintenance
File Reference	AD-TEN-005
Applicant	N/A
Owner	N/A
Attachments	Nil
Confidential Attachment	<u>Reason for Confidentiality:</u> Local Government Act 1995 s5.23 (c) "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."

TYPE OF REPORT

	Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
P	Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
	Information	For Council to note
	Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person's rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

*Kalamunda Advancing Strategic Community Plan to 2031***Priority 3: Kalamunda Develops**

Objective 3.2 - To connect community to key centres of activity, employment and quality amenities.

Strategy 3.2.1 - Ensure existing assets are maintained to meet community expectations.

Strategy 3.2.3 - Provide and advocate for improved transport solutions and better connectivity through integrated transport planning.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the award of tender RFT 2302 to provide traffic management services.
2. It is recommended Council accept the tender from Contraflow Pty Ltd, ACN 111 400 714 as the Primary Contractor and Advanced Traffic Management (WA) Pty Ltd, ACN 107 481 756 as the Secondary Contractor as per the Schedule of Rates set out in the Confidential Attachment 1 to this report. The estimated expenditure within this contract is \$700,000 (ex GST) per annum with an initial term of three years and two further one year extensions at the City's discretion.

BACKGROUND

3. The City of Kalamunda (City) sought to engage a panel of suitably experienced contractors for the provision of traffic management services complementary to maintenance and minor capital works projects being conducted on or near roads.
4. The services proposed predominantly require the preparation of traffic management plans (TMPs), provision of traffic controllers (TCs), vehicles, signages, equipment and to provide the resources and ability to implement simple and complex traffic management onsite.
5. Provision of suitable traffic management services in place during these works is a workplace safety requirement.

DETAILS AND ANALYSIS

6. The City often undertakes maintenance or minor capital works in and around roads. Examples of these tasks may include but are not limited to drainage pit replacements, kerb replacements, minor road crack or pothole repairs, footpath repairs.

7. Workplace safety considerations require the City to undertake suitable measures to protect workers from potential of vehicle collisions in a pragmatic manner. This results in the need for suitable traffic management services to be implemented for these works.
8. The ad hoc nature and multiple concurrent need at various sites of these services, along with the specialist training and equipment to be procured, has been determined to be cost ineffective for the City to maintain inhouse staff and resources. It is more effective to engage external contractors for traffic management services.
9. Where the City has engaged contractors for services such as major roadworks, powerline vegetation clearing or verge management, traffic management services are included in other contracts.
10. The City issued RFT 2302 through its E-Tendering Portal and an advertisement in the West Australian newspaper on Wednesday 29 March 2023. Receipt of Tender submissions closed at 2:00pm AWST Thursday 27 April 2023.
11. Tender submissions were received from (in alphabetical order):
 - a) Advanced Traffic Management Pty Ltd
 - b) Altus Traffic Pty Ltd
 - c) Contraflow Pty Ltd
 - d) Overwatch Traffic Services Pty Ltd
 - e) Traffic Management South West Pty Ltd
 - f) Workforce Road Services Pty Ltd
12. An Evaluation Panel was convened of suitably qualified City Officers to assess the tenders received.
13. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliant tenders were then assessed against qualitative criteria.
14. The Qualitative Criteria and weighting were determined as follows:

Qualitative Criteria	Weighting
Relevant Experience	35%
Key Personnel Skills & Experience	30%
Tenderer's Resources	30%
Local Benefits	5%
15. All tender submissions met the compliance criteria and then were assessed against the qualitative criteria.

