

ITEM NO: 4

SUBJECT: TENDER FOR THE DESIGN, DOCUMENTATION AND CONSTRUCTION OF REMEDIATION WORKS AT THE DORMANT LAWSON LANDFILL SITE: CONTRACT NO. 2006-W921

FILE NO: F01155

Recommendations:

1. *That the Council accept the revised Tender Price of \$2,264,007 (plus any rise and fall provisions) from Thiess Services Pty. Ltd. to Design, Document and Construct the Remediation Works at the Lawson Landfill site subject to negotiation of Contract qualifications to the satisfaction of the General Manager.*

It should be noted that acceptance of the full Tender Price is also subject to Development Approval and approval of the DECC being gained for the proposed works.

2. *That, consequent upon the acceptance of the Tender, the General Manager be authorised to sign on behalf of the Council all contract documents between the Council and Thiess, and that the Common Seal of the Council be affixed to any such documents, if required.*
 3. *That the Council authorise expenditure of up to \$114,000 for any Contract Variations that may arise from unforeseen site conditions or additional requirements arising from the DECC and Development Approval processes.*
 4. *That the Council receive a further report if the General Manager is not satisfied that the changes to Contract Conditions will meet the required Contract Outcomes.*
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Report by Group Manager, Community & Corporate:

Introduction

This report is presented to advise the Council of the outcome of negotiations with Thiess Services P/L for the remediation of the dormant Lawson Landfill site and to provide a recommendation based on those negotiations.

Background

At the Council Meeting of 17 July 2007 the Council received a report on the Tenders submitted for the Design, Documentation and Construction of Remediation Works at the Dormant Lawson Landfill Site and resolved (Minute No. 185):

1. *That, pursuant to Clause 178 (1)(b) of the Local Government (General) Regulation 2005, the Council declines to accept any of the tenders.*
2. *That, pursuant to Clause 178 (3)(e) of the Local Government (General) Regulation 2005, the Council enters into negotiations with Thiess Services with a view to entering*

into a contract to Design, Document and Construct the Remediation Works at the Lawson Landfill site.

3. *That the Council take this action to reduce the possible time delay of re-tendering in order to minimise the risk of further environmental degradation of the Bedford Creek catchment and the adjoining properties. Furthermore, evaluation of the tenders submitted indicates that the Thiess Services tender is the only one that may be able to allow modification of the design and project scope sufficiently to make the works affordable to the Council while still delivering the required environmental outcomes.*
4. *That a further report be submitted to the Council on completion of negotiations with Thiess Services.*

As stated in the previous report, Thiess Services Pty. Ltd. (Thiess) submitted the lowest tender price for the works and appeared to be the only tenderer capable of delivering a price that the Council could afford by reviewing and amending the original design provided by the Council.

Negotiations

An initial meeting was held with Thiess to review their Tender and to identify possible areas where savings could be found. Thiess left that meeting with the focus on modifying the capping design as this was seen as the only area of the specified works that could possibly generate savings of the magnitude required. Thiess also indicated that they would address the treatment of leachate collected from the landfill, which had not been fully addressed by the original specification.

Several options were investigated, including undertaking works to cap and remediate the Blackheath Landfill site concurrently. The option to undertake the Blackheath works concurrently identified substantial long-term savings however, as this was outside the original Tender scope and would substantially alter the original tender; it was seen as being contrary to the Local Government (General) Regulation and could not be proceeded with.

The final submission from Thiess is based on the removal of the originally proposed geosynthetic clay liner and changes to the construction of the sealing layer. The revised design is not dissimilar to the previously approved (DECC/EPA) designs for the capping of Katoomba and Blaxland landfills. Thiess indicated that the proposed modifications combined with the surface drainage system to intercept external surface flow coming onto the dormant landfill, will significantly reduce infiltration, further reducing the relatively small amount of leachate that is currently being produced.

Thiess further supported these modifications with the statement:

“Similar Final Caps have been successfully utilised at a number of sites, including the capping of sites at the Homebush Bay Olympic site including Southern Threshold Remediation – Overflow Park & Golf Driving Range, Millennium Parklands and Homebush Bicentennial Park Remediation.”

Thiess tendered the price of \$2,988,059 to undertake the closure and remediation works originally specified. The subsequent review and design modifications, including the

improvement of leachate management and treatment, have been costed at \$2,264,007; a reduction of over \$724,000.

Obviously the Tender Price is based on the assumption that the DECC will accept the proposed approach and that there will be no major cost impacts arising from the Council's Land Use Assessment process.

