

ATTACHMENT A Page 1 of 5

CITY OF JOONDALUP

MINUTES OF THE TENDER EVALUATION PANEL – PROVISION OF COMMUNITY SECURITY AND PATROLS SERVICES MEETING HELD IN THE CONFERENCE ROOM 2 OF THE CIVIC CHAMBERS, JOONDALUP ON TUESDAY 31 JULY 2001.**MINUTES**

The meeting commenced at 17.05 hrs.

1. ATTENDANCE AND APOLOGIES*Attendance:***Members:**

Cr P Kimber	A Scott, Manager Corporate Finance
Cr C Baker	R Fischer, Executive Manager Strategic Planning
Cr G Kenworthy	J Kirton, Manager Organisation and Strategic Development
	B Dutta, Manager Contract Management

Observers:

Probity Auditor	Mr Stephen Linden - Stanton Partners
J Turkington	Director Resource Management

Apologies:

Cr J Hollywood

The Manager Organisation and Strategic Development opened the meeting and introduced Mr Stephen Linden, the probity Auditor from Stanton Partners.

2. DECLARATION OF INTERESTS

Cr Kimber declared that in his past career as a Police Officer for 21 years he does know people in the security industry. Cr Baker commented that he also knows people in the industry and security firms. As both Councillors are not directly involved, financially or in association in the industry, it was considered that there was no interest to declare in this instance.

3. ELECTION OF CHAIRPERSON

Mr Kirton called for nominations for the position of Chairperson.

Cr Kenworthy nominated Cr Baker as Chairman and there being no further nominations Cr Baker was duly appointed.

Cr Baker assumed the chair and asked that at the outset that each member read and sign the Confidentiality Agreement prepared by the Manager Contract Management before the meeting proper continued. Such an agreement is normal practice in the case of significant tender evaluation processes. After consideration of the document members duly signed and witnessed the agreement.

Cr Baker requested that Cr Hollywood, as an observer, be also requested to sign the Confidentiality Agreement to maintain the probity of the tendering process.

Cr Kenworthy asked about the issue of indemnity of Councillors in the process.

4. ITEMS OF BUSINESS

4.1 Review and endorsement of Tender Evaluation Panel's Terms of Reference including confidentiality agreement

Mr Turkington pointed out that in the Terms of Reference the quorum is a simple majority of the membership.

MOVED Cr Kenworthy SECONDED Cr Kimber that in addition the quorum would be constituted by the presence of not less than two Councillors.

The Motion was Put and

CARRIED

MOVED R Fischer SECONDED Cr Kenworthy that an additional clause be added to enable the Committee to co-opt from time to time, as it deems appropriate, independent experts to advise and assist the Committee in its functions.

The Motion was Put and

CARRIED

MOVED Cr Kenworthy SECONDED Cr Kimber that Mr Stephen Linden be co-opted under the revised Terms of *Document 3*.

The Motion was Put and

CARRIED

4.2 Presentation on Tender and Evaluation process – Manager Contract Management

Mr Dutta provided a presentation on the City's Contract Management framework, requirements under the Act and regulations and the evaluation process. The City's contract management process and procedures had been reviewed by the Ombudsman and have also been recognised throughout the industry as the benchmark for tendering.

An example of how the selection criteria and weighting matrix would be used during the tender evaluation process was addressed. Under this process there is no voting as each member independently assesses the tenders and the scores are averaged to provide an overall score (using the weighting) for each tender.

The tender is a performance-based contract. The contact person for enquiries of the tender and the specification is J Kirton, Manager Organisation and Strategic Development. The Manager Contract Management will address issues of a contractual nature.

There was general discussion on the need for the tenderers to present their case to the Committee and to outline and clarify their proposed service provision to the City.

4.3 Probity Issues – Probity Consultant Mr Stephen Linden, Stanton Partners

Mr Linden briefed the Committee on the role and responsibility of the Probity Auditor, which is to provide an independent review of the processes of the tender and evaluation, and to address the issues that may arise concerning confidentiality and any real or perceived conflict of interest. Mr Fischer commented that the appointment of Mr Linden as the Probity Auditor was one of the safeguards that have been put in place for this tender process.

Mr Kirton outlined for the Committee's information the policy and procedures to ensure the separation of operations between the City Watch Staff and Strategic Planning area (managing the tender) during the tender process. All documents are secured by access password and draft copies are locked away over night. In addition, Mr Turkington commented that the financial costing support for the in-house bid would normally be undertaken by the Manager Corporate Finance, however as he is part of this Committee this role has been passed on to another staff member to handle.

4.4 Review and Endorse Service Specification

Cr Baker raised the issue of Directors' guarantees provisions in the contract and Mr Dutta indicated that this issue would be addressed as part of the Conditions of Contract. In addition, Cr Baker indicated there is a need for penalty style clauses and liquidated damages, arising due to a breach of not meeting the performance measures. Alternatively, an agreement to the level of penalties by both parties could be negotiated prior to signing the contract. There was general discussion on what would constitute a breach, fundamental or otherwise, of non-performance and the level of penalty.

