



Confirmed Minutes  
Burke Shire Council Special Meeting  
Tuesday 28 February 2023  
3.00pm Council Chambers

---

01. Opening of Meeting .....	2
02. Record of Attendance .....	2
02.01 LGR 2012 Section 254K – Participating in meetings by audio link or visual audio link.....	2
03. Declaration of Interests.....	2
04. Executive Management Reports .....	3
04.01 Archie & Dinner Creek Crossing Upgrade (Contract No.: 0280-4072-0002).....	3
05. Closure of meeting .....	6

## 01. Opening of Meeting

**The Chair declared the meeting open at 3.29pm.**

## 02. Record of Attendance

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

**Dan McKinlay; Chief Executive Officer  
Clinton Murray; Acting Director of Engineering  
Shannon Moren; Community and Communications Manager  
Shaun Jorgensen; Finance and Technology Manager  
Madison Marshall; Corporate Services and Governance Manager (Minutes)  
Sarath Jayasekara; Senior Project Engineer**

### 02.01 LGR 2012 Section 254K – Participating in meetings by audio link or visual audio link

**That Council, in accordance with section 254K of the Local Government Regulation 2012, allows the following person/s to participate in the meeting by audio link or visual audio link:**

- **Cr Tonya Murray, Deputy Mayor**
- **Cr John Clarke**
- **Clinton Murray, Acting Director of Engineering**
- **Shaun Jorgensen, Finance and Technology Manager**
- **Sarath Jayasekara, Senior Project Engineer**

**Moved: Cr Camp**

**Seconded: Cr Wade**

**Carried 230228.01 5/0**

## 03. Declaration of Interests

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

## 04.Executive Management Reports

### 04.01 Archie & Dinner Creek Crossing Upgrade (Contract No.: 0280-4072-0002)

---

DEPARTMENT:	Department of Engineering
RESPONSIBLE OFFICER:	Acting Director Engineering -Clinton Murray
PREPARED BY:	Senior Project Engineer- Sarath Jayasekara
DATE REPORT PREPARED:	22 February 2023

---

#### 1. PURPOSE

This report provides Council with recommendations to appoint the Principal Contractors to carry out the works designated under the Archie Creek Crossing Upgrade Contract – 0280-4072-0002 for the tendered price as per Table No. 2 - Recommended Contractor and Price.

It is noted that the overall project budget is provided for under the Preparing Australian Communities Program (PACP), Roads to Recovery (R2R), BSC Rates, and DTMR TIDS funds. The budget includes preliminaries, consulting services, and internal and construction costs for culvert replacement works.

The project budgets' details are provided in Section 4 – Financial and Resource Implications Table 3.

#### 2. BACKGROUND

Gregory Lawn Hill Road runs between The Wills Developmental Road at Gregory Downs and Lawn Hill National Park Road in the Burke shire, North Queensland. The road is the main connection from the Wills Developmental Road to the Lawn Hill National Park.

Archie Creek crosses the road at chainage 49.340 km. The existing road geometry consists of sharp curves which traverse the creek with an unsealed floodway/bed level crossing. It is proposed to make minor horizontal alignment improvements and install a reinforced concrete box culvert (RCBC) causeway over Archie Creek.

Due to budget constraints, the project will be separated into two stages as follows:

- Stage 1 (this Contract) - as described above (Chainage 48,940m to Chainage 49,400m)
- Stage 2 (provisional items) – Installation of pre-cast concrete box culverts at Dinner Creek with associated earthworks, pavement works and bitumen sealing (Chainage 49400m to Chainage 49900m). The budget is not anticipated to allow all of stage 2 to be ordered however if there is budget remaining following completion of stage 1, the stage 2 road realignment will be prioritised to improve sight distance and safety.

The improvement works have been prioritised from a programming and scope perspective.

#### The tender

The tender for the project was released via VendorPanel. The tender submissions received for the project are listed in table 1- Summary of Tender Response.

The evaluation panel reviewed each tender in accordance with the probity and evaluation plan and undertook a tender evaluation meeting on 21<sup>st</sup> February 2023 to discuss and agree on the consensus

scoring. Results of this evaluation meeting are contained in the evaluation summary and the consensus scoring assessment attached in Appendix A.