The Thiess Tender is also subject to several Contract qualifications which are currently being discussed. The Contract qualifications are minor in nature and relate to insurances, security bonds and limits of liability. Similar contract qualifications have been successfully negotiated with Thiess for the Blaxland WMF upgrade Tender.

Discussion

The amended Thiess proposal has been thoroughly reviewed and it is believed that the design modifications will not lessen the effectiveness of the capping to meet the specific objectives for the remediation of the Lawson Waste Disposal Depot stated in the Tender documents, namely to ensure that:

- the landfill slope is stable and risk of slope failure is removed
- the landfill is non-polluting and the risk of off-site impacts is minimised
- the diversity of surrounding native flora and fauna is maintained
- the health of affected waterways and catchments is improved
- all legal requirements are met including any applicable guidelines, plans and policies
- the finished surfaces/area/structures do not preclude future use for recreation purposes. (Note that an actual recreational end use has not yet been formally established and any design must clearly indicate useable recreation areas.)

As noted in the original report (17 July 2007), a total of \$3.0 million has been identified in the 10-year Environment Levy Program to fund the remediation of the two dormant landfill sites (Lawson & Blackheath). The Environment Levy funding was approved by Council in 2005 after extensive community consultation and subsequent approval by the Department of Local Government. It was expected to be sufficient to enable completion of the Lawson works and a portion of the Blackheath works. The Council has no other sources of funding for these projects. The negotiated Tender Price will now leave sufficient funds to permit the first stage of remediation at the dormant Blackheath Landfill.

The level of environmental risk at the Blackheath site is far less than at the Lawson site. The remediation works at Blackheath will not be as intensive and will be able to be staged over a number of years, dependent upon future funding availability.

The Lawson project also includes other management costs to ensure that the works are acceptable to, and comply with the requirements of, the remediation regulatory authority (DECC/EPA). These additional costs for the engagement of an independent Site Auditor and Construction Quality Consultant are also to be funded from the Environment Levy Program. The actual additional cost is not known at this time; however it is believed to be in the order of \$100,000. The Site Auditor will need to be engaged prior to finalisation of detailed designs for submission to the DECC and subsequent DA lodgement. The Construction Quality Consultant will be engaged prior to commencement of site works. It may be possible to engage a suitably qualified consultant to undertake both activities.

The Council’s Tender Documents always include a copy of the proposed Contract and tenderers generally qualify their offers with a statement noting their agreement or disagreement with the proposed Contract clauses. The Thiess proposal includes a list of such “qualifications” and, in the main; they are acceptable. However, some issues require (at the time of preparing this report) further clarification and discussion. The “qualifications” relate to insurances, security bonds and limits of liability and will not alter the cost or scope of works.

This Tender was submitted around the same time as the Blaxland WMF upgrade Tender was being resolved and most of the issues raised in this Tender are similar to ones raised in the Blaxland Contract negotiations. Preliminary discussions with Thiess indicate that most of the issues can be resolved in similar terms to those negotiated for the Blaxland Contract.

TBL Assessment

The subject Tender is for works and services based on sound Environmental, Social and Economic principles. This was fully discussed in the previous report to the Council (17 July 2007).

The primary change relevant to the previous assessment relates to the capping design:

Impact	Assessment
Environmental	The proposed capping and drainage design changes will still enable the works to achieve the outcomes detailed in the Contract Documents and to also meet the intent of EPA Environmental Goals for licensed Landfills.
Social	No change in Social Impacts
Economic	The proposed design changes greatly reduce the cost of the project and, hence improve the project cost effectiveness and “value for money.” Sufficient funds will still be available to commence work at the Blackheath Landfill site.

Financial Implications

The negotiations with Thiess have resulted in a substantial reduction in the project cost; however there are still inadequate funds in the Environmental Levy allocation to enable completion of the Blackheath remediation works within the originally proposed timeframe.

Recent estimates indicate that the total cost to close and remediate Blackheath (2007 dollars) is around \$1.8 to \$2.0 million. The funds remaining in the Environmental Levy allocation will be sufficient to undertake the first stage of the remediation of the dormant Blackheath Landfill site (upgrade stormwater management and place bulk cover material won from the Katoomba Cultural Centre site).

External Consultation

No external stakeholder consultation was undertaken during the development of this report.