Mr Fischer suggested that Mr Dutta draft some penalty clauses, based on the discussions, and circulate them for members' consideration and clearance.

Cr Kenworthy left the meeting 18.30 hrs.

Cr Baker left the meeting at 18.35 hrs and returned at 18.40 hrs.

The issue of sub-contracting was raised by Cr Baker and Mr Dutta directed members to the section of the document which required for the tenderer to furnish such information and details.

4.5 Review and determine Selection Criteria and Weightings

The Committee considered the selection criteria and Cr Baker suggested the inclusion of criteria addressing the buy local policy and assistance tenderers would bring to and benefit the local economy.

MOVED Cr Baker SECONDED Cr Kimber that further selection criteria be added requiring the tenderers to detail how they would contribute to the economic development of the City.

The Motion was Put and

CARRIED

Cr Kenworthy returned 18.52 hrs.

Cr Kimber commented that what is missing in the selection criteria was the matter of community liaison functions and key outcomes. Cr Kimber raised concern about the proposed weightings and questioned the weighting for the “value for money” quality, stating that meeting the key outcomes is a critical consideration. A number of the selection criteria should be combined and reworded into one criteria e.g. (d) and (e).

Mr Dutta suggested that Tenderers be advised that their statements in terms of Key Outcomes would form part of the contract.

Following discussion, the selection criteria and revised weightings were agreed:

MOVED Cr Kimber SECONDED Cr Baker that the revised criteria and weighting be adopted.

The Motion was Put and

CARRIED

Cr Baker commented that security officers should assist and the Police when requested.

Cr Kimber requested the rewording of the paragraph concerning the reporting and removal of graffiti in the background section of the specification. Clarification was also needed on the extent of the tender, e.g. need to specify all six zones plus CBD and the same hours of operation as stated in the referendum.

4.6 Review and endorse tender process Timetable

The Committee reviewed and endorsed the timetable as proposed.

5. GENERAL BUSINESS

There were no items of general business.

6. DATE OF NEXT MEETING

The date of the next meeting is to be determined.

7. CLOSURE

The meeting closed at 20.40 hrs.

CITY OF JOONDALUP

MINUTES OF THE TENDER EVALUATION PANEL – PROVISION OF COMMUNITY SECURITY AND PATROLS SERVICES – PRESENTATIONS, HELD IN CONFERENCE ROOM 2 & 3 OF THE CITY OF JOONDALUP CIVIC CHAMBERS, JOONDALUP, ON FRIDAY 14 SEPTEMBER 2001 COMMENCING AT 5.00 P.M.

MINUTES

The Chairman declared the meeting open at 17.15 hrs.

1. ATTENDANCE

Members:

Cr P Kimber (*left 20.44 hrs returned 20.50 hrs*) (*Chaired the meeting from 21.28 hrs – 21.29 hrs*) (*Returned 21.57 hrs*)

Cr C Baker (*left 21.25 hrs returned 21.29 hrs*) (*Adjourned the meeting for 5 minutes at 21.45 hrs*) (*Returned 21.57 hrs*)

Cr G Kenworthy (*Returned 21.57 hrs.*)

Acting Director Resource Management

Executive Manager Strategic Planning (*left 20.42 hrs returned 20.45 hrs*) (*left 21.42 hrs returned 21.44 hr*)

Manager Organisation and Strategic Development

Manager Contract Management

Independent Consultant

Observers:

Cr J Hollywood

Probity Auditor, Mr Stephen Linden, Stanton Partners

Acting Chief Executive Officer

2. DECLARATION OF INTEREST

There were no declarations of financial interest.

3. ITEMS OF BUSINESS

A set of questions pertinent to each tender, to clarify identified issues had been prepared and circulated to the Committee prior to the meeting. Each Committee member asked, in turn, questions from this list during the presentations.

3.1 Presentation by Chubb Protective Services

Mr Garry Philips and Mr Don Cruse gave the presentation on behalf of Chubb Protective Services and addressed issues in relation to their tender.

The Committee members, in turn, asked questions in clarification of the tender.

The presentation and questions concluded at 18.07 hrs.

3.2 Presentation by NGR Pty Ltd trading as NGS

Mr Mick Graham and Mr Rob Smart provided slide handouts to the Committee and gave the presentation on behalf of NGR Pty Ltd trading as NGS. Mr Graham and Mr Smart then answered questions or clarification of matters posed by the Committee in regard to their tender.

The time recorded at 18.25 hrs.

3.3 Presentation by the In-house Service

Director Community Development, Mr Chris Hall, Consultant Mr Mike Barry, Senior Administration Officer, Ms Shannon Macpherson and City Watch Co-ordinator, Mr Ian Whyborn, provided the In-house Service presentation and answered questions from the Committee in relation to their tender.

The presentations concluded at 20.19 hrs.

4. GENERAL DISCUSSION

Following the presentations and questions session the Committee spent considerable time discussing, reassessing and justifying the previous preliminary scores attributed to each tender. Based on discussion of each tender, some adjustments were made by Committee members to their initial scores for some elements of the selection criteria.

