



# SPECIAL MEETING AGENDA

Tuesday 12 November 2024  
commencing at 8:00 AM  
Quilpie Shire Council Boardroom  
50 Brolga Street, Quilpie

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## Special Meeting of Council

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5 November 2024

The Mayor and Council Members  
Quilpie Shire Council  
QUILPIE QLD 4480

Dear Members

Notice is hereby given that a Pre Meeting Briefing will be held in the Council Boardroom, on **Tuesday 12 November 2024**, commencing at **8.30 am**.

Notice is also hereby given that the Special Meeting of the Quilpie Shire Council will be held at the Council Chambers, on **Tuesday 12 November 2024**, commencing at **8:00 AM**.

The agenda for the special meeting is attached for your information

Yours faithfully

Justin Hancock  
Chief Executive Officer





# SPECIAL MEETING OF COUNCIL AGENDA

Tuesday 12 November 2024  
Quilpie Shire Council Boardroom  
50 Broлга Street, Quilpie

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- 1 OPENING OF MEETING**
- 2 ATTENDANCE**
- 3 APOLOGIES**
- 4 DECLARATIONS OF INTEREST**

**5 FINANCE****5.1 T02 24-25 REGISTER OF PRE-QUALIFIED SUPPLIERS OF ROAD AND CIVIL CONSTRUCTION**

IX: 256724

Author: Kasey-Lee Davie, Procurement Officer

Attachments: Nil

**KEY OUTCOME**

**Key Outcome:** 4. Strong Governance

**Key Initiative:** 4.3 Maintain good corporate governance

4.4 Long-term financial sustainability underpinned by sound financial planning and accountability

**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 Road and Civil Construction.

**RECOMMENDATION**

That Council:

1. Approve the selection of the suppliers listed in Table 1 as 'pre-qualified suppliers' for the T02 24-25 Register of Pre-qualified Suppliers of Road and Civil Construction for 12 months with the option to extend for a further 12 months;
2. Approve the issue of Notices of Successful Tender to the suppliers listed in Table 1 in respect of T02 24-25 Register of Prequalified Suppliers of Road and Civil Construction; 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 T02 24-25 Register of Prequalified Suppliers of Road and Civil Construction, including without limitation, any options and/or variations as per Council's procurement policy.

**Table 1 – Approved Suppliers of Mobile Plant and Equipment for Wet and Dry Hire**

No	Legal Entity	Business/Trading Name	ABN
1	BK HIRE PTY LTD	BK Civil Group	99 153 715 578
2	CSR TRADING CO. PTY. LTD.	CSR Earthworks	58 165 451 436
3	NQES INDUSTRIES PTY LTD	NQES	84 651 167 243
4	DURACK CIVIL PTY LTD	Durack Civil Pty Ltd	35 633 665 380
5	G & R BROWN & SONS PTY LTD	Brown Contractors	33 154 911 609

6	HIESLER CONTRACTING PTY LTD	Heisler Contracting	58 647 361 395
7	AUSTEK SPRAY SEAL PTY LTD	Austek Spray Seal Pty Ltd	28 629 433 978
8	TOLBRA EARTHMOVERS & HAULAGE PTY LTD	Tolbra Earthmovers & Haulage	96 606 706 898
9	FULTON HOGAN INDUSTRIES PTY LTD	Fulton Hogan Industries Pty Ltd	54 000 538 689
10	S.A TRAVERS & S.L TRAVERS	S.L & S.A Travers	52 818 767 498
11	K.G BOWEN & S.C BOWEN	SC and KG Bowen Earthmoving	43 846 443 873
12	AM EARTHMOVING (QLD) PTY LTD	AM Earthmoving (QLD) Pty Ltd	87 638 103 198
13	APV CONTRACTING PTY LTD	APV Contracting Pty Ltd	29 169 579 104

## BACKGROUND

Council (QSC) invited tenders from suitably qualified tenderers for selection as a pre-qualified supplier of Road and Civil Construction.

The T02 24-25 ROPS term is 12 months from resolution to award, with the option to extend for a further 12 months.

## WORK SCOPE

On engagement for Road and Civil Construction projects, pre-qualified suppliers will each be required to execute specific contracts setting out the terms under which Council is engaging the supplier for the provision of services pursuant to the register. Pre-qualified suppliers must complete the Road and Civil Construction projects according to and as identified in contract specifications at the times required by the relevant work order and in accordance with the contract.

## PROCUREMENT PROCESS

In accordance with Section 232 of the *Local Government Regulation 2012*, Council undertook a tender for the establishment of a Register of Pre-qualified Suppliers (ROPS) of Road and Civil Construction.

In compliance with Section 232(5) and Section 232(6) of the *Local Government Regulation 2012*, 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	Friday 4 October 2024
Mandatory Meeting	10:00am Friday 18 October 2024
Supplier Query Cut-Off	22 October 2024
Tender Close	5:00pm 27 October 2024

In accordance with the Request for Tender document, a mandatory tender briefing was held at the Quilpie Shire Works Depot, Anzac Drive and available online at 10:00am on Friday 18 October 2024.

**Table 3 – Tender briefing attendance record**

<b>Company</b>	<b>Representative</b>
CSR Earthworks	Alister Cowper
NQES	Dylan McGregor
Durak Civil	Surya Eluri
Brown Contractors	Carolyn Carseldine
Heisler Contracting	Carolyn Cox
Austek Roads	Dean McLeod
Tolbra Earthmovers & Haulage	Jacque Green
Fulton Hogan	Rob Fredrick
S.A Travers & S.L Travers	Mandy Travers
K.G Bowen & S.C Bowen	Stuart Bowen
AM Earthmoving	AM Earthmoving
APV Contracting	Kerri Vagg
BK Civil	Cathy Carragher

At the close of the tender at 5:00pm 27 October 2024, Council received a total of 23 responses.

