



I hereby give notice that a Special Meeting of Council will be held on:

Date: Thursday, 15 July 2021
Time: 3.30pm
Location: Council Chambers
Administration Office
10 Furneaux Street, Cooktown

AGENDA AND BUSINESS PAPERS

Special Council Meeting

15 July 2021

**Linda Cardew
Chief Executive Officer**

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- 1 ATTENDANCE**
- 2 MEETING OPENED**
- 3 APOLOGIES**
- 4 ACKNOWLEDGEMENT OF COUNTRY**

On behalf of all Councillors, the Mayor acknowledged the Waymburr Warra people, Traditional Custodians of the land on which we meet today, and paid respects to Traditional Owners past, present and emerging throughout Cook Shire.

5 INFRASTRUCTURE - REPORTS

5.1 FNQ020 - 2021/22 REGIONAL BITUMEN RESEAL PROGRAM

File Number: D21/17142
Author: Procurement Coordinator
Authoriser: David Klye, Director Infrastructure
Attachments: Nil

PRECIS

This report seeks Council's approval to vary the current supply contract for the annual bitumen reseal program.

BACKGROUND/HISTORY

Council undertakes an annual bitumen reseal program in order to maintain its road network to a suitable standard. This process is required to prevent moisture from penetrating through deteriorated bitumen seals into the underlying pavement which causes damage such as rutting and pot holes.

The past eight reseal programs have been delivered under collective procurement arrangements established by the Far North Queensland Regional Organisation of Councils (FNQROC). The collective arrangements have enabled the participating member Councils to achieve economies of scale in pricing and eliminated the risk of individual Councils competing against each other for limited supplier resources. The collective arrangements also include the provision of performance bonds to ensure the works are completed within the agreed timeframes.

At the 14 July 2020 Council Meeting, Council resolved to award the contract to RPQ Spray Seal Pty Ltd which included the provision for the contract to be varied to include resealing required during 2021/22 and 2022/2023.

Quotes were requested on behalf of the following member Councils:

- Cook Shire Council
- Cassowary Coast Regional Council
- Hinchinbrook Shire Council
- Tablelands Regional Council

In accordance with the current bitumen reseal contract, a request for quote was sent to RPQ Spray Seal Pty Ltd on 19 March 2021 and a quote was received on 29 March 2021. Following negotiation, a revised quote was provided on 27 April 2021.

For the purpose of reducing administrative burden on all parties, RPQ Spray Seal Pty Ltd were asked to provide a price and proposed works program with the conditions and specifications of the 2020/2021 contract otherwise applying.

The contract variation is required by no later than 20 July 2021 so that RPQ Spray Seal Pty Ltd can commence preparation of the stockpiles and delivery. The program commences in Hinchinbrook Shire in mid-August 2021.

Cook Shire's resealing program specifically addressed the following projects:

ITEM	ROAD	VALUE (EXCL. GST)
1	Portland Roads Road	\$ 102,992.42
2	Aurukun Road	\$ 871,851.76
3	Sherrin Esplanade	\$ 60,187.42
4	Garden, Boundary, Power Street	\$ 65,224.37
Total excluding GST		\$1,101,255.97

LINK TO CORPORATE PLAN

Key Strategy Priority – Governance – Accountable, responsible and appropriate governance and management, reflected in responsible long-term financial sustainability and clear strategic direction built around core local government business and affordable levels of service.

Strategy 4: Work management systems and procedures are reviewed and adjusted to support improved organisational service provision, compliance and efficiency.

Objective 4f: Council activities comply with applicable legislation through well maintained policies, procedures and information systems that guide and facilitate good decision making.

CONSULTATION

Consultation was carried out with participating Councils and members of the FNQROC administration.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

In accordance with section 226 of the Local Government Regulation 2012, a local government cannot enter into a large-sized contractual arrangement without first inviting written tenders. This requirement has been met on Council's behalf by FNQROC.

POLICY IMPLICATIONS

This procurement activity complies with Council's obligations under relevant legislation and the Council's Procurement Policy.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Sufficient funds are available in the 2021/22 budget for the bitumen reseal works.

RECOMMENDATION

That Council:

1. Resolves to vary the contract with **RPQ SPRAY SEAL PTY LTD** to include the 2021/2022 Regional Bitumen Reseal Program based on their schedule of rates tendered, in the amount of **\$1,101,255.97 (excluding GST)**; and
2. Delegates authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute necessary variations and any and all matters associated with or in relation to this project subject to Council's procurement practices and policies.