The Manager Contract Management entered the reviewed scores into the tender evaluation matrix.

The Committee agreed on the two tenderers that were considered suitable for the contract.

The Expert Consultant, Mr K Foster was requested to finalize the reference check and to provide a report for the Committee's consideration.

The Probity Auditor advised that no probity issues have arisen to-date with the process and that he would be contacting each tenderer to ascertain any probity issues. A report would be provided to the Committee.

4. CLOSURE

The Chairman declared the meeting closed at 22.04 hrs.

CITY OF JOONDALUP**MINUTES OF THE TENDER EVALUATION PANEL – PROVISION OF COMMUNITY SECURITY AND PATROLS SERVICES MEETING, HELD IN CONFERENCE ROOM 3 OF THE CITY OF JOONDALUP CIVIC CHAMBERS, JOONDALUP, ON TUESDAY 25 SEPTEMBER 2001 COMMENCING AT 5.00 P.M.****MINUTES**

The Chairman declared the meeting open at 17.11 hrs.

1. ATTENDANCE**Members:**

Cr P Kimber

Cr C Baker

Cr G Kenworthy (*left 17.27 returned 17.30 hrs*)

Acting Director Resource Management

Executive Manager Strategic Planning (*left 17.30 hrs returned 17.30 hrs*)

Manager Organisation and Strategic Development (*left 17.29 hrs returned 17.30 hrs*)

Manager Contract Management

Independent Consultant, Mr K Foster (*arrived 17.32 hrs*)

Observers:

Cr J Hollywood

Probity Auditor, Mr Keith Lingard, Stanton Partners

2. DECLARATION OF INTEREST

There were no declarations of financial interest.

3. CONFIRMATION OF PREVIOUS MINUTES

This item was deferred to the next meeting.

4. ITEMS OF BUSINESS

- 4.1 Clarification of Matters, NGR Pty Ltd trading as NGR Pty Ltd trading as NGS Tender Submission – Mr M Graham NGS

Members of the Committee asked Mr Graham questions and sought clarification on a number of matters.

Mr Graham and Mr Lyall Jones responded to the questions relating to risk issues and financial liability matters (previously provided to Mr Graham in written form).

The questions concluded at 18.07 hrs.

5. GENERAL DISCUSSION

Following discussion it was agreed that should NGR Pty Ltd trading as NGS be the successful tenderer a bank guarantee would be required. The amount of the guarantee and the timeframe of verification to be determined.

Action: R Fischer to proceed with verification checks and provide a timetable for the committee members.

6. CLOSURE

The Chairman declared the meeting closed at 18.35 hrs.

CITY OF JOONDALUP

MINUTES OF THE TENDER EVALUATION PANEL – PROVISION OF COMMUNITY SECURITY AND PATROLS SERVICES MEETING HELD IN THE CONFERENCE ROOM 3 OF THE CIVIC CHAMBERS, JOONDALUP ON TUESDAY 9 OCTOBER 2001.

MINUTES

The meeting commenced at 17.25 hrs.

1. ATTENDANCE AND APOLOGIES

Attendance:

Members:

Cr C Baker	R Fischer, Executive Manager Strategic Planning
Cr G Kenworthy	J Kirton, Manager Organisation and Strategic Development
	B Dutta, Manager Contract Management

Observers:

Cr J Hollywood

Apologies were received from Cr Kimber, A Scott, Acting Director Resource Management and S Linden, Probity Auditor.

2. DECLARATION OF INTERESTS

There was no declaration of interest from any committee member.

3. CONFIRMATION OF MINUTES

Minutes for the meetings of 31 July 2001, 14 September 2001 and 25 September 2001 were confirmed.

MOVED R Fischer SECONDED Cr Baker. CARRIED.

4. ITEMS OF BUSINESS

4.1 Probity Auditor's Report

The Probity Auditor's report stated that the procedures adopted in the receipt of tenders and the evaluation process leading to the recommendation was fair and equitable, and in accordance with pre-developed evaluation and tendering criteria.

4.2 Report to the Committee on Risk and Financial Assessment matters

Mr Kirton spoke to the report and addressed the summary table relating to the Evaluation assessment, Merits of each tender and the Risk assessment considerations, that the previous meeting had requested be further investigated. Following discussion on risk assessment issues the committee on the endorsed the recommendation of the report. The Committee's Report would be provided as a confidential document, under separate cover, for Councilors' consideration at the next Council Briefing Session.

RECOMMENDATION

That the Tender Evaluation Panel recommends that Council:

- 1. ACCEPTS the tender from NGR Pty Ltd trading as NGS Guards and Patrols for (Contract 004-01/02) Provision of Security and Patrol Services for the City of Joondalup for a period of three years commencing from 14 November 2001 to 14 November 2004, for a lump sum price in the first year of \$1,585,985 exclusive of GST in accordance with the price schedule submitted;**

MOVED Cr Baker SECONDED Cr Kenworthy. CARRIED.

5. CLOSURE

The meeting closed at 18.07 hrs.