



# ORDINARY MEETING LATE ITEMS AGENDA

Friday 16 September 2022  
commencing at 9.30am  
Quilpie Shire Council Boardroom  
50 Brolga Street, Quilpie

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## Ordinary Meeting of Council

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15 September 2022

The Mayor and Council Members  
Quilpie Shire Council  
QUILPIE QLD 4480

Dear Members

Reference is hereby made to the Ordinary Meeting of the Quilpie Shire Council scheduled to be held at the Council Chambers, on **Friday 16 September 2022**, commencing at **9.30am**.

An agenda for the Ordinary Meeting was forwarded to all Members on 9 September 2022. In addition to the agenda, please find attached a summary of "Late Items".

Yours faithfully

Justin Hancock  
Chief Executive Officer





# ORDINARY MEETING OF COUNCIL AGENDA

Friday 16 September 2022  
Quilpie Shire Council Boardroom  
50 Broлга Street, Quilpie

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**16 LATE ITEMS****16.1 T01 22-23 REGISTER OF PREQUALIFIED SUPPLIERS (ROPS) HIRE OF MOBILE PLANT AND EQUIPMENT (WET AND DRY HIRE)****IX: 228037****Author: Justin Hancock, Chief Executive Officer****Attachments: Nil****KEY OUTCOME**

**Key Outcome:** 2. Flourishing Economy

**Key Initiative:** 2.4 Enhance and support our agricultural industry, resource sector and all businesses

**EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with a recommendation to accept pre-qualified suppliers with the technical, financial and managerial capability necessary to provide the services of hire of mobile plant and equipment (wet and dry hire).

**RECOMMENDATION**

That Council:

1. Approve the selection of the suppliers listed in table 1 as 'pre-qualified suppliers' for the T01 22-23 Register of Pre-qualified Suppliers (ROPS) Hire of Mobile Plant and Equipment (Wet and Dry Hire) T01 22-23;
2. Approve the issuance of Notices of Successful Tender to the suppliers listed in table 1 in respect of T01 22-23 Register Of Prequalified Suppliers (ROPS) Hire Of Mobile Plant And Equipment (Wet And Dry Hire); and
3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with or in relation to contracts with the suppliers listed in table 1 pursuant to T01 22-23 Register Of Prequalified Suppliers (ROPS) Hire Of Mobile Plant And Equipment (Wet And Dry Hire) including without limitation any options and/or variations as per Council's procurement policy.

**Table 1 – Approved Suppliers of Mobile Plant And Equipment (Wet And Dry Hire)**

No	Legal Entity	Business/ Trading Name	ABN
1	APV Contracting Pty Ltd	APV Contracting Pty Ltd	29 169 579 104
2	BHL & DA Hall	BHL & DA Hall Transport	40 846 702 293
3	Kev Richardson Welding Pty Ltd	Kev Richardson Welding Pty Ltd	60 072 120 793
4	Luke Wallace Barton	Long Plain Contracting	92 356 950 310
5	S.A Travers & S.L Travers	SL & SA Travers	52 818 767 498
6	Rollers Australia Pty Limited	Rollers Queensland	50 087 309 091
7	K.G Bowen & S.C Bowen	SC & KG Bowen	43 846 443 873
8	Tolbra Earthmovers & Haulage Pty Ltd	Tolbra Earthmovers & Haulage Pty Ltd	96 606 706 898

**REPORT**

The Quilpie Shire Council (QSC) invited tenders from suitably qualified tenderers for selection as a pre-qualified supplier of Hire Of Mobile Plant And Equipment (Wet And Dry Hire). The existing register is due to expire on 30 September 2022, with the intention that it shall be replaced by the new ROPS 'T01 22-23 Register Of Prequalified Suppliers (ROPS) Hire Of Mobile Plant And Equipment (Wet And Dry Hire) ('the ROPS').

**WORK SCOPE**

Pre-qualified suppliers will each be required to execute a contract setting out the terms under which Council may engage the supplier for the provision of services pursuant to the ROPS. Pre-qualified suppliers must hire the Plant and Equipment, Operators and Extra Personnel identified in a relevant Work Order at the times required by the contract and relevant Work Order and in accordance with the contract.

**PROCUREMENT PROCESS**

In accordance with S232 of the Local Government Regulation 2012, Council undertook a tender for the establishment of a Register Of Prequalified Suppliers (ROPS) for the Hire Of Mobile Plant And Equipment (Wet And Dry Hire).

In compliance with S232(5) and s232(6), the tender was released on the Vendor Panel Public Tenders platform, advertised on Council's website on the Tenders and Quotes page, and public notices were circulated throughout the Quilpie community and on Council's Facebook page.

**Table 2 – Overview of procurement process**

Description	Details
Advertising	Vendor Panel Portal
Tender Open	Tuesday 2 August 2022
RSVP Mandatory Meeting	2:00pm Wednesday 10 August 2022
Mandatory Meeting	2:00pm Friday 12 August 2022
Supplier Query Cut-Off	Wednesday 14 August 2022
Tender Close	2:00pm Friday 26 August 2022*

\*The original closing time for the tender was 2:00pm Wednesday 24 August 2022, an extension of time was provided due to mobile network interruptions occurring in Quilpie during the week of 22-26 August.

