



Confirmed Minutes  
Burke Shire Council Special Meeting  
Wednesday 12 May 2021  
3.00pm Council Chambers

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## 01. Opening of Meeting

**The Chair declared the meeting open at 3.10pm.**

## 02. Record of Attendance

**Cr Ernie Camp; Mayor – Chair**  
**Cr Tonya Murray; Deputy Mayor**  
**Cr John Clarke**  
**Cr John Yanner**  
**Cr Rosita Wade**

**Clare Keenan; Chief Executive Officer**  
**Dan McKinlay; Deputy CEO**  
**Graham O’Byrne; Executive Manager Engineering**  
**Madison Marshall; Corporate Services and Governance Manager (Minutes)**

## 03. Declaration of Interests

**No declarations of interest were noted for the meeting.**

## 04. Executive Management Reports

### 04.01 0280-4040-3 STP Irrigation Design & Construct

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DEPARTMENT:	Engineering & Services
RESPONSIBLE OFFICER:	Graham O’Byrne; Executive Manager Engineering
PREPARED BY:	Wendy van der Wolf
DATE REPORT PREPARED:	11 May 2021

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#### 1. EXECUTIVE SUMMARY

This report provides Council with a recommendation to appoint Tim Wilson Carpentry as the Principal Contractor to carry out the STP Irrigation Design and Construct contract No. 0280-4040-3 for the maximum value of \$194,038 (ex. GST). This irrigation system will allow treated effluent to be safely discharged onto adjoining STP land in line with Environmental Protection Act 1994.

It is noted that the overall project is funded by the Works for Queensland 19-21 program, with a total project budget of \$270,000 (excl GST), which includes design, contingency and internal costs.

#### 2. BACKGROUND

This is a Works for Queensland 2019-21 funded program. The existing effluent is transferred to lagoon systems for effluent treatment. The effluent is currently not compliant with Environmental Protection Act 1994. The installation of an irrigation system will ensure that the effluent is distributed evenly and absorbed by the flora which is the prescribed treatment of effluent in accordance with Council’s license.

#### 3. TENDER

An open tender process was undertaken via Vendor Panel which closed on Tuesday 4<sup>th</sup> May 2021 at 2pm. There were 3 responses.

Responses were evaluated by a pre-selected evaluation panel that used weighted selection criteria to score the responses in accordance with Council’s Procurement Policy.

The tender submitted by Reliable Water Solutions is considered non-confirming as they did not provide the mandatory information.

The overall scores and prices are as follows:

Tenderer	Score /10	Price (ex. GST)
Tim Wilson Carpentry	8.6	\$194,038
M&J Arthur PTY Ltd	4.8	\$378,000

Refer to attachment 1: Tender Evaluation Report.

#### 4. PROPOSAL

It is proposed that the STP Irrigation Design and Construct contract be awarded to Tim Wilson Carpentry for \$198,038 ex GST to commence Monday 17 May 2021.

It is proposed that the Burke Shire Council CEO is authorised as the financial delegate to award the contract to Tim Wilson Carpentry.

#### 5. RISK

Risk	Possible Consequence	Mitigation
Contract variation – due to wet weather and/or latent conditions	Increase in Contract Sum	Contingency in the order of 15% allowed
Delay in supply chain	Practical completion within the funding deadline	Work to start as soon as practical  Funding body aware of supply chain delays due to COVID-19. The state department has granted in principle an extension for the delivery of this project until end of September 2021.

#### 6. POLICY & LEGAL IMPLICATIONS

Council is also required to meet all relevant local government procurement requirements outlined in the *Local Government Act 2009*, Local Government Regulation 2012 and in Council's Procurement Policy. These requirements have been met.

#### 7. CONSULTATION

Consultation has taken place with:

- GHD

#### 8. OPTIONS

1. That Council endorses the awarding of Contract 0280-4040-3 STP Irrigation Design & Construct to Tim Wilson Carpentry for \$198,038 (ex GST); or
2. Council decides to award the contract to another tenderer.

## 9. RECOMMENDATION

1. That Council note the contents of the report and relevant attachments; and
2. That Council endorses the awarding of Contract 0280-4040-3, STP Irrigation Design & Construct for the value of \$198,038 (ex GST) to Tim Wilson Carpentry; and
3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract, to the value of the project budget, \$270,000 (exc GST).

**04.01 0280-4040-3 STP Irrigation Design & Construct**

1. That Council note the contents of the report and relevant attachments; and
2. That Council endorses the awarding of Contract 0280-4040-3, STP Irrigation Design & Construct for the value of \$198,038 (ex GST) to Tim Wilson Carpentry; and
3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract, to the value of the project budget, \$270,000 (exc GST).