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16. The six tender submissions were ranked against the qualitative criteria, with a Qualitative Pass Mark (QPM) of 60.
17. Of the six tender submissions, two met the required QPM of 60% or above and were progressed into the next stage. These tenderers were Contraflow Pty Ltd and Advanced Traffic Management Pty Ltd.
18. A price assessment was then undertaken to determine the best value for money outcome for the City.
19. The Tender Evaluation Report is provided as Confidential Attachment 1 to this report.
20. The recommended tenderers' submission best satisfied the City's requirements by:
 - a) meeting or exceeding the qualitative assessment benchmark.
 - b) proven capacity and capability to prepare traffic management plans, provide traffic controllers, vehicles, signages, equipment and implement simple to complex traffic management onsite for City's maintenance and capital work and other activity carried out by the City's various departments.
 - c) having the skills and experience to carry out all aspect of traffic management services requested in this contract.
 - d) availability 24/7 for emergency works.
21. Of the two qualifying, and compliant qualitative tender responses, Advanced Traffic Management Pty Ltd and Contraflow Pty Ltd respectively provided the lowest and second lowest total value for the required services.
22. The Tender Assessment Panel has recommended the contract for RFT 2302 The Provision of Traffic Management Services be awarded to Contraflow Pty Ltd as Primary Contractor and Advance Traffic Management Pty Ltd as the Secondary Contractor.

APPLICABLE LAW

23. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions and General) Regulations 1996*.

APPLICABLE POLICY

24. Policy C-PP01 – Purchasing has been followed and complied with.

FINANCIAL CONSIDERATIONS

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25. The use of traffic management services under this contract will form part of approved annual budgets in Infrastructure Services and capital works projects.

RISK MANAGEMENT

- 26.

Risk: The Contractor fails to fulfil the requirements of the contract, leading to increased safety risk to City staff and general public.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
a) Closely manage, report and review the Contractor safety processes as outlined within their tender and throughout the contract.		
b) Complete on site inspections on the traffic controller’s performance and quality of signage and equipment used onsite.		
c) Utilise the secondary contractor should the primary contractor have a contractual safety breach of contract.		

CONCLUSION

27. The delivery of Tender RFT 2302 The Provision of Traffic Management Services will allow the City to carry out road and drainage maintenance work and capital works projects by various departments throughout the City.
28. The City is satisfied the recommended tenderers have the capability, capacity, along with experienced traffic planners and traffic controllers to provide the City with the required traffic management services.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the tender RFT 2302 The Provision of Traffic Management Services to prepare traffic management plans, provide traffic controllers, vehicles and equipment required to implement simple to complex traffic management for maintenance and capital work projects and other activity carried out by the City’s various departments from Contraflow Pty Ltd, ACN 111 400 714, as the Primary Contractor and Advanced Traffic Management Pty Ltd, ACN 107 481 756, as the Secondary Contractor for the itemised prices as per the Schedule of Rates set out in Confidential Attachment 1 to this report.

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10.2.2. RFT 2218 Provision of General Building Maintenance - Award of Tender

The Director Asset Services provided a presentation on this report.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

Previous Items	OCM 116/2018
Directorate	Asset Services
Business Unit	Asset Waste & Operations
File Reference	AD-TEN-005
Applicant	N/A
Owner	N/A
Attachments	Nil
Confidential Attachment	<u>Reason for Confidentiality:</u> <i>Local Government Act 1995 s5.23 (c)</i> <i>"a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."</i>

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
✓ Executive	When Council is undertaking its substantive role of direction setting and oversight (e.g. accepting tenders, adopting plans and budgets)
Information	For Council to note
Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 3: Kalamunda Develops

Objective 3.2 - To connect community to key centres of activity, employment and quality amenities.

Strategy 3.2.1 - Ensure existing assets are maintained to meet community expectations.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the award of a Request for Tender (RFT) 2218 for the Provision of General Building Maintenance and Minor Works to provide general building maintenance services to City of Kalamunda (City) owned facilities and assets.
2. It is recommended that Council accept the Tenders for the four building maintenance categories separately identified in RFT 2218 from the following contractors:
 - a) General Building Maintenance and Minor Works - Hoskins Investments Pty Ltd AFT MR Hoskins Family Trust T/A AE Hoskins Building Services, ACN 078 593 950.
 - b) General Pest Control Services- Kaste Nominees Pty Ltd in its capacity as Trustee for Teekmar Family T/A Maxwell Robinson & Phelps Pest Control, ACN 113 474 365.
 - c) General Glazing Services- Action Glass Pty Ltd, ACN 093 404 909.
 - d) Roof & Gutter Services- Access Without Barriers Pty Ltd, ACN 167 698 964.

Based on the schedule of rates included as Confidential Attachment 1 to this report.

3. The award is for a three-year contract with the option of two (one year) extensions at the sole discretion of the City.

BACKGROUND

4. The City undertakes a substantial amount of scheduled and reactive building maintenance services each financial year to ensure the City can deliver its intended levels of service for building assets to the community.

5. The four key building maintenance areas are:

Building Maintenance and Minor Repairs which includes minor demolition and construction works, masonry works, carpentry and cabinetry works, plastering, tiling, general repairs, fencing, painting, and removal of asbestos.

Pest Control which includes Annual external inspection and treatment to facilities, sheds, outbuildings, and adjoining land for signs of pests, placement of control, monitoring and baiting systems/ stations and removal of infestations.

Glazing Services which includes glazing works, removal and replacement of putty and seals, repair and or replacement of window and door frames/hardware as required.

Roof and Gutter works which includes clear and clean out gutters, downpipes and spoon drains, repairs to roofs, gutters and downpipes, test, tag and certify roof anchoring points.

6. The estimated expenditure for the five-year term of the contract is \$3,000,000 equating to approximately \$600,000 per annum.

DETAILS AND ANALYSIS

7. The City of Kalamunda (the City) issued a request for Tender (RFT 2218) seeking Tenderers to attend to general building maintenance and minor works to City owned facilities and assets with the scope of works based on required annual maintenance requirements to all the City's facilities.
8. Tenders were invited for RFT 2218 on the 8 February 2023 through the City's tendering portal. Tender submissions closed at 2.00pm AWST on Wednesday 1 March 2023.
9. An Evaluation Panel was convened of suitably qualified City Officers to assess the tenders received with the City's Coordinator Procurement providing overall probity support.
10. Tenders were assessed in a staged process of firstly checking for compliance to matters set out in the tender invitation. Compliance Criteria were evaluated on a "Yes/No basis, this assessment was completed by the Coordinator Procurement and Senior Procurement Officer. There was one non-compliant submission from Quality Assured Contracting who did not sign the Tender Offer Form.
11. In the lead up to the commencement of the Tender Evaluation Process and based on the Qualitative Criteria for RFT 2218, consideration was given to determining what would be an acceptable qualitative score that indicate the ability of a Tenderer to satisfactory deliver the requirements of this request. In this instance, the predetermined Qualitative Pass Mark (QPM) for RFT 2218 was set at 60%.
12. As part of the Tender assessment process, all compliant submissions must be considered against the predefined Qualitative Criteria, which is described in the Request for Tender document.
13. The purpose of the Qualitative Criteria is to provide Tenderers with the opportunity to demonstrate to the City their ability and experience, amongst other things, to service this contract.
14. The Panel undertakes a qualitative evaluation of each submission with the following general approach:
- a) Panel members read each submission and evaluate answers to the Qualitative Criteria on an individual basis.

- b) Panel members score each criterion and compares their scores and comments with each other to determine consensus score.
- c) Where clarifications are sought from Tenderers, all responses are logged in a Clarification Register and duly considered by the Panel.

The evaluation process is observed by the Coordinator Procurement and Senior Procurement Officer to ensure the correct processes are followed.

- 15. Panel members completed the Qualitative Criteria Evaluation through comparison of individual scores and determination of consensus scores for each of the Qualitative Criteria on Wednesday 3 May 2023.
- 16. The Qualitative Criteria and weighting used in evaluating the submission received are noted in the below table below:

Qualitative Criteria	Weighting
Relevant Experience	35%
Tenderer’s Resources	30%
Methodology	30%
Local Benefits	5%

Detailed requirements for each of these are detailed in the Tender Evaluation Report (Confidential Attachment 1).

- 17. The QPM scores for each compliant tender was predetermined at 60%. A summary of this assessment is presented in the table below:

Category	Total Submissions	Passed QPM Assessment
Part A – Building Maintenance	8	4
Part B - Pest Control Services	3	2
Part C – Glazing Services	2	1
Part D – Roof and Gutter Services	6	3

No clarifications were sought by the Panel in relation to the qualitative assessment undertaken.

- 18. Tenderers were required to provided Price Schedules as specified in the RFT document. The Panel assessed the prices based on a fixed price servicing schedule and hourly rates. No guarantee of the final quantity of works is allocated under the contract.

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19. Tenderers who achieved the required QPM and passed the independent financial assessment are ranked on the Pricing Schedules as per the RFT document, summarised in the tables below:

Part A- Building Maintenance

Company Name	Pricing Assessment Rank
Hoskins Investments Pty Ltd ATF MR Hoskins Family Trust T/A AE Hoskins Building Services	1
DNW Solutions Pty Ltd TA Kineticon Group	2
Access Without Barriers Pty Ltd	3

Part B- Pest Control Services

Company Name	Pricing Assessment Rank
Kastee Nominees Pty Ltd in its capacity as Trustee for the Teekmar Family T/A Maxwell Robinson & Phelps Pest Control	1
Precision Pest Management WA Pty Ltd	2

Part C- Glazing Services

Company Name	Pricing Assessment Rank
Action Glass Pty Ltd	1

Part D- Roof and Gutter Services

Company Name	Pricing Assessment Rank
Access Without Barriers Pty Ltd	1
Hoskins Investments Pty Ltd ATF MR Hoskins Family Trust T/A AE Hoskins Building Services	2

20. Price assessment is detailed in the attached Tender Evaluation report (Confidential Attachment 1).

APPLICABLE LAW

21. Section 3.57 of *Local Government Act 1995*. Part 4 of the *Local Government (Functions and General) Regulations 1996*.

APPLICABLE POLICY

22. Policy C-PP01- Purchasing, has been followed and complied with.

STAKEHOLDER ENGAGEMENT

23. Nil.

FINANCIAL CONSIDERATIONS

24. The funding for these services is through individual operational cost codes attributed to the relevant building maintenance activities, as per the adopted operation budget. Sufficient funds have been allocated in the accounts for FY 2023/24.

25. Funding to accommodate the works for the balance of the contract will be allocated in the future operating budgets.

SUSTAINABILITY

26. **Social Implications:**
Failure to attend to building maintenance can cause significant reputational risk as buildings can become structurally unsafe and visually unsightly.

27. **Economic Implications**
a) Programmed maintenance can minimise cost implications to reinstate or replace failed structural components.
b) Programmed maintenance can minimise loss of income from facilities if they are not able to be used or occupied by tenants.

28. **Environmental Implications**
Waste disposal and the handling of chemicals is addressed in the Request for Tender document.

RISK MANAGEMENT

29.

Risk: Tender not awarded, compromising the City's capacity to undertake building maintenance in a timely manner.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
Undertake an interim contractual arrangement which would have increased costs and administrative time.		

30. **Risk:** The Contractor does not perform in accordance with the contractual requirements.

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Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
Contract management mechanisms in place to minimise risk of non compliance. In addition six (6) monthly reviews are in place to review performance.		

CONCLUSION

- 31. It is recommended that Council award RFT 2218 as set out in the Recommendation clause of this report.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council ACCEPT the Tender RFT 2218 - Provision of General Building Maintenance and Minor Works and appoints the following Contractors to the individual building maintenance disciplines as listed below for a period of three years commencing from the 1 July 2023 with two 12-month extension options, at the sole discretion of the City in accordance with Tender Evaluation Report and Pricing Schedule (Confidential Attachment 1).

