

Shire of Goomalling



SPECIAL COUNCIL MEETING AGENDA

January 2024





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NYOONGAR ACKNOWLEDGEMENT

We acknowledge this land that we meet on today is part of the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Nyoongar Ballardong people as the custodians of the greater Goomalling/Koomal area and that their cultural and heritage beliefs are still important to the living Nyoongar Ballardong people today.

NOTICE OF MEETING

Special Meeting No. 1 of 2024 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Thursday, 4 January 2023 beginning at 5.00pm.

1. DECLARATION OF OPENING

2. RECORD OF ATTENDANCE/APOLOGIES & APPROVED LEAVE OF ABSENCE

2.1. Attendance

Council	President & Chairperson	Cr Julie Chester
	Vice President	Cr Roland Van Gelderen
	Councillor	Cr Christine Barratt
	Councillor	Cr Casey Butt
	Councillor	Cr Barry Haywood
	Councillor	Cr Mark Ashton
Administration	Chief Executive Officer	Mr Peter Bentley

2.2. Apologies

Cr Brendon Wilkes

2.3. Approved Leave of Absence



3. OFFICERS REPORTS

Moved XXX Seconded XXX that the following matter be lifted from the table.

3.1 FOOTBALL CLUB LIGHTING PROJECT

File Reference	
Disclosure of Interest	Cr Haywood – Impartiality Interest (Member of Club) Cr Ashton – Impartiality Interest (Member of Club) Cr Chester – Impartiality Interest (Member of Club) Cr Butt – Impartiality Interest (Sponsor of Club)
Applicant	Goomalling Football Club
Previous Item Numbers	
Date	12 December 2023
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	

Summary

To consider the recommendation to engage Lightbase to undertake the above project.

Background

The Goomalling Football Club has submitted and been successful in obtaining grant funding through the CSRFF fund to replace the ageing lighting at the Goomalling Recreation facility.

The club budgeted \$291,000.00 for the project with the Council agreeing to fund \$100,000.00 and the Club and the CSRFF splitting the balance to the tune of \$95,500.00 each.

Tenders were called for the project with 6 submissions being received with five being valid and one ruled ineligible.

Consultation

Goomalling Football Club
 Various suppliers
 Works Manager

Policy

Council does not have a specific policy regarding the project.

2.4
 Distribution
 Responsible Officer
 Date adopted
 File Reference

PURCHASING POLICY
 Elected members, All Employees, Volunteers
 Chief Executive Officer
 19 July 2023
 04.07



Purpose

To articulate purchasing parameters for procurement on behalf of the Shire of Goomalling for operating expenditure.

Objective

To provide compliance with the *Local Government Act 1995* and the Local Government (Functions and General) Regulations 1996 as amended.

To deliver a best practice approach and procedures for purchasing for the Shire of Goomalling. Having said this, there is a desire to reduce the administrative burden, in particular for small purchases for consumables such as small hardware items, batteries, tyres, stationery and photocopy charges, callout fees, alarm monitoring and the like.

The administrative burden should not outweigh the benefit of complying with this policy.

To ensure consistency for all purchasing activities within the Shire of Goomalling operational areas.

Scope

Elected Members, All staff, Volunteers

Standard

Ethics and Integrity

All employees of the Shire of Goomalling are expected to practice a high standard of ethics and integrity in undertaking purchasing transactions, and act in an honest and proficient manner that preserves the standing of the Shire of Goomalling.

The following principles and behaviour must be prescribed throughout all stages of purchasing to ensure fair and equitable treatment of all parties:

- Full accountability for all purchasing decisions and effective management of expenditure of public monies on the basis of achieving value for money;
- All purchasing practice comply with relevant legislation, regulations and standards consistent with the Shire of Goomalling's policies and code of conduct;
- Procurement is undertaken on a competitive basis and potential providers receive impartial, candid and consistent management;
- Process, evaluation and decision making is transparent, impartial and documented in accordance with relevant policy and audit requirements;
- Actual and perceived conflicts of interest are identified, disclosed and managed appropriately; and
- Information provided to the Shire of Goomalling by a supplier/contractor is treated as commercial-in-confidence and will not be released unless authorised by the supplier or relevant legislation.



