

CONFIDENTIAL ITEMS 2003 – AUGUST 2022

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommendation to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
166	1 September 2021	SSRP Board - Turf Maintenance Tender Process	<p><b>Section 90 (3) (b) Order</b></p> <p>1. <u>Pursuant to Section 90(3)(b)</u> Pursuant to Section 90(2) of the Local Government Act 1999 the Board orders that all members of the public except Chief Financial Officer, Manager, Infrastructure Maintenance and Operations, Senior Community Development Officer and the Minute Secretary, be excluded from attendance at the meeting for Agenda Item 12.1 (12.1. Turf Maintenance Tender Process).</p> <p>The Board is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Board is:</p> <ul style="list-style-type: none"> <li>- conducting business; or</li> <li>- proposing to conduct business; or</li> <li>- would prejudice the commercial position of the Council</li> </ul> <p>In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Board is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of the Board/Council's commercial position may severely prejudice the Board/Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.</p>	Agenda item, attachments and minutes	<p>The Board is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Board is:</p> <ul style="list-style-type: none"> <li>- conducting business; or</li> <li>- proposing to conduct business; or</li> <li>- would prejudice the commercial position of the Council</li> </ul> <p>In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the</p>	Retained in confidence until a contract for turf maintenance has been awarded or such lesser period as may be determined by the Board Executive Officer.		Within 12 months	<p><i>Minutes released on website 7 October 2021</i></p> <p><i>Report released on website 16 August 2022</i></p>

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			<p><b>Section 91(7) Order</b></p> <p>3. Pursuant to Section 90 (3) (b) That having considered Agenda Item 12.1 (12.1. Turf Maintenance Tender Process), in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Board pursuant to Section 91(7) of the Act orders that the Board agenda item, attachments and minutes be retained in confidence until a contract for turf maintenance has been awarded or such lesser period as may be determined by the Board Executive Officer.</p>		<p>information outweighs the benefit to it of disclosure of the information. The Board is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of the Board/Council's commercial position may severely prejudice the Board/Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.</p>				
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**12. CONFIDENTIAL REPORTS****12.1 REPORT TITLE: TURF MAINTENANCE TENDER PROCESS****DATE OF MEETING: 1 SEPTEMBER 2021****FILE NUMBER: DOC/21/111714****ATTACHMENTS: Nil****Key Contact Peter Patterson, Manager, Infrastructure – Maintenance and Operations****Manager/Sponsor Phil Burton, General Manager, Infrastructure****Community Plan 2020-2035:**

Community Wellbeing

CW Goal 1: Activity and movement, physical and mental health and wellbeing is supported by opportunities to access parks and natural areas, quality open space and recreation and sporting facilities.

**Annual Business Plan:**

CW Key Annual Objective

Activate Summit Sport and Recreation Park.

**Summit Sport and Recreation Park Terms of Reference:**

2.1 The Board will:

2.1.3 have responsibility for the strategic, financial and governance aspects of the SSRP facilities;

7. The Board will have delegated authority to:

7.5 Expend Council's approved budgeted funds.

7.6 Enter into contracts within the approved budget in accordance with Council's procurement processes and policies.

**Purpose:**

For the Board to consider and endorse the tender process for a Turf Maintenance Contract for the Summit Sport and Recreation Park Main Oval, including centre wicket square.

**Summary – Key Issues:**

1. The current Turf Maintenance Contract for the Main Oval is with Glenelg Turf Ace and concludes on the 31<sup>st</sup> August 2021. This will convert to a Deed of Contract Amendment with Glenelg Turf Ace until a procurement process is undertaken and a contract is awarded to a preferred supplier.

2. A longer term value for money contractual arrangement is now desirable.
3. Defects to the centre wicket surface have previously been documented during construction and handover and have since been rectified. This however may require ongoing work and monitoring for performance against specifications as the centre wicket square settles over the coming months.

