

11.2 Exemption From Tender - Training Camp Facility Retaining Wall

REPORT BY THE ACTING GENERAL MANAGER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, FIN300368

RECOMMENDATION

That Council:

1. **receive the report by the Acting General Manager on the Exemption From Tender - Training Camp Facility Retaining Wall;**
2. **approve an exemption from tender, in accordance with section 55 (3) (i) of the Local Government Act 1993, for the supply of L-block retaining walls for the construction of a retaining wall at the Training Camp Facility, noting that due to the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders;**
3. **note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:**
 - a) **the market has already been tested appropriately, via public marketplace on VendorPanel – 10 suppliers over 2 categories selecting all suppliers under these categories that were capable of supplying the L-block retaining walls;**
 - b) **the same organisations would be targeted if we had tendered (via VendorPanel which picks from the marketplace) so there is no benefit in readvertising as a tender;**
4. **accept Ag-Crete Industries for the supply of L-block retaining walls for the Training Camp Retaining Wall in accordance with Clause 178 of the Local Government (General) Regulation 2005 – Part 7; and**
5. **delegate authority to the General Manager to negotiate and finalise the contract.**

Executive summary

An exemption from tender is sought from Council for the supply of L-block retaining wall materials for the Putta Bucca Training Camp facility. The cost of the materials is estimated to be around \$250,000. The market was tested through a Request for Quote process via VendorPanel. Only one response was received and staff have not been able to locate an alternate supplier for this product.

Disclosure of Interest

Nil

Detailed report

As part of the development of the Putta Bucca Training Camp facility, a significant retaining wall is required due to the topography of the land. As the concept for the training camp is that it be an

attractive destination for elite sporting groups, the design of the retaining wall also needs to be of a high quality as the majority of one face of the wall will be seen within the camp.

Staff have tested the market through the Vendor Panel procurement system by seeking quotes from 10 suppliers who may have been capable of delivery an L-block retaining wall product. Only one company responded. The response indicated a high quality product that would suit the needs of the project. The exact requirements and costs are unknown as it will depend partly on the amount of excavation that can be achieved on site. It is possible that the cost of the L-block retaining wall will be in excess of the tender threshold of \$250,000 (incl. GST). A further review of possible products and suppliers has led staff to consider that this is the best solution for the training camp. It is recommended that Council provide an exemption from tender for the supply of the L-block retaining wall products.

Community Plan implications

Theme	Looking After Our Community
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

Strategic implications

Council Strategies

Community Plan

Council Policies

Procurement Policy

Legislation

Local Government Act 1993

Financial implications

No additional budget is sought with this report.

Associated Risks

It is important to continue making progress with this project so that the funding agreements can be honoured and the risk of losing significant funding is mitigated.

SIMON JONES
ACTING GENERAL MANAGER
3 June 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER