

Resolution of Council

25 June 2018

Item 6.9

Exemption from Tender to Appoint Law Firms to the Legal Services Panel

It is resolved that:

- (A) Council note that, because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons why a satisfactory result would not be achieved by inviting tenders are:
 - (i) Henry Davis York and McCullough Robertson already completed the tender process for the legal services panel in 2016 and were appointed to the panel. It is only because of the merger that the appointment of the lawyers formerly with Henry Davis York has been disrupted;
 - (ii) the appointment of Norton Rose Fulbright Australia and McCullough Robertson to the panel for the specified areas of law will provide the City will a continuation of expert advice on specialised matters; and
 - (iii) Norton Rose Fulbright Australia and McCullough Robertson have confirmed that the schedule of rates supplied will apply for the remainder of the term of the panel, representing ongoing value for money for Council that has been supported by a tender process. Value for money is also achieved because of the relevant expertise and comprehensive knowledge the lawyers have of the City's legal obligations and requirements;
- (C) Council approve appointing Norton Rose Fulbright Australia to the legal services panel for the following categories of law: property, commercial, construction, administrative, planning and environment, and local government and community;
- (D) Council approve appointing McCullough Robertson to the legal services panel for the following category of law: workplace relations;

- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the appointments; and
- (F) authority be delegated to the Chief Executive Officer to exercise the options for the legal services panel in relation to the appointment of Norton Rose Fulbright Australia and McCullough Robertson for the stated areas of law.

Carried unanimously.

X006353