



Merri-bek
City Council

Minutes of the Special Council Meeting

Held online via video conference
on Monday 2 September 2024

1. WELCOME

2. APOLOGIES/LEAVE OF ABSENCE

3. DECLARATIONS OF CONFLICTS OF INTERESTS

4. COUNCIL REPORTS

4.1 CONTRACT VARIATION: RFT-2023-468A – HOSKEN RESERVE
MASTERPLAN IMPLEMENTATION CIVIL WORKS

4

The Mayor opened the meeting at 6.35 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Adam Pulford, Mayor	6.35 pm	6.40 pm
Cr Lambros Tapinos, Deputy Mayor	Apology	
Cr Angelica Panopoulos	6.35 pm	6.40 pm
Cr Annalivia Carli Hannan	6.35 pm	6.40 pm
Cr Helen Davidson	6.35 pm	6.40 pm
Cr Helen Pavlidis	6.35 pm	6.40 pm
Cr Mark Riley	6.35 pm	6.40 pm
Cr Monica Harte	Absent	
Cr Oscar Yildiz JP	6.35 pm	6.40 pm
Cr Sue Bolton	6.36 pm	6.40 pm

OFFICERS

Chief Executive Officer – Cathy Henderson
 Director Business Transformation – Sue Vujcevic
 Director City Infrastructure – Anita Curnow
 Director Community – Eamonn Fennessy
 Director Place and Environment – Pene Winslade
 Manager Governance and Strategy – Yvonne Callanan
 Unit Manager Governance – Troy Delia

APOLOGIES/LEAVE OF ABSENCE

Cr Tapinos was an apology to the meeting.

DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

COUNCIL REPORTS

4.1 CONTRACT VARIATION: RFT-2023-468A – HOSKEN RESERVE MASTERPLAN IMPLEMENTATION CIVIL WORKS

Executive Summary

Implementation of the Hosken Reserve Masterplan is nearing completion with works set to complete by mid-September 2024. A number of suppliers and contractors are working on the project. One of the contractors is Prestige Paving, who was originally awarded a tender by Council in October 2023 for \$830,000 excluding GST.

In the past 12 months the project has encountered a significant amount of contamination and other unexpected site conditions (latent conditions). This has resulted in cost escalations outlined in detail in the report below.

In addition, at its 8 May 2024 meeting, Council resolved to amend some scope elements of the project such as adding an extra length of shared path along Pallett Street, which resulted in additional cost.

Due to the latent conditions and scope changes, the variations required amount to \$459,226.58, excluding GST.

Unfortunately, much of this proposed contract variation should have been brought for formal consideration earlier in 2024. By error, the variations were not formally approved under appropriate delegation nor by a Council meeting at the appropriate time (noting that some of the variation arises from contamination management, and some of the variation arises from a Council resolution to vary the scope of the project).

The contract variation had been scheduled for consideration at the 11 September 2024 Ordinary Council meeting. When the error was discovered, a Special Council meeting was called for 2 September 2024 to consider the contract variation as soon as possible.

This report seeks Council's approval to vary the contract at a cost of an additional \$459,226.58, excluding GST. The cost will be referred to the first quarter finance review.

Officer Recommendation

That Council:

1. Endorses an increase of the total contract spend under Contract-2023-468A – Hosken Reserve – Civil Works by \$459,226.58 (GST exclusive), taking the total contract value from \$830,000 (GST exclusive) to \$1,289,226.58 (GST exclusive).
2. Authorises the Chief Executive Officer to do all things necessary to approve contract variations, extension and related documentation as identified in point 1.
3. Refers the shortfall of \$459,226.58 as a result of the contract variation to the first quarterly budget review for 2024/25.

Resolution

Cr Riley moved, Cr Carli Hannan seconded -

That Council:

1. **Endorses an increase of the total contract spend under Contract-2023-468A – Hosken Reserve – Civil Works by \$459,226.58 (GST exclusive), taking the total contract value from \$830,000 (GST exclusive) to \$1,289,226.58 (GST exclusive).**
2. **Authorises the Chief Executive Officer to do all things necessary to approve contract variations, extension and related documentation as identified in point 1.**

- 3. Refers the shortfall of \$459,226.58 as a result of the contract variation to the first quarterly budget review for 2024/25.**

Carried unanimously

The Council meeting closed at 6.40 pm.

Confirmed

Cr Adam Pulford
MAYOR