

**Responsible Officer: General Manager Operations**

**Council Meeting Date: 5 November 2019**

**File Ref: PE1.1**

**Reason for Confidentiality:**

This report is **CONFIDENTIAL** in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting is to be closed to the public to discuss business relating to the following: -

(e) contracts proposed to be made by it.

**Purpose:**

This report seeks a resolution from Council to make use of the provisions in s235 of the Local Government Regulation 2012 that allows for the exceptions to the requirement for written quotes or tenders. The use of this provision is sought in relation to the provision of Dial Before You Dig services.

**Officer's Recommendation:**

That Council:

1. Resolves, in accordance with Section 235(a) of the Local Government Regulation 2012, that it is satisfied Dial Before You Dig is the only supplier reasonably available to it to provide underground infrastructure location services to Council and;
2. Authorises the Chief Executive Officer to engage Dial Before You Dig as a sole supplier for the provision of underground infrastructure location services for a period of 10 years.

**Background:**

Dial Before You Dig is a Not for Profit organisation that delivers a vital national community service designed to assist in preventing damage and disruption to Australia's vast infrastructure networks which provide essential services we use every day. Protecting Australia's infrastructure assets is crucial in keeping essential services such as electricity, gas, water and telecommunications flowing to the community.

Any project, irrespective of size, has the potential to damage assets located around the work site, leading to service interruptions, delays, costly repairs and in the worst-case scenario, injury or death. Obtaining information from Dial Before You Dig significantly minimises these risks by providing information about the work site.

Most of Australia's major infrastructure asset owners are Members of Dial Before You Dig, whose unique service offers a single point of contact to request information about the infrastructure networks at the planned project site without the need to contact utility organisations individually.

Dial Before You Dig Members are primarily Australia's infrastructure asset owners, including electricity, gas, telecommunications, water and many other private enterprises. The types of infrastructure assets registered with Dial Before You Dig Members range from hundreds of thousands of kilometers of cables through to a local business protecting an underground network running from one side of the road to the other.

Local councils, including Gladstone Regional Council are registered Members; protecting storm water drains, sewerage infrastructure, irrigation, heritage trees and network cabling within their council area.

The Dial Before You Dig Membership also comprise of associations and organisations that do not own infrastructure assets but have members and employees that work around infrastructure assets and networks. These Members help promote the Dial Before You Dig message and safe site practices throughout the wider construction industry and general community.

**Consideration:**

Council utilises the Dial Before You Dig service for locations across the region as there are no other providers of this service in the market available to Council.

**Communication and Consultation (Internal/External):**

Nil.

**Legal Environmental and Policy Implications:**

It is a requirement of the Local Government Regulation 2012 section 225 to invite written quotations or tenders where the supply of goods or services with a cost greater than \$15,000.

The Regulation under section 235 (a) states the following exemption:

*(a) Where Council resolves that it is satisfied that there is only one supply reasonably available to it.*

**Financial and Resource Implications:**

Based on the last 12 years of expenditure with Dial Before You Dig, the anticipated expenditure across this 10-year approval is \$75,000 excluding GST. The Dial Before You Dig costs are captured within Council's approved budget, both operational and capital.

**Commentary:**

Nil.

**Summary:**

Nil.

**Anticipated Completion Date:**

Nil. Dial Before You Dig will be utilised on an as needs basis.

**Attachments:**

Nil.

**Tabled Items:**

Nil.

**Report Prepared by:** Manager Contracts and Procurement