



# AGENDA

## Special Council Meeting

Tuesday 9 April 2024

### Notice of Meeting

Mayor & Councillors

A Special Council Meeting of the City of Nedlands is to be held on Tuesday 9 April 2024 in the Council chambers at 71 Stirling Highway Nedlands commencing at 6.30pm for the purpose of:

This meeting will be livestreamed [Livestreaming Council & Committee Meetings » City of Nedlands](#)

A handwritten signature in blue ink, appearing to read "Tony Free".

**Tony Free | Acting Chief Executive Officer**

**4 April 2024**



## Information

Special Council Meetings are run in accordance with the City of Nedlands Standing Orders Local Law. If you have any questions in relation to items on the agenda, procedural matters, public question time, addressing Council or attending meetings please contact the Executive Officer on 9273 3500 or [council@nedlands.wa.gov.au](mailto:council@nedlands.wa.gov.au)

## Public Question Time

Public question time at a Special Council Meeting is available for members of the public to ask a question about items on the agenda. Questions asked by members of the public are not to be accompanied by any statement reflecting adversely upon any Council Member or Employee.

Questions should be submitted as early as possible via the online form available on the City's website: [Public question time | City of Nedlands](#)

Questions may be taken on notice to allow adequate time to prepare a response and all answers will be published in the minutes of the meeting.

## Addresses by Members of the Public

Members of the public wishing to address Council in relation to an item on the agenda must complete the online registration form available on the City's website: [Public Address Registration Form | City of Nedlands](#)

The Presiding Member will determine the order of speakers to address the Council and the number of speakers is to be limited to 2 in support and 2 against any particular item on a Special Council Meeting Agenda. The Public address session will be restricted to 15 minutes unless the Council, by resolution decides otherwise.

## Disclaimer

Members of the public who attend Council Meetings Agenda Forum should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example, by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.



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## 1. Declaration of Opening

The Presiding Member will declare the meeting open at 6.30pm and will draw attention to the disclaimer on page 2 and will advise that the meeting is being livestreamed and recorded.

## 2. Present and Apologies and Leave of Absence (Previously Approved)

<b>Leave of Absence (Previously Approved)</b>	Councillor L J McManus	Hollywood Ward
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<b>Apologies</b>	None as at distribution of this agenda.	
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## 3. Public Question Time

Public questions submitted to be read at this point.

## 4. Address by Members of the Public

Addresses by members of the public who have completed Public Address Registration Forms to be made at this point.

## 5. Disclosures of Financial Interest

The Presiding Member to remind Council Members and Staff of the requirements of Section 5.65 of the Local Government Act to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.



## 6. Disclosures of Interest Affecting Impartiality

The Presiding Member to remind Council Members and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the Local Government Act.

Council Members and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x ..... I disclose that I have an association with the applicant (or person seeking a decision). This association is ..... (nature of the interest).

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

## 7. Declaration by Members That They Have Not Given Due Consideration to Papers

Members who have not read the business papers to make declarations at this point.



## 8. Divisional Reports

### 8.1. TS10.04.24 – Vincent Street Black Spot

<b>Meeting &amp; Date</b>	Special Council Meeting – 9 <sup>th</sup> April 2024
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Peter Seed, Project Manager
<b>Director</b>	Finn MacLeod, Acting Director Technical Services
<b>Attachments</b>	1. Confidential – RFQ 2023-24.12 Vincent Street Black Spot Evaluation Report

#### Purpose

The purpose of the report is for Council to accept the evaluation and recommendation of the Contractor WCP CIVIL PTY LTD for RFQ 2023-24.12 Vincent Street Black Spot.

In accordance with Council’s amended purchasing policy, Council approval is required where the minimum number of quotes was not received during the procurement process.

The Request for Quotation (RFQ) for the Vincent Street Black Spot procurement process received one (1) submission in the procurement band between \$50,001 and up to \$250,000.

#### Recommendation

That Council:

1. **accepts the submission for the Vincent Street Black Spot by WCP CIVIL PTY LTD as the preferred tenderer; and**
2. **authorises the CEO to enter into a contract in accordance with the City’s Request for Tender number RFQ 2023-24.12 and comprising of that request, the City’s Conditions of Contract, preferred tender submission, inclusive of the Schedule of Rates, and all post tender clarifications and negotiations, to be executed.**

#### Voting Requirement

Simple Majority.



