

INFORMATION ONLY

ORDINARY MEETING

26/06/2018

TO: Works & Services Manager [REDACTED]

Subject: Tenders – West Nowra Waste Processing Facility - Decline tenders - Negotiations - Report request - Site visits (Eastern Creek / Poland / Germany etc)

Target Date:

Notes: [REDACTED] This action has been automatically completed in Infocouncil & TRIM.

HPERM Reference 55454E D18/175624

RESOLVED (Clr Proudfoot / Clr Gash)

MIN18.480C

That Council:

1. In accordance with Clause 178(1)(b) of the Local Government (General) Regulation decline to accept any tender for the West Nowra Waste Processing Facility as the submitted tenders contain departures to the proposed Contract that are not immediately acceptable to Council and not easily varied in accordance with Clause 176.
2. In accordance with Clause 173(3)(e) enter into parallel negotiations with Bioelektra Australia Pty Ltd [REDACTED] for West Nowra Waste Processing Facility for the following reasons.
 - a. Inviting fresh tenders is not in the best interests of Council, those who tendered, or the waste industry in general, as significant resources have gone into the tender process, and Council can be confident of entering into a negotiated contract with one of the two preferred tenderers. There are a limited number of contractors with the expertise and experience to provide waste processing technologies, and re-tendering is unlikely to attract any new interest.
 - b. Negotiations are required on matters of departures such as (i) alternative assignment of various risks, (ii) facility ownership during the operating term, (iii) conditions of acceptance of waste from outside of the Shoalhaven local government area, and (iv) cost of managing and disposing of un-processable waste, to ensure Council signs off on a suitably agreed contract document.
3. Interrogate, scrutinise and validate the claims of the two preferred tenderers more closely.
4. Staff provide a further report to Council on completion of the negotiations.
5. Parts 1 to 4 of the Resolution remain confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until final determination by Council.
6. Site visits be carried out to facilities with relevant technologies including but not limited to Eastern Creek and Poland (including Germany if required), by at least 2 members of the tender evaluation panel and 2 Councillors (Clr Wells and Clr Pakes with an alternate being Clr White) and this be deemed as Council business.

CARRIED

[Open Item in Minutes](#)


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Actions

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1. Open Word
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3. View your actions (to view ‘Information only action sheets’ tick ‘Information only’ & ‘Completed/Acknowledged’)
4. Click the  to complete an action (you will be required to enter a note).
5. To add extra notes Double click on the required action or highlight the action and click 