

19.1 NORTH STRADBROKE ISLAND - ECONOMIC TRANSITION STRATEGY PROJECT 13 - SIGNAGE

Objective Reference:**Authorising Officer:** John Oberhardt, General Manager Organisational Services**Responsible Officer:** John Oberhardt, General Manager Organisational Services**Report Author:** Tracey Walker, Group Manager Communication, Engagement and Tourism**Attachments:** 1. Tender Consideration Plan NSI ETS Project 13

The Council is satisfied that, pursuant to Section 275(1) of the *Local Government Regulation 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- (e) contracts proposed to be made by it
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

PURPOSE

The purpose of this report is to seek resolution from Council:

- to prepare a Tender Consideration Plan under section 230(1) of the *Local Government Regulation 2012* for the design and installation of two Quandamooka-inspired township entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island, funded by the State Government's North Stradbroke Island Economic Transition Strategy and led by Redland City Council;
- adopt Tender Consideration Plan (Attachment 1); and
- delegate authority to the Chief Executive Officer (CEO), under section 257(1)(b) of the *Local Government Act 2009* to make, vary and discharge the resulting contract, and sign all relevant documentation.

BACKGROUND

On 25 May 2018, Redland City Council (Council) entered into a \$400,000 Funding Agreement with the State Government acting through the Department of State Development, Manufacturing, Infrastructure and Planning for the delivery of the North Stradbroke Island Economic Transition Strategy Project 13 - Location and Interpretive Signage for the design and installation of two Quandamooka-designed entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island by 30 June 2019.

The agreed scope for Project 13 is that the *initiative, through the installation of culturally inspired, interpretive and educational signage, aims to enhance North Stradbroke Island's identity as a tourism destination and invoke visitors' connection to Quandamooka Country, including use of Aboriginal place names.*

The signage is to contribute to the visitor experience and is not business as usual signage.

The two Quandamooka-inspired township entry statements are intended to become recognised landmarks on North Stradbroke Island and contribute to creating a sense of place and local

identity. It is intended the placemaking entry statements will provide an opportunity for “selfie” moments for visitors to promote the experience and location via social media.

A Quandamooka-designed entry statement at Dunwich is out of scope of this project while gateway master planning of the township is underway. It is possible that additional funding will be provided by the State Government under the North Stradbroke Island Economic Transition Strategy for this initiative under Stage 2 of Project 13 at a later date.

Council officers are seeking endorsement to prepare a Tender Consideration Plan to contract QYAC to conduct community engagement (in consultation with Council) and design and installation of the two entry statements signs due to:

- the requirement for the township entry statements at Amity and Point Lookout to be Quandamooka-inspired;
- the short timeframe for the project’s completion (30 June 2019);
- Council’s Indigenous Land Use Agreement (ILUA) and Procurement & Contract Manual that both advocate supporting Quandamooka business opportunities and employment where sound; procurement principles are adhered to.
- Quandamooka Yoolooburrabee Aboriginal Corporation’s (QYAC) ability to undertake the project particularly through a partnership with public art agency Creative Move who they regularly work closely with on public art projects including four temporary public art installations over two years at the Harold Walker Jetty at Dunwich and Council buildings in Cleveland; the Quandamooka Statement of Recognition at the Council administration building entrance in Cleveland; and the Quandamooka festival train wrap launched at Cleveland station on 28 July 2018 by the Minister for Transport and Main Roads. In addition, QYAC representatives formed part of Creative Move’s consultancy team for the public art agency’s five-year public art plan. QYAC also delivers the annual three-month Quandamooka Festival.

In addition, QYAC has been engaged as a consultant for Council and delivered:

- stakeholder communication and engagement planning and delivery and a gap analysis as part of the Coastal Hazard Adaptation Strategy
- Amity erosion mitigations works
- fire break establishment at Speedy’s Lane, North Stradbroke Island
- Dunwich seawall repair
- fire preparation activities 2017
- Capembah Boardwalk maintenance
- Cultural Heritage advice

The *Local Government Regulation 2012* requires local governments to use a written tender process for large sized contracts, being contracts valued over \$200,000. The *Local Government Regulation 2012* also provides a number of exceptions to those processes. Preparation of a Tender Consideration Plan under section 230 is one of those exceptions.