Conclusion

The previous report (17 July 2007) identified that the Lawson Landfill site is heavily constrained and that the works must be undertaken to ensure that the risk of further

downstream impact is mitigated. Failure of the landfill batter could have catastrophic environmental impacts on the Bedford Creek catchment below the site and would result in substantially higher financial costs for subsequent remediation.

The design review undertaken as part of the negotiations with Thiess has delivered a substantially reduced cost whilst maintaining the general objectives of the project. The cost reduction will also enable substantial work to be undertaken on an interim stage at the dormant Blackheath Landfill site.

The submitted Tender Price is based on the design modifications developed by Thiess. Obviously, it would be prudent to allow for the possibility of minor changes or variations required during the approval processes and it is recommended that an allowance equal to approximately 5% of the tendered price be made available as a contingency.

As discussions are still underway with respect to the Thiess request to modify several proposed Contract clauses, it is proposed that the General Manager be authorised to determine the acceptability of the negotiations prior to signing the Contract Documents.

Tender Review Committee

The Tender Review Committee states “The TRC is of the opinion that the TEP has substantially complied with the process and procedures laid down in Council’s Tender Policy and their Report to Council is consistent with their negotiation and evaluation of the offer from Thiess Services.”

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ITEM NO: 5**SUBJECT: GREEN POWER REPORT****FILE NO: F00808**

Recommendations:

1. *That the Council purchases 10% Green Power for its large sites from an accredited supplier and that this be implemented as soon as practicable for a period of 24 months after commencement.*
 2. *That the Council note that energy cost savings will be used to fund the Energy Performance Contracts and to implement further energy saving initiatives and where possible to purchase Green Power in the future.*
 3. *That a budget variation to increase the Council's 2007-2008 electricity budget by \$10,000, to cover the purchase of 6 months (January to June 2008) of Green Power, be endorsed and that an additional \$20,000 be budgeted for the 2008-2009 financial year and an additional \$10,000 be budgeted for the 2009-2010 financial year.*
 4. *That prior to the end of the 24 month contract, a review of the purchase of Green Power be undertaken and a further report come back to the Council on the recommended way forward.*
 5. *That the Council notes that there will be continued focus on reducing its energy consumption by implementing energy saving initiatives.*
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Report by Group Manager, Community and Corporate:**Reason for Report**

At the Council Meeting of 7 August 2007, it was resolved:

“That the Council receive a report regarding the feasibility of using 'Green Power' as the source of its energy provision.”

(Minute No. 214, 7/08/07)

The investigation into purchasing Green Power is also an action that is contained in the Council's Energy and Water Strategy.

Background**What is Green Power?**

Green Power is the generic name given to electricity generated from clean, renewable energy sources. Green Power sources can include:

- solar power
- wind
- biomass (landfill gas, municipal solid waste, agricultural wastes, energy crops, wood wastes)

- hydro-electric power (small-scale or on existing dams)
- geothermal energy
- wave and tidal power.

All mains electricity is presently purchased from the electricity pool or grid and the bulk of this energy comes from conventional power stations. No changes to cabling or power poles is required if Green Power is purchased. Green Power aims to increase Australia’s capacity to produce environmentally friendly renewable electricity by driving demand for alternative energy generation.

Green Power Accreditation Program

Green Power is also the name used for a national scheme that sets environmental and reporting standards for renewable energy products offered by electricity suppliers, recognised by the Green Power ‘green tick’ icon.

Accreditation ensures that energy companies are producing renewable energy of the same standard, making it easier for customers to choose between different renewable energy products. Generally, non-accredited products source their renewable energy from old sources, such as large hydro-electric projects.

If the Council switches to (accredited) Green Power it may be eligible to use the Green Power logo on marketing materials and signage to demonstrate commitment to the environment. This is dependent on annual electricity consumption and the percentage of Green Power purchased. Based on the table below and the Council’s 2006-2007 energy consumption at large sites of 5 GWh, if the Council resolved to purchase 10% Green Power from an accredited supplier, the Council would be able to use the Green Power logo.

Minimum Green Power purchase Levels for logo use

Annual Electricity Use	Minimum Green Power Level purchase
>40 GWh/annum	2.5% of energy purchased (in kWh)
>20 GWh/annum	5% of energy purchased (in kWh)
>4 GWh/annum	10% of energy purchased (in kWh)
>750 MWh/annum	25% of energy purchased (in kWh)
>160 MWh/annum	50% of energy purchased (in kWh)
<160 MWh/annum	75% of energy purchased (in kWh)

What are other Councils doing?

