

INDEPENDENT COMMISSION AGAINST CORRUPTION

STATEMENT IN THE MATTER OF: ICAC Operation Tunic

PLACE: Sydney, NSW
NAME: Michael Kenneth Bruton
ADDRESS: Known to ICAC
OCCUPATION: Building Contractor
TELEPHONE NO: Known to ICAC
DATE: 13 May 2015

States: -

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1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in Court as a witness. The statement is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
 2. I am 73 years of age.
 3. In 1960, I established my building company known as 'M Bruton Pty Ltd'. The company does general building works. I would say that the majority of our work is obtained through government tenders.
 4. A few years ago, my company was added to a pre-qualified panel list for the Mine Subsidence Board ('MSB'). I am not sure how many companies are on this list but being on the list means that my company can be invited to tender for work

Signature



Witness



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NAME: Michael Bruton

with the MSB. My company has only been invited to tender on three (3) occasions by the MSB.

5. On 16 February 2014, I submitted a signed tender form in relation to the MSB's invitation to tender for works on the property at 336 Moreton Park Road, Douglas Park. The bid was not successful.
6. On 27 January 2015, I submitted a signed tender form in relation to the MSB's invitation to tender for works on the property at 34 Struan Street, Tahmoor. The bid was not successful.
7. Also on 27 January 2015, I submitted a signed tender form in relation to the MSB's invitation to tender for works on the property at 39 York Street, Tahmoor. This bid was also not successful.
8. About 4.00pm on Wednesday 6 May 2015, I met with Investigator Chris Wightman and Investigator Ann-Maree Robinson from the NSW Independent Commission Against Corruption. Investigator Wightman showed me a 2-page tender form in relation to a property at 47 Abelia Street, Tahmoor. I have never seen this document before.

EXHIBIT: I NOW PRODUCE A COPY OF THE 2 PAGE TENDER FORM FOR THE PROPERTY AT 47 ABELIA STREET, TAHMOOR, ATTACHED TO THIS STATEMENT AS ANNEXURE 'A' (PAGES 4 TO 5 OF 7)

Signature



Witness



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9. I was also shown a 2-page tender form in relation to a property at 336 Moreton Park Road, Douglas Park. This is a copy of the tender form that I prepared as referred to in paragraph 5 of this statement.

EXHIBIT: I NOW PRODUCE A COPY OF THE 2 PAGE TENDER FORM
FOR THE PROPERTY AT 336 MORETON PARK ROAD, DOUGLAS
PARK, ATTACHED TO THIS STATEMENT AS ANNEXURE 'B' (PAGES
6 TO 7 OF 7)

Signature  Witness 

Signature _____ Witness _____

Annexure A

E13/1800/23/21



TENDER FORM

FILE NO: FN90-00734P0

CLAIM NO: TCLM08-00402P2

PROPERTY: LOT 4061 DP 819914 NO 47 ABELIA ST TAHMOOR

NAME OF PERSON / FIRM COMPANY

I/We:

Address:

ANNANDAVE Postcode: Phone: 9679 0355

hereby tender to perform the works on the abovementioned property in accordance with the attached specification and conditions for the lump sum of:

 SEVENTY TWO THOUSAND FIVE
 HUNDRED DOLLARS (\$72,500.00)

(Tenderers must state tendered price exclusive of G.S.T.)

Anticipated date for commencement of works:

WITH 1 WEEK

(Date)

Nominated duration on contract:

6

(Duration/ weeks)

Insurance Details:

Insurer

Policy No.

Date Expires

Workers Compensation		✓	
Public Liability			

Contractor's signature:

17-12-14 (Date)

Witness:

17/10/2014 (Date)

OFFICE USE ONLY	Date tender opened	21.10.14
	Tender committee initials	AK

2

TENDER FORM

FILE NO: FN90-00734P0

CLAIM NO: TCLM08-00402P2

PROPERTY: LOT 4061 DP 819914 NO 47 ABELIA ST TAHMOOR


TRADING NAME:

(Builders licence No: 1801)(Expiry date:)I/We: M. BURTON COAddress: 12 HILKINS DRANNINGBOVE Postcode: Phone: 96790355

Tenderers are required to provide a breakdown of the tender for each section outlined in the specification for repairs.

	Details	Amount
Section 1:		\$ <u>76,000.00</u>
Section 2:		<u>30,500.00</u>
Section 3:		
Section 4:		
Section 5:		
Section 6:		
Section 7:		
Section 8:		
Section 9:		
Section 10:		
Total lump sum tender price:		\$ <u>12,500.00</u>

Contractor's signature:


17-10-14 (Date)

Annexure B

TENDER FORM



FILE NO: 00-03209P0

CLAIM NO: 09-00480P2

PROPERTY: LOT 2 DP 601444 NO 336 MORETON PARK ROAD DOUGLAS PARK

M BRUTON BUILDING CO

NAME OF PERSON / FIRM COMPANY

ABN 44 000 328 790 Est. 1960 Licence 1808

12 Hillclimb Drive

I/We:

ANNANGROVE NSW 2156

m.bruton@bigpond.com

Address:

Telephone: 9679 0355 Fax: 9679 0455

Postcode:

Phone:

hereby tender to perform the works on the abovementioned property in accordance with the attached specification and conditions for the lump sum of:

SIXTY TWO THOUSAND FIVE HUNDRED DOLLARS

(\$ 62,500)

(Tenderers must state tendered price exclusive of G.S.T.)

Anticipated date for commencement of works: WITHIN 1 WEEK (Date)

Nominated duration on contract: 8 (Duration/ weeks)

Insurance Details:

Insurer

Policy No.

Date Expires

Workers Compensation	SEAHAMING	[REDACTED]	2-8-14
Public Liability	QBE	[REDACTED]	7-3-14

Contractor's signature:

[Signature]
16-2-14 (Date)

Witness:

[Signature]
16-2-14 (Date)

OFFICE USE ONLY	Date tender opened	20/2/14
	Tender committee initials	[Initials]

2

TENDER FORM

FILE NO: FN00-03209P0

CLAIM NO: 09-00480P2

PROPERTY: LOT 2 DP 601444 NO 336 MORETON PARK ROAD DOUGLAS PARK

M BRUTON BUILDING CO
 TRADING NAME: 44 000 328 790 Est. 1960 Licence 1808 (Builders licence No: 1808)
 12 Hillclimb Drive
 ANNANGROVE NSW 2156 (Expiry date: _____)
 m.bruton@bigpond.com
 I/We: Telephone: 9679 0355 Fax: 9679 0455

Address: _____

Postcode: _____ Phone: _____

Tenderers are required to provide a breakdown of the tender for each section outlined in the specification for repairs.

	Details	Amount
Section 1:	DEMOLITION	\$ 2,100
Section 2:	FENCING	2,300
Section 3:	LANDSCAPE	650
Section 4:	BRICKLAYING	650
Section 5:	CARPENTER inc PC \$15,000	17,000
Section 6:	PLASTERING & PAINTING	4,500
Section 7:	ELECTRICAL	800
Section 8:	PLUMBING inc PC \$8000	10,000
Section 9:	CONCRETE	1,800
Section 10:	TILING	200
	CARPENTER PC	5,000
	BUILDERS COSTS	14,000
	ADDENDUM PC	3,500
	TOTAL	\$ 62,500

Contractor's signature: _____

16-2-14 (Date)