ISSUES

- The State Government Funding Agreement with Council specifies that Project 13 must be completed by 30 June 2019. This includes community consultation including significant consultation with Quandamooka Elders, community and artists; determining locations; securing land tenure; and design and installation for the two entry statements. Due to the specialist knowledge and authority of QYAC to share Quandamooka stories and liaise with Elders; the short time for delivery; Council's oversight of the project at all stages; a known set budget of \$400,000 GST exclusive rather than seeking quotes; Council's ILUA and procurement objectives to support Indigenous opportunities; and QYAC's experience delivering public art and other works, it is advocated that Council consider adopting the attached Tender Consideration Plan (Attachment 1).
- The Tender Consideration Plan is in the spirit of the Indigenous Land Use Agreement Clause 50.1(e) Policy on Preferred Tenderer-Contractor Status–Tender with Consideration Plan – *Council encourages the development of local business and industry and in particular will support the Quandamooka people in local business initiatives.*
- In alignment with *Council's Procurement & Contract Manual*, the Tender Consideration Plan demonstrates Council's support of the local Indigenous community in business initiatives in accordance with sound contracting principles.
- Section 2.3 of the Procurement & Contract Manual states that *Council encourages the development of competitive local business, and endeavours to promote and support competitive local industry in its procurement and contracting activities. When conducting procurement and contracting activities, Council may consider:*
 - i. the creation of local employment, in particular Indigenous;*
 - ii. economic growth within the local area;*
 - iii. readily available servicing support*
 - iv. the benefit to Council of contracting with local suppliers and associated local commercial transactions that flow from that contracting.*
- In addition, Section 2.3 (d) of the *Procurement & Contract Manual* states: *In particular Council supports working with the Quandamooka People and the Quandamooka Yoolooburrabee Aboriginal Corporation's aspiration to grow their business capacity, employment opportunity and skill sets.*
- The Funding Agreement for North Stradbroke Island Economic Transition Strategy Project 13 establishes a Project Implementation Committee led by Council with members from QYAC, Straddie Chamber of Commerce, Department of State Development, Manufacturing, Infrastructure and Planning and the Department of Transport and Main Roads.

At the first meeting of the Project Implementation Committee on 16 July 2018, all members endorsed Council seeking endorsement at a General Council Meeting for a procurement process where QYAC was the only supplier offered the contract to deliver the consultation (in conjunction with Council), design and installation of the two Quandamooka-inspired entry statement signs.

- The Acting General Counsel and Procurement Transformation Manager has endorsed the development of this report seeking adoption of the attached Tender Consideration Plan for consideration by Council.

STRATEGIC IMPLICATIONS

Legislative Requirements

In accordance with section 230(1) of the *Local Government Regulation 2012*, Council may enter into a large sized contract without first inviting written tenders if the local government:

- (a) decides, by resolution, to prepare a quote or Tender Consideration Plan; and
- (b) prepares and adopts the plan.

Therefore Council is able to adopt a Tender Consideration Plan in accordance with legislative requirements.

Risk Management

A risk analysis of the market from which the services are to be obtained forms part of the Tender Consideration Plan (Attachment 1).

Financial

The Funding Agreement provides a total \$400,000 excluding GST in staged payments to Redland City Council from the Department of State Development, Manufacturing, Infrastructure and Planning for delivery of Project 13. The Tender will be for \$340,000 excluding GST. The remaining \$60,000 excluding GST will be used by Council to cover administration activities under the Funding Agreement. This includes staffing costs to assist with community consultation and project management.

Council is responsible for the maintenance of the two entry statements and these costs are outside the scope of the Funding Agreement.

People

Suitably qualified and experienced staff are available to ensure the contract process is managed in accordance with procurement requirements. The negotiation, implementation and management of the contract resulting from the Tender Consideration Plan will be provided by the Communication, Engagement and Tourism Group. In addition the Funding Agreement provides that a maximum of \$60,000 excluding GST can be expended by Council for funding administrative activities such as project management.

Environmental

Environmental implications have been considered and will be managed through the following items:

- The tender will specify that QYAC must comply with environmental legislation and the entry statements must be constructed from sustainable materials with low operation and maintenance costs and allow for coastal environmental conditions.
- QYAC will be required to provide an Environmental Management Plan that will outline their key environmental obligations.

Social

QYAC and Council will work together to engage the local community on the design and installation of the two entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island.

