

ITEM 13

COMMUNITY TRANSPORT - PROCUREMENT EXEMPTION - LEDALE PTY LTD  
(TRADING AS CANTY'S BUS RENTALS)

This report seeks Council approval for exemption from the Procurement Procedures Management Policy in relation to contracting Ledale Pty Ltd (trading as Canty's Bus Rentals) to deliver bus hire services for Council's Community Transport Program. The request for exemption affords compliance with Section 55(3)(i) of the *Local Government Act 1993*.

### RECOMMENDATION

Council, under Section 55(3)(i) of the *Local Government Act 1993*, enter into an agreement with Ledale Pty Ltd (trading as Canty's Bus Rentals) without inviting tenders due to extenuating circumstances, unavailability of competitive and reliable tenderers and otherwise, for the reasons set out in this report.

### REPORT AUTHORISATIONS

Report of: Jenny Thompson, Manager Library and Community Services  
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

### ATTACHMENTS

- 1 Detailed Information on Mini-Bus Hire Companies in Wollongong

### BACKGROUND

Wollongong City Council delivers community transport services across the Wollongong and Shellharbour local government areas under a funding program administered by Transport for NSW. On 17 May 2018 Council accepted a new funding contract for the delivery of these services until 30 June 2020.

This report seeks approval for a procurement exemption as per Section 55(3)(i) of the *Local Government Act 1993*. This Section of the Act refers to extenuating circumstances under which a council is not required to tender for services because a satisfactory result will not be achieved by the tender process. Details of these specific circumstances are outlined below.

The request for exemption to deviate from Council's Procurement Procedures Management Policy is based on the following criteria:

- Ledale Pty Ltd (trading as Canty's Bus Rentals) is the sole provider that has a fleet of suitable buses available to hire in the Wollongong and Shellharbour local government areas.
- Ledale Pty Ltd (trading as Canty's Bus Rentals) is a local firm that is able to undertake the service to Council's standards and in accordance with service specifications.
- Ledale Pty Ltd (trading as Canty's Bus Rentals) can supply 10-13 buses per day to meet service demand. No other local supplier can provide more than 5 buses per day.
- Other bus hire companies do not offer a vehicle customised for disabled access.
- Short term contract restricts the option for other bus hire companies to scale up their fleet to meet Council needs, given Council's Community Transport contract ends in June 2020.
- A contract with one supplier delivers better value than multiple suppliers in terms of efficiencies of scale.
- Ledale Pty Ltd (trading as Canty's Bus Rentals) makes buses available for volunteer pick up at the Shell Garage, adjacent to Wollongong City Council Administration Building.

Refer attachment for detailed information on mini-bus hire companies in Wollongong.

Approval for a procurement exemption is required in order for the service to continue its operations.

## PROPOSAL

Council endorse an exemption to deviate from the Procurement Procedures Management Policy for contracting of Ledale Pty Ltd (trading as Canty’s Bus Rentals), based on the fact that there are no other suitable providers in the local government area. This will enable Council’s community transport service to continue to utilise the services of Ledale Pty Ltd (trading as Canty’s Bus Rentals).

## CONSULTATION AND COMMUNICATION

Finance Division – Supply Chain and Logistics

Corporate Support Services – Governance and Information

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goals –

Goal 5 – We have a healthy community in a liveable city and

Goal 6 - We have affordable and accessible transport.

It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-19
Strategy	3 Year Action	Operational Plan Actions
5.2.2 Healthy, active ageing programs are promoted in partnership with government agencies and community organisations.	5.2.2.1 Deliver a range of programs and recreational pursuits for older people.	Support the provision of Community Transport services across Wollongong and Shellharbour Local Government Areas.
6.3.5 Community Transport options for frail older people, people with disabilities and the transport disadvantaged are actively promoted and available.	6.3.5.1 Develop an alternative service delivery, governance model and auspice for Community Transport in response to the Federal Government’s Aged Care reform legislation.	Promote access to Community Transport

## FINANCIAL IMPLICATIONS

The value of the contract with Canty’s Bus Rentals is to the value of up to \$160,000.

The endorsement of an exemption from tender for the provision of bus hire services has no financial implications for Council.

Community transport services are fully funded by federal and state government. The provision of a Bus Hire Service is a component of Council’s Service Agreement with Transport for NSW and has been provided for within the current and forward budget until 30 June 2020 when the current contract expires.

## CONCLUSION

This report seeks an exemption from Council’s Procurement Policy to enable the continued brokerage of Ledale Pty Ltd (trading as Canty’s Bus Rentals) to deliver Community Transport Bus Hire Services, in compliance with Section 55(3)(i) of the *Local Government Act 1993*.

**MINI BUS HIRE COMPANIES IN WOLLONGONG**

NAME	LOCATION	FLEET OPTIONS	AVAILABILITY	COMMENTS
GoGo Charter	Sydney based Company 8015 5279	On the website they advertise minibus hire 11,18,25 seats Unknown if modified for disabled access		Unable to verify information.
Bus Hire Wollongong's best value bus hire	Wollongong based company	12 and 25 seater buses Unknown if modified for disabled access	1 to 3 buses per day	They may be able to organise a vehicle and respond to booking pending the availability of the buses. Unable to respond to additional/ casual bookings on the day
Inspire Transport Bus Hire Wollongong	Sydney based company. Head office in Marrickville servicing Wollongong area	12 & 25 seats bus as part of the fleet. Booking must include bus and driver	Automated system. On line booking only. No information re size of fleet	Unable to verify information.
Thrifty Wollongong	Wollongong branch – multi-national firm	Website indicates only one 25 seater bus available in Wollongong Not modified for disabled access	Unable to advise re the number of buses in the fleet	Fleet distributed across 23 locations. Buses can be made available from other areas by prior booking if needed. Unable to respond to casual/ on the day booking
Warrigal Charters	Wollongong based	4 to 5 mini buses in the fleet Size: 12, 21 & 24 seats Not modified for disabled access	Depending on the availability on the day. 1 or 2 buses can be made available with prior booking	Manager called back to confirm availability and willingness to assist where possible
Budget Bus & Track rental	Wollongong branch – multi-national firm	Only 12 seater buses available – not large enough for all groups Not modified		Recommended Cantys as the only bus company with a large enough fleet to meet our needs
Bus Charter	Sydney based can serve Wollongong	12, 21, 24 seats Not modified	Depending on availability on the day	Cannot guarantee availability of buses on a regular basis
Canty's Bus Hire	Wollongong based company	12, 20 and 25 seater buses Modified to enable disabled access	Currently supply between 10-13 buses daily	Bring buses to Shell garage adjacent to WCC, to facilitate volunteer pick up and drop off. Able to provide additional buses if required on the day