

## Resolution of Council

**26 June 2023**

### **Item 6.9**

#### **Exemption from Tender, Contract Variations and Revised Project Scope - Woolloomooloo Playground**

It is resolved that:

- (A) Council endorse the revised scope of work for improvements to Woolloomooloo Playground as described in the subject report and shown in the revised concept design at Attachment B to the subject report, for progression to relevant approvals, preparation of design, documentation and construction;
- (B) Council note the forecast costs and financial implications as outlined in Confidential Attachment D to the subject report;
- (C) Council approve the additional project budget for the Woolloomooloo Playground project as outlined in Confidential Attachment D to the subject report;
- (D) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the existing head design consultancy contract with Spackman Mossop Michaels Pty Limited and head construction contract with Quality Management & Constructions Pty Limited to expand the scope of each contract to include the revised scope of work endorsed by this report;
- (E) Council note that a satisfactory result would not be achieved by inviting tenders because:
  - (i) a competitive process has already been undertaken in relation to the provision of these head design consultancy and head construction services; and
  - (ii) there will be time and value for money implications if a separate tender process was undertaken for the provision of the additional scope of works;

- (F) Council approve:
- (i) a contract variation with Spackman Mossop Michaels Pty Limited for the provision of the additional head design consultancy services for the price outlined in Confidential Attachment D to the subject report; and
  - (ii) a contract variation with Quality Management & Constructions Pty Limited for the provision of the additional head construction services for the price outlined in Confidential Attachment D to the subject report;
- (G) authority be delegated to the Chief Executive Officers to finalise, execute and administer the contract variations with Spackman Mossop Michaels Pty Limited and Quality Management & Constructions Pty Limited to give effect to the resolutions above;
- (H) Council note the revised total contract sums for the contracts with Spackman Mossop Michaels Pty Limited and Quality Management & Constructions Pty Limited as outlined in Confidential Attachment D to the subject report; and
- (I) Council endorse the Pring Street / Dowling Street, Woolloomooloo school drop off area as described in the subject report and shown in the revised concept design at Attachment B to the subject report for preparation of concept design options for consultation and a further report to Council.

Carried unanimously.

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