**Table No. 1 – Summary of Tender Responses**

<b>Tenderer Package</b>	<b>Scope of Work</b>	<b>Number of Tenders Received</b>
TENDER NO. 0280-4072-0002 - Archie & Dinner Creek Crossing Upgrade	The construction of pre-cast and cast in-situ culverts with associated roadworks at the Archie and Dinner Creek crossings on Gregory Lawn Hill Road at chainage 49km-50km.	4

### 3. PROPOSAL

That Council, having referenced the Tender Evaluation Assessment, endorses the recommendations of the Tender Evaluation Panel to the extent that the Contract is awarded to the tenderer to the maximum amount stated (ex GST)

**Table No. 2 – Recommended Contractors and Prices**

<b>Tender Package</b>	<b>Awarded to</b>	<b>Contract Amount</b>
TENDER NO. 0280-4072-0002 - Archie & Dinner Creek Crossing Upgrade	Lohman Contracting	\$ 3,021,874.66

### 4. FINANCIAL & RESOURCE IMPLICATIONS

The budget allocated for the project is listed in table 3. This budget figure incorporates all works to complete the project, including preliminaries, design, project management, contingency, and internal costs. Grants cover all costs associated with the delivery of the works.

**Table No 3 – Funding Source**

<b>Funding Source</b>	<b>2022/23</b>	<b>2023/24</b>	<b>Total</b>
PACP	\$158,062.00	\$1,532,961.00	\$1,691,023.00
DTMR TIDS	\$714,000.00	\$675,000.00	\$1,389,000.00
R2R	\$305,861.00	\$305,861.00	\$611,722.00
BSC Rates	\$250,077.00	\$253,172.00	\$503,249.00
<b>Total</b>	<b>\$1,428,000.00</b>	<b>\$2,766,994.00</b>	<b>\$4,194,994.00</b>

**Table No 4 – Total Project Budget (construction)**

<b>Tenderer Package</b>	<b>Total Project Budget</b>
TENDER NO. 0280-4072-0002 - Archie & Dinner Creek Crossing Upgrade	\$ 3,695,335.00

## 5. RISK

**Table No 5 – Risk Mitigation Strategy**

<b>Risk</b>	<b>Possible consequence</b>	<b>Mitigation</b>
Contract variation – due to wet weather, latent conditions	Increase in Contract Sum	<ul style="list-style-type: none"> <li>Contingency in the order of 5 - 10% allowed</li> <li>Project Management “on the ground” available at all times</li> </ul>
Poor ground/soil conditions	Increase in Contract Sum	<ul style="list-style-type: none"> <li>Contingency in the order of 5 - 10% allowed</li> <li>Geotextile layer and rock working platform</li> </ul>
Delays to the completion of First Priority projects	Not meeting the funding requirements	<ul style="list-style-type: none"> <li>Monitor progress closely with Project Management “on the ground” overview</li> <li>Seek time extension from funding authority if necessary</li> </ul>

## 6. POLICY &amp; LEGAL IMPLICATIONS

The Council must also 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 through the tender process involved with these projects.

## 7. CONSULTATION

Consultation has taken place with:

- Department of Transport and Main Roads
- Erscon Consulting Engineers

## 8. RECOMMENDATION

1. That Council note the contents of the report and relevant attachments; and
2. That the Council awards Contracts awarded to the **Lohman Contracting Pty Ltd** to the maximum amounts (ex GST) of:
  - a. TENDER NO. 0280-4072-0002 - Archie & Dinner Creek Crossing Upgrade  
**\$3,021,874.66**

3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract to the maximum values of the Project Budgets as follows:

- a. TENDER NO. 0280-4072-0002 - Archie & Dinner Creek Crossing Upgrade  
**\$3,695,335.00**

**04.01 Archie & Dinner Creek Crossing Upgrade (Contract No.: 0280-4072-0002)**

1. That Council note the contents of the report and relevant attachments; and
2. That the Council awards Contracts awarded to the Lohman Contracting Pty Ltd to the maximum amounts (ex GST) of:
  - a. TENDER NO. 0280-4072-0002 - Archie & Dinner Creek Crossing Upgrade  
**\$3,021,874.66**
3. Delegates authority to the CEO to enter into negotiations with any and all matters associated with executing the Contract to the maximum values of the Project Budgets as follows:
  - a. TENDER NO. 0280-4072-0002 - Archie & Dinner Creek Crossing Upgrade  
**\$3,695,335.00**

Moved: Cr Yanner

Seconded: Cr Wade

Carried 230228.02 5/0

## 05. Closure of meeting

The Chair declared the meeting close at 3.33pm.

I hereby certify that these pages numbered 1 to 6 – constitute  
the Confirmed minutes of the Special Council Meeting of Burke  
Shire Council held on Tuesday 28 February 2023.

Mayor Cr Ernie Camp .....