

## Resolution of Council

**18 May 2020**

### **Item 6.11**

#### **Exemption from Tender - Head Contractor - The Crescent Lands at Johnstons Creek**

It is resolved that:

- (A) Council approve an exemption from tender for the provision of construction services for the Crescent Lands at Johnstons Creek, Annandale, due to extenuating circumstances and accept the contract sum and contingency as stated in Confidential Attachment B to the subject report;
- (B) Council note the reasons a satisfactory result would not be achieved by inviting tenders below:
  - (i) the integrity of the 2018 competitive tender process is still intact to allow negotiation with the next preferred tenderer;
  - (ii) this allows for immediate discussion to begin and avoidance of a lengthy re-tender preparation, period and evaluation process;
  - (iii) these negotiations can serve to discuss and confirm the balance of works to complete and reduce the final offer in a collaborative manner to achieve value for money; and
  - (iv) there is a need for urgent action to recommence works following the liquidation of the previous contractor to reduce the cost of maintaining a dormant construction site and deliver a completed project for our community;
- (C) Council approve the increase in the overall project budget as outlined in Confidential Attachment B to the subject report;
- (D) Council approve the increase of the existing head design consultant contract contingency as outlined in Confidential Attachment B to the subject report; and

- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract with Tender A for the provision of construction services for the Crescent lands at Johnstons Creek, Annandale.

Carried unanimously.

S123802