Engineering Policy 158

Administrator and Independency on Transport and Main Roads Projects

May 2019
1 Policy statement

The Department of Transport and Main Roads delivers numerous infrastructure projects across the state using infrastructure procurement methods described in the Transport Infrastructure Project Delivery System (TIPDS) manual.

The purpose of this policy is to ensure impartiality and independency in the administration of contracts by the Administrator (also referred as Superintendent / Contract Administrator) during the implementation phase of a project. To achieve this, the Administrator is not permitted to be a person or an organisation who has been directly involved in the detailed design of the works.

If local market conditions require a relaxation of this policy position approval must be obtained from Program Director (Infrastructure Delivery Services) prior to the release of the detailed design engagement offer documents.

The application of this Policy or, where relevant, the relaxation of it, shall be explicitly stated in the detailed design offer documents.

2 Background

The Administrator has a legal obligation in terms of its certification role to act as an “independent” person in undertaking its responsibilities under a Contract. There is concern that this independency cannot be achieved where the detailed design has been completed by the same person or organisation undertaking contract administration services.

3 Objectives and benefits

The goal of this policy is to provide an overview of how Transport and Main Roads will engage contract administration companies and contract administration individuals.

4 Applicability

This policy applies to all infrastructure contracts including Minor Infrastructure Contract (MIC), Transport Infrastructure Contract (Construct Only) (TIC-CO) and Collaborative Project Agreement (CPA).

5 Consultation

Transport and Main Roads has consulted with Consult Australia (CA) regarding the development of this policy.

6 Evaluation

The Executive Director (Program Management and Delivery) will review this policy annually and republish an updated policy no less than every three years.

Feedback on this policy is welcome at any time, by emailing tmr.techdocs@tmr.qld.gov.au
7 Definitions

CPA Collaborative Project Agreement (contract)
D&C Design and Construct
MIC Minor Infrastructure Contract
TIC-CO Transport Infrastructure Contract Construct Only
TIPDS Transport Infrastructure Project Delivery System

8 References

Transport Infrastructure Project Delivery System (TIPDS)

Contract Administration System

Manual – Consultants for Engineering Projects

9 Actions Required

The relevant Conditions of Contract document based on the Manual – Consultants for Engineering Projects (CFEP) and Technical Briefs for the engagement of contract administration services will be updated to reflect this policy direction.