Moved: Cr Yanner

Seconded: Cr Wade

Carried 210512.01 5/0

## 04.02 0280-4053-7 Burketown WTP Building Design &amp; Construct

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DEPARTMENT:	Engineering & Services
RESPONSIBLE OFFICER:	Graham O’Byrne; Executive Manager Engineering
PREPARED BY:	Wendy van der Wolf
DATE REPORT PREPARED:	06 May 2021

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## 1. EXECUTIVE SUMMARY

This report provides Council with a recommendation to appoint Tim Wilson Carpentry as the Principal Contractor to carry out the Burketown WTP Building Design & Construct contract No. 0280-4053-7 for the maximum value of \$377,303.00 (excl GST). The overall budget for this project is \$425,000, which includes a contingency and internal costs. This new building will replace the existing with the project including some external concrete works.

It is noted that the overall project budget is funded under the Works for Queensland 19-21 program.

## 2. BACKGROUND

This is a Works for Queensland 2019-21 funded program. The existing structure is in a state of disrepair and requires replacement. As a part of the project new concrete aprons will be constructed providing clean access to the respective parts of the treatment plant. This work is the first stage of the Water Treatment Plant upgrade project which includes the chemical dosing and SCADA upgrades.

## 3. TENDER

An open tender process was undertaken via Vendor Panel which closed on Tuesday 27<sup>th</sup> April 2021 at 2pm. There were 3 responses.

Responses were evaluated by a pre-selected evaluation panel that used weighted selection criteria to score the responses in accordance with Council’s Procurement Policy.

The overall scores and prices are as follows:

Tenderer	Score /10	Price (ex. GST)
Beep Beep PTY Ltd t/a Richardsons	7.1	\$433,970
M&J Arthur PTY Ltd	5.2	\$621,000
Tim Wilson Carpentry	8.8	\$377,303

Refer to attachment 1: Tender Evaluation Report.

## 4. PROPOSAL

It is proposed that the Burketown Water Treatment Plant Building Design and Construct contract be awarded to Tim Wilson Carpentry for \$377,303 ex GST to commence Monday 17 May 2021.

It is proposed that the Burke Shire Council CEO is authorised as the financial delegate to award the contract to Tim Wilson Carpentry.

#### 5. RISK

Risk	Possible Consequence	Mitigation
Contract variation – due to wet weather, latent conditions	Increase in Contract Sum	Contingency in the order of 10% allowed
Delay in supply chain	Practical completion within the funding deadline	Work to start as soon as practical Funding body aware of supply chain delays due to COVID-19. Extension of time sought until End of October 2021, with approval granted.

#### 6. POLICY & LEGAL IMPLICATIONS

Council is also required to meet all relevant local government procurement requirements outlined in the *Local Government Act 2009*, Local Government Regulation 2012 and in Council's Procurement Policy. These requirements have been met.

#### 7. CONSULTATION

Consultation has taken place with:

- GHD

#### 8. OPTIONS

1. That Council endorses the awarding of Contract 0280-4053-7 Burketown WTP Building Design & Construct to Tim Wilson Carpentry for \$377,303 (ex GST); or
2. Council decides to award the contract to another tenderer

#### 10. RECOMMENDATION

1. That Council note the contents of the report and relevant attachments; and
2. That Council endorses the awarding of Contract 0280-4053-7, Burketown WTP Building Design & Construct for the value of \$377,303 (ex GST); and
3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract, to the value of the project budget \$425,000 (ex GST).

**04.02 0280-4053-7 Burketown WTP Building Design & Construct**

- 1. That Council note the contents of the report and relevant attachments; and**
- 2. That Council endorses the awarding of Contract 0280-4053-7, Burketown WTP Building Design & Construct to Tim Wilson Carpentry for the value of \$377,303 (ex GST); and**
- 3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract, to the value of the project budget \$425,000 (ex GST).**

**Moved: Cr Murray**

**Seconded: Cr Yanner**

**Carried 210512.02 5/0**

## 05. Closed Session Reports

**That Council will move into a closed session to discuss confidential items as defined in the Local Government Regulation 2012 in Chapter 8 Administration, Part 2 Local government meetings and committees, under Sections 254 J (3) (a).**

**(a) the appointment, discipline or dismissal of the chief executive officer.**

**Council moved into closed session at 3.27pm**

**Moved: Cr Camp**

**Seconded: Cr Murray**

**Carried 210512.03 5/0**

## Attendance

Clare Keenan, Graham O'Byrne and Madison Marshall left the meeting at 3.28pm.

Dan McKinlay left the meeting from 3.28pm to 3.50pm.

## Move into Open Session

**That the meeting resume in open session to consider recommendations arising out of the closed session.**

**Council resumed open session at 3.55pm.**

**Moved: Cr Murray**

**Seconded: Cr Camp**

**Carried 210512.04 5/0**



## 05.01 Confidential – Staff Matters

**That Council appoints Dan McKinlay as Acting CEO effective from Thursday 13 May 2021 until further notice.**

**Moved: Cr Murray**

**Seconded: Cr Camp**

**Carried 210512.05 5/0**

## 06. Closure of meeting

**The Chair declared the meeting closed at 4.08pm.**

I hereby certify that these pages numbered 1 to 9 – constitute  
the Confirmed minutes of the Special Council Meeting of Burke  
Shire Council held on Wednesday 12 May 2021.

Mayor Cr Ernie Camp .....