### **Recommendations:**

That the Board:

#### **Section 90 (3) (b) Order**

1. Pursuant to Section 90(3)(b)

Pursuant to Section 90(2) of the Local Government Act 1999 the Board orders that all members of the public except Chief Financial Officer, Manager, Infrastructure Maintenance and Operations, Senior Community Development Officer and the Minute Secretary, be excluded from attendance at the meeting for Agenda Item 12.1 (12.1. Turf Maintenance Tender Process).

The Board is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Board is:

- conducting business; or
- proposing to conduct business; or
- would prejudice the commercial position of the Council

In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Board is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of the Board/Council's commercial position may severely prejudice the Board/Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

2. Endorses an open tender process to be commenced for a 3-year (1 + 1 + 1) contract term for turf maintenance of the SSRP main Oval and turf centre wicket using Council's procurement policy.

**Section 91(7) Order****3. Pursuant to Section 90 (3) (b)**

That having considered Agenda Item 12.1 (12.1. Turf Maintenance Tender Process), in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Board pursuant to Section 91(7) of the Act orders that the Board agenda item, attachments and minutes be retained in confidence until a contract for turf maintenance has been awarded or such lesser period as may be determined by the Board Executive Officer.

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**Background:**

1. The current Turf Maintenance Contract for the Main Oval is with Glenelg Turf Ace and concludes on the 31st August 2021. This will convert to a Deed of Contract Amendment with Glenelg Turf Ace until a contract is awarded.
2. A longer term contractual arrangement is now desirable.

**Discussion:**

1. The current contract with Glenelg Turf Ace P/L that expires on 31 August 2021 principally covered turf maintenance of the oval as a whole from handover to the expiry date.
2. Handover to Council of the main Oval occurred in April. During the handover process it was noted that previous defects to the centre wicket may require additional/ongoing works to improve the overall levels of the wicket square heading into cricket season.
3. Because of these issues there will need to be an extension in preparation time of the wicket square which will mean a slight delay in playing cricket at the Oval (currently envisaged to be November). Steps have been taken to minimise the Oval's use during winter to assist and includes the centre wicket being cordoned off for football practice activities.
4. The average per month contract cost for May – July period has been \$6,500 per month.
5. It is envisaged that centre wicket preparation for cricket matches may add an additional annual cost of \$30,000 and therefore a budget review adjustment potentially will need to occur.
6. TK Turf have been engaged to provide a specification in relation to ongoing turf wicket and oval maintenance. These specifications will form the basis for the tender process.

7. The Tender Scope/Specification will be developed for Council staff during August/September 2021.
8. The Tender will be issued to the market in late September 2021, with an approximate closing date of late September 2021.
9. Evaluation and recommendation will come to the Board in approximately November 2021.
10. A contract is envisaged to be awarded in Late November /early December 2021.

**Community Engagement:**

Informing only	Minutes of meeting
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**Policy:**

Nil.

**Long Term Financial Plan:**

Included in LTFP.

**Budget:**

Current budget for oval maintenance is \$85,000 per annum which is likely to require a budget review post tender award based on updated estimates by staff.

**Statutory/Legal:**

N/A

**Staff Resource Requirements:**

The tender process preparation will involve Council Procurement, Infrastructure Maintenance Operations, Open Spaces and Community Services staff.

**Environmental:**

N/A

**Social:**

The playing surface will provide enjoyment to the users of the facility.

**Risk Assessment:**

Poor turf maintenance will result in underperformance of the surface and potential unavailability for use.

There is a risk that the turf is overused and this will be managed by monitoring and communication with users.

**Asset Management:**

An appropriate turf maintenance contract should ensure the ongoing quality of the playing surface if usage is managed appropriately too.

**Conclusion:**

A longer turf maintenance contract term is now considered appropriate.

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## Previous Decisions By/Information Reports to the Summit Sport and Recreation Park Board

Meeting Date	20 October 2020	CM Reference	DOC/20/135147
Title	RSH – Service/Maintenance contracts for 20/21		
Purpose	To inform the Regional Sports Hub (RSH) Board of the procurement and delivery model for key site service and maintenance activities from the anticipated December 2020 practical completion date principally up until 30 June 2021.		