

Ordinary Meeting

Meeting Date: Tuesday, 27 March, 2018, reconvened Tuesday 3 April 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 7)
All Councillors

Addendum Agenda

Reports

CL18.77 Tender - Shoalhaven Indoor Sports Centre - Trade Package No 7 -
Civil Works - re-award.....1

Confidential Reports

CCL18.5 Tenders - Shoalhaven Indoor Sports Centre - Trade Package No 7 -
Civil Works re-award

Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CL18.77 Tender - Shoalhaven Indoor Sports Centre - Trade Package No 7 - Civil Works - re-award

HPERM Ref: D18/105488

Group: Assets & Works Group
Section: Project Delivery & Contracts

Purpose / Summary

To inform Council of the Shoalhaven Indoor Sports Centre – Civil Works Trade Package re-award (managed by Zauner Construction - Construction Manager).

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests. This information will be considered under a separate confidential report.

This report is submitted directly to the Ordinary Council Meeting pursuant to Clause 3 of Council's "Acceptance of Tenders – Reports to Council" Policy.

Recommendation

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

Options

1. Council accept the recommendation as presented.
Implications: A separate report will consider commercial information
2. Council amend the recommendation.
Implications: This may delay these important works.

Background

Tenders for the Shoalhaven Indoor Sports Centre - Civil Works sub contract package were called by Zauner on 26 April 2017 and closed at 10:00am on 1 June 2017. The results of the tender process were reported to Council on the 27th June 2017, where Council resolved to endorse the TER recommendation MIN17.601C. The subcontract for the Civil Works Package was awarded by Zauner Constructions to Civil Logic in July 2017.

On the 31 January 2018 Civil Logic entered into voluntary administration. Their subcontract was terminated pursuant to the relevant subcontract clauses. The appointed administrators have resolved to liquidate Civil Logic.

The two previously unsuccessful tenderers were approached to assess the works completed and submit their price to complete the remaining Civil scope of works in accordance with the original tender documents.

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Community Engagement

The effect on the public during construction is managed by the project communication plan through written notification, electronic media and provision of contact details for any concerns during the construction phase; these works will not impede the existing basketball stadium operations.

Regional Development Consent (RA15/1001) is approved for the Shoalhaven Indoor Sports Centre; community consultation consistent with that process has been undertaken.

Financial Implications

Sufficient funds have been allocated in the Shoalhaven Indoor Sports Centre Capital Project budget for the years 2016/17 and 2017/18. Funding is available to cover the recommended amount including other project costs for civil works.

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