



*The Barossa Council*

## TENDER COMMITTEE MEETING

Members are advised that a meeting of the Tender Committee will be held in the Large Meeting Room, 43-51 Tanunda Road, Nuriootpa, on Tuesday 16 June 2015, commencing at 8.30am.

Martin McCarthy  
CHIEF EXECUTIVE OFFICER  
THE BAROSSA COUNCIL

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# A G E N D A

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## 1. THE TENDER COMMITTEE

- 1.1 Welcome
- 1.2 Present
- 1.3 Apologies
- 1.4 Confirmation of ordinary minutes of the Tender Committee Meeting held on Tuesday 16 September 2014 (copy *attached*).
- 1.5 Confirmation of confidential minutes of the Tender Committee Meeting held on Tuesday 16 September 2014 (copy *attached*).

## 2. CONSENSUS AGENDA

- 2.1 Nil

## 3. DEBATE AGENDA

- 3.1 Nil

## 4. CONFIDENTIAL

- 4.1 Report – Chief Executive Officer – Tender – Barossa Regional Procurement Group – Minor Repairs and Building Works Panel

## 5. OTHER BUSINESS

## 6. NEXT MEETING

## 7. CLOSURE

**MINUTES OF MEETING OF THE BAROSSA COUNCIL TENDER COMMITTEE held in the Large Meeting Room, 43-51 Tanunda Road, Nuriootpa, on Tuesday 16 September 2014, commencing at 8.30am.**

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**WELCOME**

Chairman Cr David Lykke welcomed everyone to the meeting.

**PRESENT**

Mayor Brian Hurn, Crs David Lykke, Bob Sloane, John Angas and Margaret Harris, Martin McCarthy – Chief Executive Officer, Peter Bice - Director – Works and Engineering, Ben Wright – Manager – Operations, and Ann Nitschke – Minute Secretary.

**APOLOGIES**

Nil.

**CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**

**MOVED** Cr Harris that the Minutes of the Tender Committee Meeting held on Wednesday 10 September 2014 as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

**Seconded** Cr Sloane

**CARRIED**

**CONFIRMATION OF MINUTES FROM PREVIOUS CONFIDENTIAL MEETINGS**

**MOVED** Cr Sloane that the Minutes of the Confidential Meeting of the Tender Committee held on Wednesday 10 September 2014 at 4.02pm as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

**Seconded** Cr Harris

**CARRIED**

**MOVED** Martin McCarthy that the Minutes of the Confidential Meeting of the Tender Committee held on Wednesday 10 September 2014 at 4.16pm as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

**Seconded** Cr Harris

**CARRIED**

**MOVED** Martin McCarthy that the Minutes of the Confidential Meeting of the Tender Committee held on Wednesday 10 September 2014 at 4.25pm as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

**Seconded** Cr Harris

**CARRIED**

**CONSENSUS AGENDA**

Nil.

**DEBATE AGENDA**

Nil.

**CONFIDENTIAL MATTER – 8.38am**

**ITEM 4.1**

**TENDER – SUPPLY OF A LOADER – 2014/08**  
**B2445**

**REPORT**

As this item is a Tender all details are to be considered in confidence to protect commercial information provided through the tender process and the report, attachments and associated documents need to remain in confidence until the end of the meeting so as not to divulge commercial information, and therefore pursuant to Section 90(3)(k) being tenders for the supply of goods, the provision of services or the carrying out of work.

**MOVED** Cr Sloane that:-

- (1) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from the meeting, with the exception of the Chief Executive Officer, Director – Works and Engineering, Manager – Operations and the Minute Secretary, in order to consider in confidence a report relating to Section 90(3)(k) of the Local Government Act 1999 the receiving of tenders for the supply of a Loader – 2014/08 being tenders for the supply of goods, the provision of services or the carrying out of works, which is specifically all tender details considered in confidence to protect commercial information provided through the tender process; and
- (2) Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

**Seconded** Cr Harris

**CARRIED**

**RESUMPTION OF THE OPEN TENDER COMMITTEE MEETING**

The open meeting of the Tender Committee resumed at 8.49am.

On the Confidential matter 4.1:

**MOVED** Cr Sloane that the Tender Committee:

- (1) Award the tender for the supply of a Loader to Cavill Power Products – Cavpower (CAT 924K Wheel Loader - Fusion) for a total of \$263,500 (ex GST).
- (2) Having considered this matter in confidence under Section 90(3)(k) of the Local Government Act 1999 makes an order pursuant to Section 91(7) of the Local Government Act 1999, that the Minutes, Report, Attachments and associated documents in relation to Confidential Item 4.1 of the Tender Committee Meeting held 16 September 2014 and titled Tender – Supply of a Loader – 2014/08, other than the minutes relating to this confidentiality order, be kept confidential and not available for public inspection until the end of the meeting.

**Seconded** Cr Harris

**CARRIED**

**OTHER BUSINESS**

Nil.

**NEXT MEETING**

To be advised.

**CLOSURE**

There being no further business, the meeting closed at 8.50am.

Confirmed

**Date:** .....

**Chairman:** .....

# COVER SHEET

## CONFIDENTIAL REPORT

16 JUNE 2015

**Tender Committee**

**CHIEF EXECUTIVE OFFICER**

ITEM 4.1

### **TENDER – BAROSSA REGIONAL PROCUREMENT GROUP - GENERAL REPAIRS AND BUILDING MAINTENANCE WORKS PANEL – REPORT**

**REPORT:**

As this item is a Tender, tender submissions and associated analysis are to be recommended to be considered in confidence to protect commercial in confidence information provided through the tender process and the report, attachments and associated documents are provided to the committee so as not to divulge commercial information, and therefore pursuant to Section 90(3)(k) of the Local Government Act the information is related to tenders for the supply of goods, the provision of services or the carrying out of works.

**RECOMMENDATION:**

That:

- (1) Under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from the meeting, with the exception of the Chief Executive Officer, Director – Corporate and Community Services, Manager – Strategic Projects and the Minute Secretary, in order to consider in confidence a report relating to Section 90(3)(k) of the Local Government Act 1999 regarding the receiving, reviewing and assessing of tenders for the General Repairs and Building Maintenance Works Panel, being information pertaining to the supply of goods, the provision of services or the carrying out of works, which is specifically commercial information provided in confidence, all tender documentation present be considered in confidence to protect commercial information provided through the tender process; and
- (2) Accordingly, on this basis, the principle that meetings of the Committee should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.