## Background

The City of Nedlands Procurement of Goods and Services Policy was amended by Council at the Ordinary Council Meeting on 24 May 2022. This amendment requires procurement items to be brought to Council where the minimum number of responses has not been received prior to the RFQ closing.

Administration sought six (6) written quotations for the Vincent Street Blackspot project. The procurement band (\$50,001 to \$250,000) requires that a minimum of three responses to be obtained, however, at the close of the RFQ advertisement period, one response was submitted for consideration.

The Vincent Street Black spot project forms part of the approved 2023/24 Capital Works Program. As the City does not have internal resources appropriate for these types of work it has been decided to seek the services of a skilled and experienced Contractor.

The RFQ was sent directly to six nominated suppliers and was open for submissions from 1<sup>st</sup> March 2024 to 22<sup>nd</sup> March 2024.

The City received a total of 1 compliant submission from WCP CIVIL PTY LTD.

## Discussion

After the RFQ period ended, an evaluation panel was formed comprising of two (2) City Projects and Programs team members and one Asset Management team member. The evaluation panel assessed the submitted tenders against the following criteria:

- **Relevant experience (40%),**
- **Key personnel skills and experience (20%),**
- **Demonstrated Understanding (40%).**

After the RFQ evaluation panel assessed the submission, WCP CIVIL PTY LTD was nominated as the preferred supplier for this project based on their submitted methodology, program, and schedule of rates.

WCP CIVIL PTY LTD have demonstrated sufficient capability to handle the project and understanding of the requirements by providing a detailed construction methodology process, outlining how they will complete the work.

They have the relevant experience to complete the proposed works on Vincent Street. WCP CIVIL PTY LTD have completed similar works for other local Councils in the Perth Metro region. They have provided key personnel resumes who all have suitable level of experience, and the panel is confident that the team can complete the works.

The Contractor has considered the residential area that they are working in and will be able to complete the works in a short period of time. The works are expected to take one week around mid-May.



Following the due diligence process, the provided information is of a level that officers are confident that the project will be completed on schedule, safely and with minimal disruption to road users, local community, and businesses and that WCP CIVIL PTY LTD offer represents value for money to the City.

The City nominated the Vincent Street project to help reduce the speeding and severity of crashes in this area. The Administration recommends proceeding with the project despite the challenging market. Delaying these works will lead to more accidents, and directly affect the long-term safety of residents and road users alike.

The current speeding on the road warrants:

- **Immediate intervention is necessary to prevent safety risks and further accidents.**
- **Prompt action to prevent further accidents and deaths on Nedlands' roads.**

## Consultation

Consultation General consultation with impacted stakeholders has occurred as part of the project planning process but no specific consultation has occurred as part of the tender evaluation process.

## Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

**Vision** Sustainable and responsible for a bright future

**Pillar** People  
**Outcome** 2. A healthy, active and safe community.

**Pillar** Place  
**Outcome** 8. A city that is easy to get around safely and sustainably.

**Pillar** Place  
**Outcome** 8. A city that is easy to get around safely and sustainably.

## Budget/Financial Implications

The preferred tender's submission is within the allocated budget for this project.





The costing summary is shown in the table below:

	Project
Budget	\$300,000
Municipal contribution	0
Grant Funding	\$300,000
Tendered Price	\$177,829.08

This project has been allocated \$300,000 in Australian Government Black Spot Funding. If this project is delayed, the City risks losing this grant allocation. The works are required to be completed by 30th June 2024, within the 2023-24 financial year.

## Legislative and Policy Implications

[Procurement of Goods and Services Council Policy](#)  
[Local Government \(Functions and General\) Regulations 1996](#)

## Decision Implications

Approving the Vincent Street Black spot tender is crucial for various reasons:

- **Safety Benefit to Community:** Road users, pedestrians, and homeowners/businesses in the area will benefit from safer roads, with a reduction in crashes, severity and trauma related to road crashes.
- **Preventing Future Crashes:** Swift intervention is needed to prevent further crashes and ensure road user safety. Delaying repairs could lead to further high-risk crashes in this area.
- **Securing Funding:** Timely completion is crucial for future grant funding and prevents negative reputational risks with funding bodies. Not completing the works in this financial year could jeopardise future funding opportunities.

## Conclusion

WCP CIVIL PTY LTD have demonstrated that they have the understanding to complete the required works on Vincent Street. They have performed similar projects for both the City, other local governments, and large-scale road construction projects.

As such the evaluation Panel advises, that WCP CIVIL PTY LTD be awarded the package of works for delivery.



## Further Information

Nil.



## 9. Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.