Example Council	How much Green Power?
North Sydney	Increased from 10 – 25%
Waverly	25%
Brisbane City	25%
Parramatta	Increased from 25 - 100%
Leichhardt	Increased from 6% - 12% - 25% (for large sites)
Woollahra	6% (for large sites)
Liverpool	10% (for street lighting)

Note: the table above are only some examples of what other Council’s are doing. Other Council’s may purchase Green Power.

What is State Government Doing?

Certain agencies are required to purchase a minimum of 6% Green Power.

Other agencies and State-owned corporations can voluntarily purchase Green Power to reduce greenhouse gas emissions and improve the Australian Building Greenhouse Rating.

Energy Performance Contracts

The Council is currently paying off Energy Performance Contracts (EPCs) with Energy Conservation Systems. The Council is committed to paying:

- EPC Contract 1 (HQ Lighting)
Cost: \$16,207.60 per annum
Last payment due September 2008
- EPC Contract 2 (various sites)
Cost: \$107,540.00 per annum
Last payment due June 2013

A full reconciliation of savings (energy and cost) resulting from this contract is currently underway. As the Council's Energy and Water Strategy and Management System are implemented it will become easier for the Council to better examine the outcomes of the EPCs and other energy saving initiatives. However, at this stage, any cost savings that may have resulted from works carried out under the EPC are going back into paying the EPC contract. This means that any investment in Green Power will be a cost above and beyond the EPC.

Recommended Approach

It is recommended that the Council take an approach to the purchase of Green Power that balances the need to take leadership on the issue of climate change, with the financially practical approach to energy efficiency being pursued through the implementation of the Council's Energy and Water Strategy.

From an environmental sustainability perspective, Green Power delivers greenhouse abatement to the Council by off-setting the Council's contribution to greenhouse gas emissions and also supports investment in renewable energy. However, it does not lead to a reduction in energy usage for the Council and therefore does not generate cost savings on its own. As such, the purchase of Green Power is best pursued in conjunction with a Council program to systematically reduce the Council's energy usage through infrastructure improvements and changes to staff energy behaviour.

This balanced approach is best achieved through the purchase of 10% Green Power for the Council's large sites for an initial period of 24 months. This level of Green Power will deliver significant greenhouse gas abatement to Council of approximately 485 tonnes of carbon dioxide equivalent per year, without an associated cost that might otherwise restrict the Council's energy reduction programs.

At this stage, in the Council's energy and greenhouse program, the increased greenhouse abatement that could be achieved through purchasing greater than 10% Green Power would not be justified by the associated additional cost. The extra funds needed to purchase Green Power greater than 10% could be applied to projects to decrease energy consumption,

delivering the same level of greenhouse abatement, as well as energy cost savings. These cost savings could be reinvested into other energy reduction programs, or diverted to the purchase of Green Power at a later stage.

As an example, the Council’s Energy and Water Strategy 2007-2010 identifies a number of low cost actions that can be implemented within the next two years that will deliver energy savings to Council of around \$25,000 per year, and annual greenhouse abatement of about 700 tonnes. Alternatively, the relatively small investment that is needed to generate this result could instead be applied to purchasing Green Power at a level greater than 10%, but would only generate greenhouse abatement for the Council without any cost savings.

A combined approach that includes a modest 10% investment in Green Power as well as investment in actions that will reduce the Council’s energy consumption, is both financially and environmentally responsible. This approach demonstrates that the Council is willing to work to reduce consumption as well as off-set emissions.

Sustainability Assessment

Effects	Positive	Negative
<u>Environmental</u>	<ul style="list-style-type: none"> • Green Power purchase from an accredited supplier, can off-set the Council’s contribution to greenhouse gas emissions and move it closer to a point of carbon neutrality, which may assist the Council in reaching its greenhouse gas reduction targets. 	<ul style="list-style-type: none"> • No significant negative impacts.
<u>Social</u>	<ul style="list-style-type: none"> • Green Power purchase enhances the environmental credibility of the Council, and shows the Council as ‘walking the talk’. 	<ul style="list-style-type: none"> • The purchase of large amounts of Green Power could be perceived as an attempt to direct the focus away from working towards actually reducing the Council’s energy consumption.
<u>Economic</u>	<ul style="list-style-type: none"> • When the Council purchases Green Power, renewable energy is purchased on the Council’s behalf. The Council is therefore encouraging investment in electricity generation from renewable sources. 	<ul style="list-style-type: none"> • Additional recurrent costs for the Council for the purchase of energy. <p><i>Refer to ‘Financial Implications for the Council’ below, to understand cost impacts on the Council.</i></p>