Policy:

Limits	Policy	Officer who can Sign
Up to \$5,000	Direct small purchase from suppliers requiring verbal quotation(s) only, if practical . Again, if practical , written quotations should be obtained for amounts over \$1,000. Quotes will not be required for items such as software licences and support for corporate software already in use, utility payments, ongoing alarm monitoring, photocopy charges, small consumable charges such as stationery, hardware, small parts. Emergency purchases and callouts do not require quotation.	CEO Manager of Finance Manager of Works
\$5,001 - \$19,999	Where practical , obtain two verbal or written quotations. Quotes will not be required for items such as software licences and support for corporate software already in use, utility payments, ongoing alarm monitoring, photocopy charges, small consumable charges such as stationery, hardware, small parts. Emergency purchases and callouts do not require quotation.	CEO Manager of Finance Manager of Works
\$20,000 - \$249,999	Where practical , obtain at least two written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).	CEO Manager of Finance (in CEO's absence for budgeted items) Manager of Works (For budgeted Works expense only)
\$250,000 and above	Conduct a public tender process.	CEO

Conditions:

- (1) The above purchasing policy is to be used in conjunction with the “*Regional Price Preference (Buy Local) Policy*”.
- (2) Where suppliers require a fee for a quote, staff are to note this. The CEO to adjudicate as to whether that supplier should provide a quote in such instance.

Where/if Practical – This term is used to reduce the need to quote a situation where;

- The supply is an emergency supply or urgent callout situation;
- The supply is for small items such as stationery, hardware, small spares or parts and consumables;
- The supply is a utility charge such as power, water, telephony or ongoing photocopy charges and the like;
- The supply is for a good or service that is unlikely to be able to be able to be quoted such as software or general IT support, licenses, alarm monitoring, or contractors providing an ongoing service such as contract cleaning, management services or agreed fee for service arrangements. (Such as swimming pool manager, contract planner, contract building surveyor, contract cleaning, contract health officer, finance consultant)



- The supply is for a service supplied locally where mobilisation costs would be incurred through an alternative supplier that would add significantly to the cost of the service or supply. (This could include a local contractor/plumber/electrician)

Roles & Responsibilities

Elected Members

- To create and review policy to minimise risk and ensure best practice.

Chief Executive Officer

- Comply with policy for purchasing
- Ensure staff understand and comply with policy

Executive Management

- Comply with policy for purchasing
- Ensure staff understand and comply with policy

Employees

- Comply with policy for purchasing

Legislation

[Local Government Act 1995](#) (s 6.10)

[Local Government \(Functions and General\) Regulations 1996](#) (r 11a)

[Local Government \(Financial Management\) Regulations 1996](#) (r13)

[State Records Act 2000](#)

[Occupational Safety and Health Act 1984](#) (s. 23-1 9a, b & c)

Document Links

Strategic Community Plan

C1.5 Develop a policy framework to guide Council's decision making

C2.7 Provide reporting processes in a transparent, accountable and timely manner

Forms

Verbal Quotation Record Form (up to \$19,999)

Quotation Record Form (\$20,000 to \$149,999)

Procedures Manual

Nil

Local Law

Nil

Delegation

DE1 Payments from Trust and Municipal Funds

DE11 Expressions of Interest prior to calling for Tenders

DE12 Inviting Tenders

DE13 Minor Variations to Tenders



Review History

Version	Review date	Minute no.	Notes
1	September 2015	1 092015.SM	
1.1	May 2016	8.1.3 052016.OM	1.3.1 Purchasing Policy
1.1	June 2016	8.1.2 062016.OM	1.3.2 Regional Price Preference (Buy local) policy
2	20 May 2020	197 OM_200520	Formerly 1.3.1 Purchasing Policy and 1.3.2
2.1	15 December 2021	Resolution No.	Updated with new tendering threshold
2.2	19 July 2023	Resolution No.	Updated signing authority for DCEO

