

Relevant Information for Council

FILE: X026413 **DATE:** 15 October 2021

TO: Lord Mayor and Councillors

FROM: Kirsten Morrin, Director Legal and Governance

THROUGH: Monica Barone, Chief Executive Officer

SUBJECT: Information Relevant To Item 6.7 – Exemption from Tender and Contract Variations - Contracts Impacted by the Postponement of the 2021 Local Government Election

Alternative Recommendation

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55 (3)(i) of the Local Government Act 1993 to extend the term of the existing contracts for:
- (i) Street Signs, Pavement Marking and Tactile Ground Surface Indicator Services with Streets Ahead Maintenance Pty Ltd;
 - (ii) Public Art Collection Basic Maintenance Services with Urban Maintenance Systems Pty Ltd;
 - (iii) Security Patrols and Alarm Response Services with Southern Cross Protection Pty Ltd; and
 - (iv) ***Internal Audit Services with RSM Australia Pty Limited and O'Connor Marsden & Associates Pty Limited.***

by reason of extenuating circumstances noting that a satisfactory result for the City would not be achieved by inviting tenders at this time;

- (B) Council note the reason that a satisfactory result would not be achieved by inviting tenders at this time are that because of the new date for the 2021 Local Government Elections and corresponding later date of the caretaker period, the City will not have adequate time in which to complete the appropriate tender processes which consequently will not result in value for money;

- (C) Council approve variations to the contracts for:
- (i) Street Signs, Pavement Marking and Tactile Ground Surface Indicator Services with Streets Ahead Maintenance Pty Ltd;
 - (ii) Public Art Collection Basic Maintenance Services with Urban Maintenance Systems Pty Ltd;
 - (iii) Security Patrols and Alarm Response Services with Southern Cross Protection Pty Ltd; and
 - (iv) ***Internal Audit Services with RSM Australia Pty Limited and O'Connor Marsden & Associates Pty Limited.***

to extend the terms of the contracts to 30 June 2022; and

- (D) authority be delegated to the Chief Executive Officer to negotiate, administer and enter into any necessary documentation to give effect to the clauses above.

Purpose

To alter the recommendations proposed to be adopted by Council in relation to Item 6.7 of the Corporate, Finance, Properties and Tenders Committee.

Background

At the meeting of the Corporate, Finance, Properties and Tenders Committee on 11 October 2011, Item 6.7 recommended that Council approve an exemption from tender and contract variation for a number of contracts due to changes to the date for the local government elections. One further contract that is also due to expire on 1 January 2022 was inadvertently omitted from that report and recommendation. Alternative recommendations are proposed by this memo to also extend the contracts for internal audit services until 30 June 2022.

The reasons for the need for the extension of this contract are consistent with those set out in the report relating to the other contracts.

Memo from Kirsten Morrin, Director Legal and Governance

Prepared by: Barry Munns, Chief Internal Auditor

Approved

A handwritten signature in black ink, appearing to read 'P.M. Barone', with a long horizontal flourish extending to the right.

MONICA BARONE

Chief Executive Officer