Financial implications for the Council

The following table presents the estimated annual increase in costs when a percentage of Green Power is purchased for the Council’s large sites (excluding streetlighting). The estimates are based on the Council’s annual electricity costs for large sites for 2006-2007 of \$347,512. The Council’s large sites include Katoomba Headquarters, Springwood Office and Library, Springwood Aquatic and Fitness Centre, Katoomba South Street Depot, Katoomba Library and Civic Centre, Katoomba Caravan Park, Katoomba Emergency Services Centre, Katoomba Sports and Aquatic Centre and the Glenbrook Swim Centre.

Estimated annual increase in costs when a percentage of Green Power is purchased

% Green Power	Annual Total Cost Increase	Cost % Increase	Green Power Consumption (kWh)	Resultant CO2 Savings (tonnes)
0%	\$0	0.0%	0	0
6%	\$11,399	3.3%	304,295	291
8%	\$15,199	4.4%	405,727	388
10%	\$18,998	5.5%	507,159	485
12%	\$22,798	6.6%	608,591	582
14%	\$26,598	7.7%	710,022	679
16%	\$30,397	8.7%	811,454	776
18%	\$34,197	9.8%	912,886	873
20%	\$37,997	10.9%	1,014,318	970
25%	\$47,496	13.7%	1,267,897	1,212
50%	\$94,992	27.3%	2,535,795	2,425
75%	\$142,488	41.0%	3,803,692	3,637
100%	\$189,983	54.7%	5,071,589	4,849

There are currently no financial benefits to the Council for purchasing Green Power, as this form of energy is charged at a higher rate than non-renewable energy sources and delivers no financial savings to the Council. Once funds have been directed to the purchase of Green Power, that money cannot be recovered through savings.

As outlined in the 'Recommended Approach' section above, it is intended that the cost savings from the implementation of energy saving actions that are achieved in future years, would be directed to fund other energy savings initiatives and to purchase Green Power where appropriate.

Legal and Risk Management Issues for the Council

There are no legal or risk management issues if Council resolved to purchase Green Power.

External consultation

The following people were consulted:

- Andrew Wales - Omega Environmental;
- Katherine Lustig – Parramatta City Council;
- Kym Thrift – Manly Council;
- Jenny Kent – Hurstville City Council;
- Tim Jamieson – Leichhardt Council;
- Rebecca Fogg – Liverpool City Council; and
- Marjorie Maydwell – Energy Australia.

Conclusion

It is recommended that an initial amount of 10% of Green Power be purchased for a period of 24 months for the Council's larger sites, with a continued focus on reducing the Council's energy consumption through implementation of energy savings initiatives.

Whilst the purchase of Green Power will cost the Council additional money that has not been budgeted in this financial year, the purchase of Green Power will contribute to the Council

off-setting its greenhouse gas emissions, will show the Council to be environmentally responsible and will ultimately support the development of the renewable power industry in Australia.

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ITEM NO: 6**SUBJECT: REVISED ENERGY AND WATER STRATEGY****FILE NO: F03047**

Recommendations:

1. *That the Council adopts the amended Energy and Water Strategy.*
 2. *That the amended Energy and Water Strategy be submitted to the International Council for Local Environmental Initiatives (ICLEI) to satisfy the requirements of meeting Milestone 3 of the Cities for Climate Protection Program.*
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Report by Group Manager, Community and Corporate:**Reason for Report**

The Energy and Water Strategy has been amended to satisfy the requirements of meeting Milestone 3 of the Cities for Climate Protection Program.

Background

At the Council meeting on 26 June 2007 the Council resolved:

- “1. *That the Council adopts the Energy and Water Strategy to guide the Blue Mountains City Council’s improvements in energy and water performance;*
2. *That the Energy and Water Strategy be submitted to the International Council for Local Environmental Initiatives (ICLEI) to satisfy the requirements of meeting Milestone 3 of the Cities for Climate Protection Program; and*
3. *That the Energy and Water Strategy be submitted to the Department of Energy, Utilities and Sustainability (DEUS) to satisfy the requirements of an Energy Savings Action Plan.”*

(Minute No. 164, 26/06/07)

The Energy and Water Strategy was submitted to ICLEI. However ICLEI requested that some additional background information be provided. The Strategy has been modified and added to accordingly. The additional information includes the following and references to additional information in the Strategy are shown in brackets.

