

Minutes of the Corporate, Finance, Properties and Tenders Committee - 22 July 2024

Members Lord Mayor - Councillor Clover Moore AO (Chair), Deputy Lord Mayor - Councillor Robert Kok (Deputy Chair), Councillor HY William Chan, Councillor (Waskam) Emelda Davis, Councillor Sylvie Ellsmore, Councillor Lyndon Gannon, Councillor Shauna Jarrett, Councillor Linda Scott, Councillor Yvonne Weldon AM and Councillor Adam Worling.

At the commencement of business at 2.02pm, those present were –

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott, Weldon and Worling.

Closed Meeting

At 2.04pm, the Corporate, Finance, Properties and Tenders Committee resolved to close the meeting to the public to discuss Items 5 to 12 inclusive on the agenda.

Open Meeting

At 2.55pm, the meeting of the Corporate, Finance, Properties and Tenders Committee was reopened to the public.

Councillor Scott left the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.10pm, prior to discussion on Item 4, and returned at 3.11pm, after the vote on Item 4. Councillor Scott was not present at, or in sight of, the meeting during discussion or voting on Item 4.

Adjournment

At 3.37pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Gannon –

That the meeting of the Corporate, Finance, Properties and Tenders Committee be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.56pm, all Councillors were present.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 4.07pm.

Item 1

Confirmation of Minutes

Moved by Councillor Kok, seconded by Councillor Worling –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 17 June 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2

Statement of Ethical Obligations and Disclosures of Interest

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 4 on the agenda, in that he is a member of the following associations: Committee for Sydney, Planning Institute of Australia, Materials and Embodied Carbon Leaders' Alliance (MECLA), and Green Building Council of Australia. He is elected on the executive board for Climate Emergency Australia and International Council for Local Environmental Initiatives (ICLEI).

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recommendation for Council is to only note the City's membership of these associations.

Councillor Linda Scott disclosed a significant, non-pecuniary interest in Item 4 on the agenda, in that she is the President of the Australian Local Government Association (ALGA) and Local Government NSW is a member of ALGA. She is also the City's representative on Southern Sydney Region of Councils (SSROC). ALGA collaborates with the International Council for Local Environmental Initiatives (ICLEI) – Local Governments for Sustainability, Local Government Information Unit (LGIU), Institute of Public Works Engineering Australasia Limited (IPWEA), and a range of other organisations.

Councillor Scott stated that she would not be voting on this matter.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matters on the agenda for this meeting of the Corporate, Finance, Properties and Tenders Committee.

The Corporate, Finance, Properties and Tenders Committee recommended the following:

Item 3

Investments Held as at 30 June 2024

It is resolved that Investment Report as at 30 June 2024 be received and noted.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Worling, and carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott and Worling

Noes (1) Councillor Weldon*.

Carried.

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

X020701

Item 4**External Memberships**

It is resolved that:

- (A) Council receive and note the City's membership of the associations outlined in Attachment A to the subject report;
- (B) Council note that final membership amounts change from time to time and any significant changes will be reported back to Council via the CEO Update; and
- (C) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to accept hosting up to three roundtables/forums/events per year at City of Sydney venues and to waive costs associated with hosting these events.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Worling, and carried unanimously.)

S076031

Item 5**Tender - T-2023-1124 - Minor Landscape Works Panel**

It is resolved that:

- (A) Council accept the tenders of Tenderers A, G, H and J for the Minor Landscape Works Panel for the Schedule of Rates outlined in Confidential Attachment B to the subject report, for a period of three years, with the option of an extension of a further period of three years, if appropriate;
- (B) Council note that the total contract sum and contingency for the Minor Landscape Works Panel is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option referred to at (A) above if appropriate.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried on the following show of hands –

Ayes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok and Worling

Noes (3) Councillors Ellsmore, Scott and Weldon.

Carried.)

X098105

Item 6**Tender - T-2023-973 - LED Luminaires and Smart Controls Supply**

It is resolved that:

- (A) Council accept the tenders of Tenderers B, C, E and F for the Supply of the Various Types of LED Luminaires and Tenderer D for the Supply of Smart Controls for the Schedule of Rates outlined in Confidential Attachment B to the subject report for a period of five years with the option of two, two-year extensions, if appropriate;
- (B) Council note that the total contract sums and contingencies for the Supply of LED Luminaires Contracts and for the Supply of Smart Controls contract are outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in (A), if appropriate.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Worling, and carried on the following show of hands –

Ayes (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok, Scott and Worling

Noes (2) Councillors Ellsmore and Weldon.