In accordance with the Request for Tender document, a mandatory tender briefing was held at the Quilpie Shire Works Depot, Anzac Drive at 2:00pm on Friday 12 August 2022. Tenderers were to RSVP for this briefing by 2:00pm on Wednesday 10 August 2022.

**Table 3 – Tender briefing attendance record**

Company Name	RSVP Received	Meeting Attended
Rollers Queensland	04/08/2022	Yes
Tolbra Earthmovers and Haulage Pty Ltd	07/08/2022	Yes
Lesdale Quarry	03/08/2022	Yes
Halliebec Towing & Contracting	05/08/2022	Yes
Proterra Group	08/08/2022	Yes
APV Contracting	09/08/2022	Yes
Ellis Consolidated	04/08/2022	No

Company Name	RSVP Received	Meeting Attended
Donohues Construction	10/08/2022	Yes
BHL&DA Hall Transport	08/08/2022	Yes
Eromanga Contracting	10/08/2022	Yes
SC and KG Bowen	11/08/2022	Yes
Kev Richardson Welding	10/08/2022	Yes
Long Plain Contracting	10/08/2022	Yes
Mascott	10/08/2022	Yes

At the close of the tender at 2:00pm on Friday 26 August 2022, Council received a total of 18 responses (suppliers viewed – 74). An initial assessment identified that 9 tenderers did not attend the mandatory tender briefing session held at the Quilpie Shire Works Depot, Anzac Drive at 2:00pm on Friday 12 August 2022. Therefore, the following tenderers were not assessed:

- AME Hire Pty Ltd;
- Ellis Stabilising Pty Ltd;
- Ezyquip Hire Pty Ltd;
- Gilby & Tonkin Mechanical;
- Hastings Deering (Australia) Limited;
- JD & TJ Bell;
- Phillip James Pilcher;
- The Mining Pty Ltd; and
- Wideland Equipment Hire.

In accordance with S232(8) of the LGR 2012, a pre-qualified supplier is a supplier who has been assessed by the local government as having the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements. Council did not apply a weighting criteria, rather have assessed each tendered on their technical, financial and managerial capability to supply the Hire Of Mobile Plant And Equipment (Wet And Dry Hire).

An assessment of the tender was undertaken by four (4) officers, the summary of the evaluation can be seen in the below table:

**Table 4 – Tender Assessment**

No	Legal Entity	Business/ Trading Name	Conforming	Technical, Financial and Managerial Capability
1	APV Contracting Pty Ltd	APV Contracting Pty Ltd	Yes	Yes
2	BHL & DA Hall	BHL & DA Hall Transport	Yes	Yes
3	Kev Richardson Welding Pty Ltd	Kev Richardson Welding Pty Ltd	Yes	Yes
4	Luke Wallace Barton	Long Plain Contracting	Yes	Yes
5	S.A Travers & S.L Travers	SL & SA Travers	Yes	Yes
6	Rollers Australia Pty Limited	Rollers Queensland	Yes	Yes
7	K.G Bowen & S.C Bowen	SC & KG Bowen	Yes	Yes

No	Legal Entity	Business/ Trading Name	Conforming	Technical, Financial and Managerial Capability
8	The Trustee for Tickell Family Trust	The Trustee for Tickell Family Trust	No	No
9	Tolbra Earthmovers & Haulage Pty Ltd	Tolbra Earthmovers & Haulage Pty Ltd	Yes	Yes

## OPTIONS

### Option 1 – Recommended

That Council:

1. Approve the selection of the suppliers listed in table 1 as 'pre-qualified suppliers' for the T01 22-23 Register of Pre-qualified Suppliers (ROPS) Hire of Mobile Plant and Equipment (Wet and Dry Hire) T01 22-23.
2. Approve the issuance of Notices of Successful Tender to the suppliers listed in table 1 in respect of T01 22-23 Register Of Prequalified Suppliers (ROPS) Hire Of Mobile Plant And Equipment (Wet And Dry Hire).
3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with or in relation to contracts with the suppliers listed in table 1 pursuant to T01 22-23 Register Of Prequalified Suppliers (ROPS) Hire Of Mobile Plant And Equipment (Wet And Dry Hire) including without limitation any options and/or variations as per Council's procurement policy.