- Background to greenhouse issue (pages 6-10);
- International, national, state and local responses to the greenhouse issue (pages 11-16);
- Baseline and forecast emissions profiles (pages 25-36);
- Updated Issues and Actions Register (pages 41-52);
- Community actions (pages 53-54).

It is prudent that the Council achieves Milestone 3 as soon as possible, so that grant assistance to achieve Milestone 4 can be sought in early 2008.

Sustainability Assessment

Blue Mountains City Council has many assets and operations that use energy and water, creating a significant drain on these resources. The Council has a responsibility to ensure that these assets and operations are being managed in an efficient way while continuing to provide high standards of service to the community.

Effects	Positive	Negative
Environmental	There is a clear environmental benefit to using resources such as energy and water more efficiently. This will reduce the Council’s emissions of greenhouse gases and other pollutants, as well as prolong the life of these finite resources. A coordinated approach to doing so, through the Strategy, will increase the efficient management of these resources.	No significant environmental impacts
Social	There is currently high public awareness of the environmental issues surrounding energy and water use. The Council therefore has an obligation to lead by example, in demonstrating energy and water efficiency gains. The Council also needs to support and encourage community initiatives, as well as monitor and report performance, both internally and in the Blue Mountains community. Once again, a coordinated approach to doing this will make the processes more transparent and efficient – more easily demonstrating and sharing the achievements that have been made. The Strategy can contribute to this. Finally, the Council, as a high energy user, has a legislative requirement to submit an energy savings action plan to DEUS.	No significant social impacts
Economic	The Council currently expends significant funds on electricity, gas, fuel and water bills. Any efficiency gains will translate into financial savings in utility bills. These savings then have the opportunity to be re-directed elsewhere. The Strategy, as a coordinated approach, will lead to greater process efficiencies, further contributing to financial savings. Lastly, having actions and initiatives identified in a strategic document increases the opportunities for grant funding for these and other initiatives.	No significant economic impacts.

Financial implications for the Council

In adopting the amended Energy and Water Strategy, the Council is not adopting implementation of the actions in the Issues and Actions Register. Actions will be recommended as part of the Council’s annual business planning process.

Legal and risk management issues for the Council

In adopting the amended Energy and Water Strategy, there are no legal or risk management issues for the Council.

External consultation

The following people were consulted regarding this report:

- Andrew Wales – Omega Environmental Consulting
- Shane Melotte - ICLEI

Conclusion

It is important that Milestone 3 of the CCP program is met as soon as possible. Milestone 4 of the CCP program consists of implementation of the Energy and Water Management Strategy. In order for BMCC to be eligible for potential grant assistance from ICLEI in 2008 to undertake actions to implement the Strategy, Milestone 3 needs to be completed as soon as possible. To this end, it is strongly recommended that the Council adopts the amended Energy and Water Strategy and that the amended Strategy be submitted to the International Council for Local Environmental Initiatives (ICLEI) to satisfy the requirements of meeting Milestone 3 of the Cities for Climate Protection Program.

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ITEM NO: 7

SUBJECT: CONFIDENTIAL BUSINESS PAPER – TENDER FOR THE PROVISION OF RECYCLABLE MATERIALS COLLECTION SERVICE: RFT NO. 2006-003

FILE NO: F03364

Recommendations:

1. That the Business Paper be deferred for consideration until all other business of this meeting has been concluded.

 2. That the Council close part of the Council Meeting for consideration of the Business Paper Tender for the Provision of Recyclable Materials Collection Service: RFT No. 2006-003 pursuant to the provisions of Section 10A(2)(c) and (d) of the Local Government Act 1993, as the report contains, and discussion is likely to involve:
 - a) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting business; and
 - b) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
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Report by General Manager:

This matter has been listed in the Confidential Business Paper because consideration of the matter will involve discussion of tender pricing and Contractor performance issues that would best take place in a meeting which has been closed to the public in accordance with the provisions of Section 10A of the Local Government Act 1993.

The matter to be dealt with relates to tender submissions for the Provision of Recyclable Materials Collection Service: RFT No. 2006-003 and involves discussion of the perceived attributes and risk profiles of individual Contractors as well as specific tender pricing matters.

Section 10A of the Act requires that any proposal to close part of a meeting to the public be notified in the agenda, and a resolution to close part of a meeting to the public be passed setting out reasons for doing so. In this case, the reason for closing that part of the meeting to consider Item C in the Confidential Business Paper is that the report contains, and discussion is likely to involve, information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting business and contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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