

10 Confidential items

Confidential contract award: Beach Road West Upgrade – Tender No 09007 OT

Cr Nash MOVED

1. *That:*

- a) *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public with the exception of Chief Executive Officer, General Manager City Development, General Manager Projects and Services, Group Manager Sustainability, Group Manager Economic Development, Manager Organisation Development, Manager Business Services, Chief Financial Officer, General Manager Corporate and Community, Manager Strategic Projects, Project Leader and Minute Secretary, be excluded from attendance at the meeting in order to consider in confidence this item*
- a) *the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting on the following grounds:*
 - (i) *section 90(3)(k) tenders for the supply of goods, the provision of services or the carrying out of works*
- b) *accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

Seconded by Cr Wenham

CARRIED

Cr Wenham MOVED

2. *That for the Beach Road West Upgrade construction project, Council:*

- a) *accept the tender proposed by McMahons Services Australia (number 09007) at a cost of \$2,789,347 (GST inclusive)*
- b) *authorise the Chief Executive Officer to sign all required documentation for a contract for stage one works totalling \$1,583,098 (GST inclusive)*
- c) *authorise the Chief Executive Officer to sign all required documentation for a contract for stage two works totalling \$1,206,249 (GST inclusive) subject to the successful application for external funding and Council approval for funding in the 2009/10 budget.*

Seconded by Cr Fletcher.

CARRIED

Cr Ferguson MOVED

3. *That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the abovementioned document (or part of such document) including the minutes and the report of the Council relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(k) until the contract has been placed and confirmed.*

Seconded by Cr Fletcher.

CARRIED

Mayor Rosenberg reopened the meeting to the public at 9.46pm.

4 Closure

There being no further business Mayor Rosenberg officially declared the meeting closed at 9.46pm.