### Option 2

1. That Council does not approve the selection of any suppliers listed in table 1 above.

## CONSULTATION (Internal/External)

Chief Executive Officer	Justin Hancock
Director Engineering Services	Peter See
A/ Director Corporate & Community Services	Sharon Frank
Works Coordinator	Brian Weeks
Workplace Health & Safety Manager	Mike Castles
Procurement Officer	Kasey Davie
Helix Legal	

## LEGAL IMPLICATIONS

Nil

## POLICY AND LEGISLATION

Council Purchasing Policy

Local Government Act 2009

In accordance with S104(1) of the Local Government Act 2009, Council must also give consideration to the sound contracting principles as follows:

*104 Financial management systems*

- (1) *To ensure it is financially sustainable, a local government must establish a system of financial management that -*
  - a. *ensures regard is had to the sound contracting principles when entering into a contract for—*
    - i. *the supply of goods or services; or*
    - ii. *the disposal of assets; and*
  - b. *complies with subsections (5) to (7)*
- (2) *A local government is **financially sustainable** if the local government is able to maintain its financial capital and infrastructure capital over the long term.*
- (3) *The sound contracting principles are-*
  - a. *value for money; and*
  - b. *open and effective competition; and*
  - c. *the development of local business and industry; and*
  - d. *environmental protection; and*
  - e. *ethical behaviour and fair dealing.*

**Local Government Regulations 2012***228 Tender process*

- (1) *This section is about how a local government must invite written tenders for—*
  - a. *a large-sized contractual arrangement; or*
  - b. *a valuable non-current asset contract.*
- (2) *The local government must either—*
  - a. *invite written tenders under subsection (4); or*
  - b. *invite expressions of interest under subsection (5) before considering whether to invite written tenders under subsection (7)(b).*
- (3) *However, the local government may invite expressions of interest under subsection (5) only if the local government—*
  - a. *decides, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders; and*
  - b. *records its reasons for making the resolution in the minutes of the meeting at which the resolution was made.*
- (4) *The invitation for tenders must—*
  - a. *be published on the local government's website for at least 21 days; and*
  - b. *allow written tenders to be given to the local government while the invitation is published on the website.*
- (5) *The invitation for expressions of interest must—*
  - a. *be published on the local government's website for at least 21 days; and*
  - b. *allow written expressions of interest to be given to the local government while the invitation is published on the website.*
- (6) *Also, the local government must take all reasonable steps to publish the invitation for tenders or invitation for expressions of interest in another way to notify the public about the tender process. Examples for subsection (6)—*

*publishing an invitation in an industry publication or on the QTENDERS website*
- (7) *If the local government invites expressions of interest under subsection (5) or (6), the local government may—*

- a. *prepare a short list from the persons who respond to the invitation for expressions of interest; and*
- b. *invite written tenders from those persons.*

(8) *If—*

- a. *an invitation to tender under subsection (4) or (7)(b) states that the local government might later invite all tenderers to change their tenders to take account of a change in the tender specifications; and*
- b. *the local government does change the tender specifications;*
- c. *the local government may invite all the persons who submitted a tender to change their tender to take account of the change, before making a decision on the tenders.*

(9) *A local government may decide not to accept any tenders it receives.*

(10) *However, if the local government does decide to accept a tender, the local government must accept the tender most advantageous to it, having regard to the sound contracting principles.*

### *232 Exception for register of pre-qualified suppliers*

(1) *This section applies to a medium-sized contractual arrangement or large-sized contractual arrangement for the supply of goods or services.*

(2) *A local government may enter into the contract without first inviting written quotes or tenders if the contract is entered into with a supplier from a register of pre-qualified suppliers that is made in compliance with subsections (3) to (7).*

(3) *A local government may establish a register of pre-qualified suppliers of particular goods or services only if—*

- a. *the preparation and evaluation of invitations every time the goods or services are needed would be costly; or*
- b. *the capability or financial capacity of the supplier of the goods or services is critical; or*
- c. *the supply of the goods or services involves significant security considerations; or*
- d. *a precondition of an offer to contract for the goods or services is compliance with particular standards or conditions set by the local government; or*
- e. *the ability of local business to supply the goods or services needs to be discovered or developed.*

(4) *A local government must invite suppliers to tender to be on a register of pre-qualified suppliers.*

(5) *The invitation must—*

- a. *be published on the local government's website for at least 21 days; and*
- b. *allow written tenders to be given to the local government while the invitation is published on the website.*

(6) *Also, the local government must take all reasonable steps to publish the invitation in another way to notify the public about establishing the register of pre-qualified suppliers.*

*Examples for subsection (6)— publishing an invitation in an industry publication or on the QTENDERS website*

(7) *When selecting a supplier to be a pre-qualified supplier for the register, the local government must have regard to the sound contracting principles.*

(8) *A pre-qualified supplier is a supplier who has been assessed by the local government as having the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements.*

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Council is not obliged to enter into engagements with any of the pre-qualified suppliers that may be selected to the ROPs. Should Council engage a supplier pursuant to the ROPS such engagements will be in accordance with Councils approved budgets.



**RISK MANAGEMENT IMPLICATIONS**

While Council is not obligated to solely utilise the recommended pre-qualified suppliers of Hire Of Mobile Plant And Equipment (Wet And Dry Hire), Council can minimise risk by engaging a pre-qualified supplier. Council officers have undertaken an assessment of conforming tenderers, the recommendation provided included tenderers who have been assessed as having the technical, financial and managerial capability necessary to perform the contract on time and in accordance with agreed requirements. This assessment had included the review of insurances, registrations, safety management systems and qualifications of operators.