

11.6 Request for Exemption from Tender - Boards for Cabins at Mudgee Valley Park

REPORT BY THE DIRECTOR COMMUNITY
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, FIN300365

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Request for Exemption from Tender - Boards for Cabins at Mudgee Valley Park;**
2. **approve an exemption from tender, in accordance with section 55 (3)(i) of the Local Government Act 1993, for the installation of boards for cabins at Mudgee Valley Park, noting that due to the unavailability of competitive or reliable tenders, 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 – 96 suppliers selected with 3 response received; and**
 - b) **the same organisations would be targeted if we had tendered (via VendorPanel) so there is no benefit in readvertising as a tender;**
4. **delegate authority to the Director Community to negotiations with the suppliers who provided responses; and**
5. **delegate authority to the Directory Community to then finalise the contract with the successful supplier and approve variations up to an accumulative total of 20% of the original contract sum.**

Executive summary

This report seeks to inform Council on the procurement process for a component of work at the Mudgee Valley Caravan Park Upgrade project, specifically work to install boards to cover the external sub floor area below the 31 new cabins that have been added to the park. An exemption from tender is sought as a Request for Quote process has already been undertaken and any potential tenderers have been identified.

Disclosure of Interest

Nil

Detailed report

Council sought quotes on 9 September 2022 for the installation of bottom boards to the 31 new cabins recently constructed for the Mudgee Valley Caravan Park. 96 suppliers were contacted through the VendorPanel procurement process. The Request for Quote included provided for the supply and installation of bottom boards to the new cabins.

Initially two quotes were received through VendorPanel, however, these were in excess of the tender limit of \$250,000 inclusive of GST. Subsequently, a third quote was received from another of the suppliers contacted through VendorPanel. It is recommended that the three companies be contacted to confirm scope and pricing before a final decision is made. The three companies that have provided quotes are:

- Regional West Constructions Pty Ltd
- Cosbuild
- Total Maintenance Worx

Section 55(3)(i) of the Local Government Act provides the opportunity for Council to resolve to provide an exemption from tender for a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders. This request for exemption is based on the fact that we have already gone to market to 96 suppliers and going to tender will not provide any further information.

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

All works involved in this report have already been included within the budget. No additional budget is sought.

Associated Risks

Risk is mitigated through the fact that a Request for Quote process has already been undertaken through VendorPanel and appropriate suppliers have been identified.

SIMON JONES

DIRECTOR COMMUNITY

5 October 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER