



44 Station Street  
Cobram Vic 3644  
[www.moirā.vic.gov.au](http://www.moirā.vic.gov.au)  
[info@moirā.vic.gov.au](mailto:info@moirā.vic.gov.au)

## AGENDA

**UNSCHEDULED MEETING OF COUNCIL**  
**FOR**  
**WEDNESDAY 2 FEBRUARY 2022**  
**TO BE HELD AT COBRAM CIVIC CENTRE, PUNT ROAD COBRAM**  
**COMMENCING AT 1:30 PM**

### **RECORDING**

Consistent with section 12.3 of our Governance Rules, Council officers have been authorised to record the public session of this meeting using an audio recording device.

### **LIVE STREAMING**

Council meetings are now live streamed to allow those interested in viewing proceedings greater access to Council decisions and debate, without attending the meeting in person.

### **1. CALLING TO ORDER - CEO**

### **2. PRAYER**

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

### **3. ACKNOWLEDGEMENT OF COUNTRY**

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

### **4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE**

### **5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS**

### **6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST**

### **7. OFFICER REPORTS FOR DETERMINATION**

#### **7 COMMUNITY**

#### **7.1 C027/21 - CONSTRUCTION OF YARRAWONGA LIBRARY, EVENTS AND PERFORMANCE PRECINCT**

2

### **8. CLOSE OF MEETING**

FILE NO: C027/21  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 7.1  
(PROCUREMENT COORDINATOR, JOVIAL  
MATHEWS)  
(GENERAL MANAGER COMMUNITY, RICE,  
SALLY)

## C027/21 - CONSTRUCTION OF YARRAWONGA LIBRARY, EVENTS AND PERFORMANCE PRECINCT

### RECOMMENDATION

That Council:

1. Appoint Ultra Project Services Pty Ltd as the preferred tenderer for contract C027/21 – Construction of Yarrowonga Library, Events and Performance Precinct (Stages 1 and 2);
2. Authorise the Chief Executive Officer to undertake negotiations to achieve a best value outcome;
3. Authorise the Chief Executive Officer to sign and seal the contract documents; and
4. Approve the allocation of \$1.2 million from cash reserves towards the project budget.

### 1. Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations to undertake building construction works for the new Yarrowonga Library, Events and Performance Precinct.

After consideration of the submissions, the evaluation panel recommends that Ultra Projects Services Pty Ltd be appointed as preferred tenderer to contract C027/21.

This report also recommends that Council allocate a further \$1.2 million to this project. This will be sufficient to cover the costs of the entire project, including oncosts, for both stages 1 and 2.

### 2. Background and Options

The Yarrowonga Library, Events and Performance Precinct is a project that commenced in the 2017-18 financial year. Significant planning, design and onsite works have occurred. All the preparatory works are now complete and it is time to commence the substantial construction phase of the project.

Previously this project has been discussed as a two stage project. The stages are described as follows:

- Stage 1; comprises construction of a modern library, community event and exhibition space, a commercial kitchen, storage facilities, customer service / reception areas, car parking, two outdoor spaces, a gallery and event space in the existing ground floor of the town hall, new female toilets in the existing ground floor of the town hall, and an accessible lift to the first floor of the existing town hall; and
- Stage 2; a renovation of the areas of the Town Hall.

The contract allowed for both stages to be costed on the understanding that only Stage 1 may be awarded. It is now recommended to proceed with both Stages 1 and 2 of the project based on receipt of the submission from the preferred supplier.

Proceeding with Stage 2 is considered more cost effective in the long run. Also, it will complete the overall project and the renovation of the Town Hall will be a great community outcome.

FILE NO: C027/21  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 7.1

**C027/21 - CONSTRUCTION OF YARRAWONGA LIBRARY, EVENTS AND  
PERFORMANCE PRECINCT (cont'd)**

Works are to be completed within 15 months from the date of acceptance and will be paid as a lump sum with payments made on the satisfactory completion of set milestones.

**Date of Public Notice**

Paper	Date
TenderSearch	9 October 2021
The Age	9 October 2021
Border Mail	9 October 2021
Shepparton News	12 October 2021
Cobram Courier	13 October 2021
Numurkah Leader	13 October 2021
Yarrawonga Chronicle	13 October 2021

Submissions closed 10 November 2021.

**Receipt of Tenders**

1 submission was received.

**Supervision**

Superintendent: Acting Manager Operations

Superintendent Representative: Consultant Project Manager Construction and Assets

**Panel Membership**

Staff in the following positions independently evaluated the submissions:

- General Manager Community
- Acting Manager Operations
- Consultant Project Manager Construction and Assets
- Team Leader Workspace Health and Safety

The Procurement Coordinator moderated the tender evaluation.

**Non-conforming tenders**

The submission was not considered to be non-conforming.

