



22 NOVEMBER 1999

Meeting No 1301

MINUTES of an Extraordinary Meeting of the Council of the City of Sydney held in the Finance Committee Room at the Sydney Town Hall, commencing at 5.15 pm on 22 November 1999 pursuant to Notice 17/1301 dated 18 November 1999.

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- 4. Phillip Park Childcare Centre: Reconsideration of Construction**
Tender918

PRESENT

Councillor Lucy Turnbull
(Chairperson)

Councillors - Dixie Coulton, Nick Farr-Jones, Kathryn Greiner, Robert Ho, and Fabian Marsden.

At the commencement of business at 5.15pm those present were:-

Councillors Coulton, Farr-Jones, Greiner, Ho, Marsden and Turnbull.

The General Manager, Deputy General Manager, Director City Development, and Acting Director Legal and Secretariat were also present.

Apology

The Lord Mayor, Councillor Frank Sartor, extended his apologies for his inability to attend the Extraordinary Meeting of Council owing to an urgent commitment.

Moved by the Chairperson (the Deputy Lord Mayor), seconded by Councillor Marsden -

That the apology from the Lord Mayor be accepted and leave of absence from the meeting be granted.

Carried.

Closed Meeting

At 5.16pm, the Extraordinary Meeting of Council resolved -

That, due notice of the intention to close the meeting having been given, the meeting be closed in accordance with the provisions of Section 10A (2)(d)(i) of the Local Government Act 1993 to discuss Items 1 to 4 on the agenda as these matters comprised discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it;

and it was further resolved that the meeting be closed for these items on the basis that discussion of these matters in open session would, on balance, be contrary to the public interest, specifically, there is a need to preserve confidentiality having regard to the subject matters and the circumstances of communications.

Items 1 to 4 were then dealt with by the Extraordinary Meeting of Council while the meeting was closed to the public.

ITEM 1. PURCHASE OF A 8 TONNE GROUND LEVEL BODY DE-MOUNTABLE LINK TIP TRUCK FOR STREET CLEANING DEPARTMENT - APPROVAL TO ACCEPT TENDER (S009982)

Moved by the Chairperson (the Deputy Lord Mayor), seconded by Councillor Marsden -

That arising from consideration of a report by the Fleet Support Officer to the Extraordinary Meeting of Council on 22 November 1999, regarding the purchase of a Link Tip Truck for the Street Cleaning Department, it be resolved that Council award the contract to Fenquin Pty Ltd for the supply and delivery of one Nissan UD PK 220 "H" Truck with Garwood MP8 Body De- Mountable system at a cost of \$108,236.00.

Carried.

ITEM 2. PURCHASE OF A 6-7 TONNE TIPPER LORRY WITH CRANE FOR STREET CLEANING DEPARTMENT - APPROVAL TO ACCEPT TENDER (S009569)

Moved by the Chairperson (the Deputy Lord Mayor), seconded by Councillor Coulton -

That arising from consideration of a report by the Fleet Support Officer to the Extraordinary Meeting of Council on 22 November 1999, regarding the purchase of a 6-7 tonne Lorry with Crane for the Street Cleaning Department, it be resolved that Council award the contract to Suttons Motors Arncliffe Pty Ltd for the supply and delivery of one FSR 700 Auto lorry with crane at a cost of \$93,591.00, and sell the existing lorry to Bastian Truck Sales for \$23,670.00.

Carried.

ITEM 3. PURCHASE OF A 6-7 TONNE CREW CAB TIPPER LORRY FOR ROADS AND FOOTWAYS TEAM – APPROVAL TO ACCEPT TENDER (S009981)

Moved by the Chairperson (the Deputy Lord Mayor), seconded by Councillor Greiner -

That arising from consideration of a report by the Fleet Support Officer to the Extraordinary Meeting of Council on 22 November 1999, regarding the purchase of a Crew Cab Lorry for the Roads and Footways Department, it be resolved that Council award the contract to Suttons Motors Arncliffe Pty Ltd for the supply and delivery of one FSR 700 Crew at a cost of \$90,840.00 and sell the existing lorry to Bastian Truck Sales for \$17,260.00.

Carried.

ITEM 4. PHILLIP PARK CHILDCARE CENTRE: RECONSIDERATION OF CONSTRUCTION TENDER (SOO 9400)

Moved by the Chairperson (the Deputy Lord Mayor), seconded by Councillor Marsden -

That further to Resolution of Council on 8 November 1999 and arising from the consideration of a report by the Deputy Director – City Projects to the Extraordinary Meeting of Council on 22 November 1999, on Phillip Park Childcare Centre: Reconsideration of Construction Tender, it be resolved that -

- (A) Council note that Commercial Building Group does not intend to proceed with construction of the Phillip Park Childcare Centre;
- (B) Council note that negotiations have been entered into with the other tenderers in respect of Tender No 9920 for construction of the Phillip Park Childcare Centre;
- (C) Council decline to invite fresh tenders for the proposed work due to the following extenuating circumstances:
 - (i) that Council has recently completed a tender for the proposed works;
 - (ii) that more competitive tenders are unlikely to be received due to the recent timing of the tender, the high demand for construction services due to the Olympics and the proposed implementation of a Goods and Services Tax from 1 July 2000;
 - (iii) the delay to achieving the program set out in the report and the previous report to Council on 8 November 1999,

and for these reasons that a satisfactory result would not be achieved by inviting fresh tenders;

- (D) Council accept the tender of Grocon for the amount of \$2,259,500;
- (E) authority be delegated to the General Manager to enter into a contract with Grocon, and to stipulate that the building contract is to be completed on or before 30 April 2000, and to assign appropriate liquidated damages for late completion.
- (F) Council approve the allocation of an additional \$287,475 from the General Contingency to the project budget.

Carried unanimously.

At 5.18pm the meeting concluded.

Chairman of a meeting of the Council of the City
of Sydney held on 29 November 1999 at which
meeting the signature herein was subscribed.