Statutory Environment

Local Government Act (1995)

Financial Implications

The Likely financial impact on the Council is that it has committed to \$100,000 in total to the project spread over the 2024 and 2025 financial years.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
1.3.1	Develop a broad recreation master plan for the Shire
1.3.2	Develop, maintain and support appropriate recreation facilities throughout the Shire
1.3.3	Partner with stakeholders to achieve greater community participation in recreational facilities and services

Comment/Conclusion

The Football club, as part of its application process, obtained quotes for the lighting project and settled on a budget of \$291,000.00 for the purposes of the grant application. Following the tender process this budget was found to be insufficient with the nearest complying tender being \$319,448.00 excluding GST.

At this stage the Councils commitment is for \$100,000.00 over two years with any excess being picked up by the football club.

As part of the evaluation process the Football Club was invited to submit a consolidated ranking of all tenderers in addition to ranking by the CEO. This was due to the project being a Football Club project with the Shire of Goomalling providing the governance structure for such processes. The respective rankings are provided in to table following.



Tender Evaluation - Goomalling Football Club Lighting Project

Criteria	Future Power	Greenlight	Harris Ineligible	HLE 100	HLE 250	Lightbase	
Experience Football Club							
	Consolidated	5	5	0	5	5	5
	Shire of Goomalling	5	5	0	5	5	5
	10	10	0	10	10	10	
Personnel Football Club							
	Consolidated	5	5	0	5	5	5
	Shire of Goomalling	5	5	0	5	5	5
	10	10	0	10	10	10	
Resources Football Club							
	Consolidated	4	4.5	0	4.5	4.5	4.5
	Shire of Goomalling	4.5	4.5	0	4.5	4.5	4.5
	8.5	9	0	9	9	9	
Understanding Football Club							
	Consolidated	4	4.5	0	4.5	4.5	5
	Shire of Goomalling	4.5	4.5	0	4.5	4.5	4.5
	8.5	9	0	9	9	9.5	
Price Football Club							
	Consolidated	4	4.5	0	3.5	3.5	5
	Shire of Goomalling	4	4.5	0	3.5	3	5
	8	9	0	7	6.5	10	
Total Scores	45	47	0	45	44.5	48.5	

Pricing Excluding GST

	392,143	353,995	456,877	549,626	319,448
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Harris Electrical deemed to be ineligible for the following:

- a) Harris Electrical tender was submitted late and is disqualified for this reason.
- b) Harris Electrical tender was incomplete and was not submitted with the required paperwork.
- c) Harris Electrical excluded due to inducement offered for an unrelated project should its tender be successful.



As stated above there were five complying tenders, the tender from Harris Electrical was late, was incomplete and included an inducement regarding another project which, if accepted, would have amounted to a corruption of the process. Regardless of this the tender, being late and incomplete, would have been rejected.

The complying tenders ranged from \$319,448.00 to over \$500,000.00 which would have been well outside any potential budget variations. With this in mind, price became a more significant factor in the assessment than would otherwise been the case. Based on the pricing and overall rankings of the tenderers, Lightbase is the preferred tenderer identified by both the club and the CEO.

There is some concern in relation to underlying rock at the pole locations as rock would increase the cost of footings significantly and as such most of the tenderers have recommended drilling to ascertain whether this is likely to be a problem. This would cost in the vicinity of \$5,000 and the Football Club has sought clarification as to who will be responsible for this cost. At this stage the Club will make up the difference in the pricing of nearly \$30,000.00 which does not include the drilling.

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

1. Accept the tender from Lightbase to undertake the Goomalling Football Club lighting replacement project at a cost of \$319,448.00;
2. Delegate Authority to the CEO to enter into a contract with Lightbase on behalf of the project funders for the project;
3. Determine who will be responsible for the additional costs of drilling as outlined above.

4. MEETING CLOSURE