Number of suppliers that viewed the tender: 129.

An initial assessment identified that nine tenderers did not have a representative present at the mandatory tender briefing session held at the Quilpie Shire Works Depot, Anzac Drive, Quilpie or Online at 10:00am on Friday 18 October 2024.

Therefore, the following tenderers were not assessed:

Civil Independence Industries Pty Ltd

Geo Civil Laboratories Pty Ltd

Hamil Enterprise Pty Ltd

Hill Earthmoving & Civil Pty Ltd

Purcell Civil and Construction Pty Ltd

RENOLITH

RPQ Spray Seal Pty. Ltd.

Russell's Grader Hire Pty Ltd

The Stabilising Pty Ltd

Ellis Profiling (Qld) Pty Ltd

In accordance with Section 232(8) of the *Local Government Regulation 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 weighted criterion, rather have assessed each tenderer on their technical, financial, and managerial capability to supply Road and Civil Construction.

An assessment of the tender was undertaken by three (3) officers, the summary of the evaluation is shown in the table below:

**Table 4 – Tender Assessment Summary**

No	Legal Entity	Business/ Trading Name	Conforming	Technical, Financial and Managerial Capability
1	BK Hire Pty Ltd	BK CIVIL GROUP	Yes	Yes
2	CSR TRADING CO. PTY. LTD.	CSR Earthworks	Yes	Yes
3	NQES INDUSTRIES PTY LTD	NQES	Yes	Yes
4	DURACK CIVIL PTY LTD	DURACK CIVIL PTY LTD	Yes	Yes
5	G & R Brown & Sons Pty Ltd	Brown Contractors	Yes	Yes
6	HIESLER CONTRACTING PTY LTD	Heisler Contracting	Yes	Yes
7	AUSTEK SPRAY SEAL PTY LTD	Austek Spray Seal Pty Ltd	Yes	Yes
8	TOLBRA EARTHMOVERS & HAULAGE PTY LTD	Tolbra Earthmovers & Haulage	Yes	Yes
9	FULTON HOGAN INDUSTRIES PTY LTD	Fulton Hogan Industries Pty Ltd	Yes	Yes
10	S.A TRAVERS & S.L TRAVERS	S.L & S.A Travers	Yes	Yes
11	K.G BOWEN & S.C BOWEN	Sc and Kg Bowen Earthmoving	Yes	Yes
12	AM EARTHMOVING (QLD) PTY LTD	AM EARTHMOVING (QLD) PTY LTD	Yes	Yes
13	APV CONTRACTING PTY LTD	APV CONTRACTING 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 T02 24-25 Register of Pre-qualified Suppliers of Road and Civil Construction for 12 months with option to extend a further 12 months.
2. Approve the issue of Notices of Successful Tender to the suppliers listed in Table 1 in respect of T02 24-25 Register of Prequalified Suppliers of Road and Civil Construction.
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 T02 24-25 Register of Prequalified Suppliers of Road and Civil Construction, including without limitation, any options and/or variations as per Council's procurement policy.

Option 2

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

**CONSULTATION (Internal/External)**

- Chief Executive Officer
- Acting Director of Infrastructure Services
- Manager Governance & Compliance
- Manager of Finance & Administration
- Procurement Officer

**LEGAL IMPLICATIONS**

NIL

**POLICY AND LEGISLATION**

Council's Procurement Policy; adopted 20 February 2024 (Resolution Number: QSC026-002-24)

*Local Government Act 2009*

*Local Government Regulation 2012*

**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 Council's procurement policy and approved budgets.

**RISK MANAGEMENT IMPLICATIONS**

While Council is not obligated to solely use the recommended pre-qualified suppliers of Road and Civil Construction, 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.

A risk assessment was completed for the procurement process:

Risk Name & Description <i>What could happen and why?</i>	Current Controls <i>Are there current controls for the risk</i>	Impacts <i>Impact if the risk eventuates</i>	Risk Assessment			Risk Treatment <i>Depending on risk rating - additional controls / mitigation strategy to be implemented (to reduce risk rating)</i>
			Likelihood	Consequence	Risk Rating	
<b>Example:</b> <i>Insufficient funding</i>	<i>None</i>	<i>Delays purchasing to</i>	<i>C Possible</i>	<i>4 Major</i>	<i>High</i>	<i>Ensure funding approvals obtained at start of project</i>
Limited access to information, No record keeping	Records management procedure, allocated location for project	Approval delays, stakeholder objectives do not align, miss communication	Possible	Minor	Medium	Allocating a staff member who registers all relevant documentation to allocated folder, regular communication between stakeholders
No response to the request	Review plan, amend, repost	Delays in updating the list	Possible	Minor	Medium	Ensuring planning of the request is adequate to promote attractiveness of the tender
Lack of availability of suppliers	Evaluation Criteria set to determine the ability of suppliers	Delays in meeting project deadlines	Possible	Minor	Medium	During the evaluation and the market research ensuring suppliers availability to deliver to Council sufficiently
Conflict of interest	Conflict of interest checks/declaration in place requesting officer and evaluation team	Reputational risk, failure to act in the best interest of the entity and public sector, poor governance.	Possible	Moderate	High	Conduct all possible conflict of interest processes and procedures with documentation and sufficient records kept
Suppliers going into receivership	Financial Stability conformation in tender response schedule	Uncompleted contracts/projects. Cost to Council to transfer contract to new supplier.	Possible	Moderate	High	KPI reviews and supplier monitoring

**6 CONFIDENTIAL ITEMS**

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**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2012:

**6.1 Sale of 2 Blocks of Land in Curlew Estate**

This matter is considered to be confidential under Section 254J(3) - g of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

**7 LATE ITEMS**