Carried.)

X096255.012

Item 7

Tender - T-2023-1107 - Public Lighting and Electrical Maintenance

It is resolved that:

- (A) Council accept the tender of Tenderer B for the provision of Public Lighting and Electrical Maintenance for the schedule of rates outlined in Confidential Attachment B to the subject report for a period of three years, with two optional extensions of two years and one year, if appropriate;
- (B) Council note that the total contract sum and contingency for the provision of Public Lighting and Electrical Maintenance contract is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in (A) above, if appropriate.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Chan, and carried on the following show of hands –

Ayes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok and Worling

Noes (3) Councillors Ellsmore, Scott and Weldon.

Carried.)

X099620.012

Item 8**Tender - T-2023-1009 - Construction - Gunyama Park Stage 2 and George Julius Avenue North**

It is resolved that:

- (A) Council accept the tender of Tenderer C for the construction of Gunyama Park Stage 2 and George Julius Avenue North for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) Council note that the total contract sum and contingency for the construction of Gunyama Park Stage 2 and George Julius Avenue North is outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X095149

Speaker

Dr Indigo Willing (University of Sydney) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 8.

Item 9**Tender - T2023-1062 - Head Contractor - Hyde Park Lighting, Electrical, CCTV Upgrade and Associated Works and Contract Variation - Head Design Consultant**

It is resolved that:

- (A) Council accept the tender of Tenderer B for Hyde Park Lighting, Electrical, CCTV Upgrade and Associated Works for the price and contingency in Confidential Attachment A to the subject report;
- (B) Council note that the total contract sum and contingency for Hyde Park Lighting, Electrical, CCTV Upgrade and Associated Works is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender;
- (D) Council approve additional contract contingency for the Head Design Consultant for additional design services during the construction stage of the Hyde Park Lighting, Electrical, CCTV Upgrade and Associated Works project as outlined in Confidential Attachment A to the subject report; and
- (E) Council approve the additional funds required to deliver the Hyde Park Lighting, Electrical, CCTV Upgrade and Associated Works project as outlined in Confidential Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok, Scott, Weldon and Worling

Noes (1) Councillor Ellsmore.

Carried.)

X019616

Item 10

Tender - T-2021-609 - Huntley Street Recreation Centre Construction and Contract Variation - Head Design Consultant

It is resolved that:

- (A) Council accept the tender of Tenderer B for the Huntley Street Recreation Centre project for the price and contingency, outlined in Confidential Attachment A to the subject report;
- (B) Council note that the total contract sum and contingency for the Huntley Street Recreation Centre project is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender;
- (D) Council approve additional contract contingency for the Head Design Consultant services as outlined in Confidential Attachment A to the subject report; and
- (E) Council approve additional project funding as outlined in Confidential Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X023780

Item 11**Tender - T-2023-1041 - Reject and Negotiate - Sydney Park Brick Kilns Precinct Upgrade and Contract Variation - Head Design Consultant**

It is resolved that:

- (A) Council decline to accept the tender offers for the Sydney Park Brick Kilns Precinct Upgrade for the reasons outlined in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional contractors over and above those that have responded to this tender and preceding Expression of Interest;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) Council note that the outcome of negotiations will be reported back to Council; and
- (E) Council approve additional contract contingency for the Head Design Consultant services during the construction stage of the Sydney Park Brick Kilns Precinct Upgrade for the amount outlined in Confidential Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X082505.008

Item 12**Tender - T-2023-1166 - Reject and Negotiate - English Library Materials**

It is resolved that:

- (A) Council decline to accept the tender offers received for Library English Materials for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the successful vendor via the CEO Update.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S045562

Item 13

Contract Variation - Frontier Software Pty Ltd

It is resolved that:

- (A) Council approve a variation of the contract with Frontier Software Pty Ltd to add a licence for the Mobile Self Service module, MHR21;
- (B) Council approve the revised total contract value and the contingency (inclusive of the additional scope) as detailed in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer any contract variations required to give effect to this approval.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Worling, and carried unanimously.)

S095194.009