**Tender Evaluation**

The evaluation was a two phase process. The initial stage was based on selection criteria. The second stage was an interview to assess the capability of the contractor to carry out the work.

FILE NO: C027/21  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 7.1

**C027/21 - CONSTRUCTION OF YARRAWONGA LIBRARY, EVENTS AND  
PERFORMANCE PRECINCT (cont'd)**

**Phase 1 – Evaluation Process – Selection Criteria**

Submitted Tenders were evaluated based on the following criteria and its respective weightings.

<b>Evaluation Criteria</b>	<b>Evaluation Weighting</b>
Price	40%
Track Record	15%
Staff and Resources	15%
Management of Schedules	10%
Compliance with Specification	10%
Contribution to Local Economy	10%

**Phase 2 – Evaluation Process – Tenderer Interview**

The Tenderer was advised in the Invitation to Tender that they may be invited to attend an interview to assess their capability to complete the project by the Evaluation Panel after the closing date.

A summary of the evaluation process is provided in the confidential attachment.

**3. Financial Implications**

The original budget for this project was funded by the Community Infrastructure Loan Scheme and Moira Shire Council. In addition to these funding streams Council was also successful in receiving \$1,000,000 through the Victorian Governments Living Library's Grant. The overall budget for the project is \$6,667,727.

The current expenditure for this project to date has amounted to \$388,304 making the available budget for project to \$6,279,423.

Council is being asked to allocate an additional \$1.2 million from cash reserves to the project budget. This will be sufficient to cover the costs of the entire project, including oncosts for both Stages 1 and 2.

The request for additional resources to complete the project is due to:

- Increase in library's footprint of the build by 295m<sup>2</sup>
- Proceeding with both Stages 1 and 2
- Regular inflation incurred during the 2 years from Project Plan initiation
- Great demand experienced by the building industry partly due to COVID stimulus and boom in construction sector
- Rise in material prices
- Inclusion of project management and contingency costs.

Following the completion of the project, Council will look to offset some of the project funds by selling the current Yarrowonga Library building which has an estimated value of \$670,000.

For more information, please refer to Appendix A – Evaluation Summary.

FILE NO: C027/21  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 7.1

## C027/21 - CONSTRUCTION OF YARRAWONGA LIBRARY, EVENTS AND PERFORMANCE PRECINCT (cont'd)

### 4. Risk Management

To minimise the risks associated with the works under contract, the following conditions must be met:

- The successful contractor is to be the holder of Public Liability Insurance with a minimum coverage of \$20 million.
- The successful contractor is required to submit a COVID 19 Management Plan including how they intend to implement the Government Guidelines.
- The successful contractor will be appointed as the Principal Contractor and is authorised to have management or control of the workplace and discharge of duties in relation to the Occupational Health and Safety Act and Regulations.
- Prior to the commencement of works, the successful contractor must supply the Superintendent with an Environmental Management Plan and a Health and Safety Coordination Plan inclusive of:
  - Contractor Verification Checklist
  - Coordination Plan
  - Safe Work Method Statements
- Various hold points will be applicable where the work may not proceed without review and approval by the Superintendent.
- All on-site personnel are required to undertake a Moira Shire Council Site Induction.
- A Plant Risk Assessment is required for each item of heavy plant to be supplied, hired or expected to enter the work site.

### 5. Internal and External Consultation

The tender was advertised on Council's TenderSearch website, The Age, Border Mail, Shepparton News and the local newspapers.

The Acting Manager Operations and General Manager Community approved the tender documentation.

### 6. Regional Context

This project contributes to the strategic objective of continuing to maintain and provide facilities and services that our community value and need.

### 7. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

### 8. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 108 of the *Local Government Act 2020* and Council's adopted Procurement Policy.

### 9. Environmental Impact

Clause 1.24 of the contract specific clauses stipulates the contractor's environmental responsibilities and will form part of the contract.

FILE NO: C027/21  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 7.1

**C027/21 - CONSTRUCTION OF YARRAWONGA LIBRARY, EVENTS AND  
PERFORMANCE PRECINCT (cont'd)**

In addition, the contractor is required to provide an Environmental Management Plan prior to the works commencing.

**10. Collaborative Procurement**

As the project is unique to the Moira Shire Council a collaborative procurement opportunity was not possible.

**11. Conflict of Interest Considerations**

There are no conflicts of interest declared for this tender evaluation process.

**12. Conclusion**

Following the tender process, evaluation and interview of the tenderer, the recommendation is to appoint Ultra Project Services Pty Ltd as the preferred tenderer for contract C027/21 including both Stages 1 and 2. Proceeding with the Stage 2 works is recommended as it is considered more cost effective and will save money in the long run. Also, it will complete the overall project and the renovation of the Town Hall will be a great outcome for the community.

**Attachments**

- 1 C027/21 - Construction of Yarrowonga Library, Events and Performance Precinct - APPENDIX A (CONFIDENTIAL) - *printed in separate document*