

Resolution of Council

13 May 2024

Item 6.12

Tender - T-2023-984 - City Civil Works

It is resolved that:

- (A) Council accept the tender offer of Tenderer D for Work Lot 1, Tenderer D for Work Lot 2 and Tenderers A, B, D and F for Work Lot 3 for the City Civil Works contracts for the price and contingency outlined in Confidential Attachment A to the subject report for a contract term of five years with two optional extensions to the contract term of three years and two years respectively;
- (B) Council approve the total contract sum and contingency for the City Civil Works contracts as outlined in Confidential Attachment A to the subject report;
- (C) Council accept the Schedule of Rates for the City Civil Works contracts as presented in Confidential Attachment B 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 duration of the contract term, including any extensions, for the procurement of items for Work Lot 3 that are not within the Schedule of Rates set out in Confidential Attachment B to the subject report contract to a cumulative upper limit of \$500,000 inclusive of GST per project;
- (E) Council note the reasons a satisfactory result would not be achieved by inviting tenders for the procurement of items referred to in clause (D) is due to the following extenuating circumstances:
 - (i) due to the variability of civil infrastructure, it is anticipated that there will be circumstances where works will be required that are not envisaged in the Schedule of Rates that are unusual, unique or unknown at the time of tender;
 - (ii) the ability to include these items under Work Lot 3 will allow for the effective delivery of civil infrastructure;
 - (iii) the time and cost to take the procurement of these items to market would disrupt the delivery of civil infrastructure; and

- (iv) the panel structure of Work Lot 3 and the requirements for competitive quotes will provide value for money for the procurement of these items; and
- (F) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender (including exercising options, if appropriate) and to give effect effect to the approval in clause (D).

The substantive motion was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok and Worling

Noes (4) Councillors Ellsmore, Jarrett*, Scott and Weldon.

Substantive motion carried.

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*Note – Councillor Jarrett abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Jarrett is taken to have voted against the motion.