- a) Part A- General Building Maintenance and Minor Works - Hoskins Investments Pty Ltd ATF M R Hoskins Family Trust t/a AE Hoskins Building Services ACN 078 593 950.
- b) Part B- General Pest Control Services- Kastee Nominees Pty Ltd in its capacity as Trustee for the Teekmar Family T/A Maxwell Robinson & Phelps Pest Control ACN 113 474 365
- c) Part C- General Glazing Services- Action Glass Pty Ltd ACN 093 404 909
- d) Part D- Roof and Gutter Services- Access Without Barriers Pty Ltd ACN 167 698 964

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10.3. Corporate Services Reports

10.4. Community Engagement Reports

10.4.1. Event Sponsorship and Donations 2023/2024

The Director Community Engagement provided a presentation on this report.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

Previous

Items

Directorate

Community Engagement

Business Unit

Economic and Cultural Services

File Reference

Applicant

Owner

Attachments

1. Sponsorship Donations Recommendations 2023
[10.4.1.1 - 5 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
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STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2031

Priority 1: Kalamunda Cares and Interacts

Objective 1.3 - To support the active participation of local communities.

Strategy 1.3.2 - Encourage and promote the active participation in social and cultural events in the City of Kalamunda.

EXECUTIVE SUMMARY

1. The purpose of this report is to consider the Event Sponsorship and Donations program for 2023/2024.
2. The City of Kalamunda Event Sponsorship and Donations Program aims to support organisations and community groups in the running of events that have a direct benefit to the local community and visitors.
3. The recommendation is to approve funding for Event Sponsorship and Donations as per Attachment 1.

BACKGROUND

4. Applications for Event Sponsorship and Donations Opportunities opened on 19 January 2023 and closed on 14 April 2023.
5. All Event Sponsorships and Donations were assessed against the 2023/2024 Guidelines.
6. The Event Sponsorship program is a competitive process with a capped amount available to be awarded each year.
7. The Event Sponsorship and Donations budget was approved at the Special Council Meeting on 26 June 2023.

DETAILS AND ANALYSIS

8. The City promoted the 2023/2024 Event Sponsorship and Donations funding round via social media, website, electronic direct mail and hard copies distributed to City Libraries and Administration Centre.
9. To be considered for sponsorship events must:
 - Be accessible, free or low-cost.
 - Demonstrate benefit to the wider community or a specific community group.
 - Align with the City's values and objectives as set out in the Strategic Community Plan.
 - Provide promotional opportunities for the City
10. Examples of events that may be supported include but are not limited to:
 - Cultural or community events.
 - Carnivals, festivals or fairs held within the City.
 - Community development and welfare events or programs for specific target groups
11. The Event Donations program aims to support a wide range of organisations and initiatives and as such, organisations are assessed on a case by case basis. Eligible groups must be:

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- Not-for-profit organisations
 - Charitable organisations
 - Community organisations
12. All approved events are required to submit an event application and agree to the conditions applied regarding acquittal procedures.
13. Attachment 1 details the applicants and proposed amount of funding for approval.

APPLICABLE LAW

14. Local Government Act 1995

APPLICABLE POLICY

15. Service 6 – Event Sponsorship and Donations

STAKEHOLDER ENGAGEMENT

16. Advertising and promotion was undertaken to raise awareness of the grant round being open.

FINANCIAL CONSIDERATIONS

17. Funding was approved at the 26 June 2023 Special Council Meeting.

SUSTAINABILITY

18. The City reviews each application with a strong focus on sustainability, seeking joint funding and partnership opportunities as a priority.

RISK MANAGEMENT

19.

Risk: That Events are unable to progress due to unforeseen circumstances.		
Consequence	Likelihood	Rating
Moderate	Possible	Medium
Action/Strategy		
Ensure clear guidance for event organisers to facilitate a robust event.		

CONCLUSION

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20. It is noted that there were a small number of applications for funding in this round.
21. All organisations who are successful in receiving event sponsorship are required to ensure the City of Kalamunda is referenced in their promotional materials and at their events.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

APPROVE the Events Sponsorship and Donations applications as detailed in Attachment 1.

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10.5. Office of the CEO Reports

No reports presented.

11. Closure

There being no further business, the Presiding Member declared the Meeting closed at 6:41pm.