Alignment with Council's Policy and Plans

This report:

- is consistent with Council's procurement policy and legislative requirements;
- will contribute to the Corporate Plan 2018-2023 Quandamooka Country outcome by supporting commitments under the ILUA with the Quandamooka People; and by working with the Quandamooka Traditional Owners to help them achieve their goal of establishing North Stradbroke Island (Minjeribah) as a global eco-cultural tourism destination;
- will contribute to the Corporate Plan 2018-2023 Supportive and Vibrant Economy outcome by helping deliver long-term economic sustainability for North Stradbroke Island (Minjerribah);
- the Quandamooka-inspired entry statements will support the implementation of the Redland City Tourism Strategy and Action Plan 2015-2020;
- enables Council to meet its obligations under the Funding Agreement;
- is in the spirit of the Indigenous Land Use Agreement Clause 50.1 (e) Policy on Preferred Tenderer-contractor Status – Tender with Consideration Plan – Council encourages the development of local business and industry and in particular will support the Quandamooka people in local business initiatives; and
- Is in alignment with Council's Procurement & Contract Manual, Section 2.3 (d) which states: In particular Council supports working with the Quandamooka People and the Quandamooka Yoolooburrabee Aboriginal Corporation's aspiration to grow their business capacity, employment opportunity and skill sets.

CONSULTATION

- General Manager Organisational Services
- Group Manager Communication, Engagement and Tourism
- Group Manager Project Delivery Group
- Group Manager City Infrastructure Group
- Acting General Counsel
- Procurement Transformation Manager
- Manager Creative Arts
- Group Manager Economic Sustainability and Major Projects
- Senior Adviser Indigenous Partnerships, Corporate Governance
- Project Implementation Committee for North Stradbroke Island Economic Transition Strategy Project 13 (members from Redland City Council, Quandamooka Yoolooburrabee Aboriginal Corporation, Straddie Chamber of Commerce, Department of State Development, Manufacturing, Infrastructure and Planning and the Department of Transport and Main Roads)

OPTIONS

Option One

That Council resolves to:

1. prepare a Tender Consideration Plan under section 230(1) of the Local Government Regulation 2012 for the design and installation of two Quandamooka-inspired township entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island, funded by the State Government's North Stradbroke Island Economic Transition Strategy and led by Redland City Council;
2. adopt Tender Consideration Plan (Attachment 1);
3. delegate authority to the Chief Executive Officer (CEO), under section 257(1)(b) of the *Local Government Act 2009* to make, vary and discharge the resulting contract, and sign all relevant documentation; and
4. retain this report as confidential, until it has been assessed for release in accordance with the public interest pursuant to the factors identified in the *Right to Information Act 2009*.

Option Two

That Council resolves not to adopt a Tender Consideration Plan for the design and installation of two Quandamooka-inspired entry statement signs (one at Point Lookout and one at Amity) on North Stradbroke Island.

OFFICER'S RECOMMENDATION

That Council resolves to:

1. **prepare a Tender Consideration Plan under section 230(1) of the Local Government Regulation 2012 for the design and installation of two Quandamooka-inspired township entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island, funded by the State Government's North Stradbroke Island Economic Transition Strategy and led by Redland City Council;**
2. **adopt Tender Consideration Plan (Attachment 1);**
3. **delegate authority to the Chief Executive Officer (CEO), under section 257(1)(b) of the *Local Government Act 2009* to make, vary and discharge the resulting contract, and sign all relevant documentation; and**
4. **retain this report as confidential, until it has been assessed for release in accordance with the public interest pursuant to the factors identified in the *Right to Information Act 2009*.**

Tender Consideration Plan Local Government Regulation 2012

North Stradbroke Island Economic Transition Strategy Project 13 – Location and Interpretive Signage for the design and installation of two Quandamooka-inspired entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island.

Background

The Local Government Act 2009 (Act) and the Local Government Regulation 2012 (Regulation) provide the considerations for, and methods by which, Council may establish medium and large-sized contracts. The Regulation requires local governments to use a written tender process for large-sized contracts, being contracts valued over \$200,000. The Regulation also provides a number of exceptions to those processes. Preparation of a quote or Tender Consideration Plan under section 230 is one of those exceptions.

On 25 May 2018, Redland City Council (Council) entered into a \$400,000 Funding Agreement with the State Government acting through the Department of State Development, Manufacturing, Infrastructure and Planning for the delivery of the North Stradbroke Island Economic Transition Strategy Project 13 - Location and Interpretive Signage for the design and installation of two Quandamooka-inspired entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island.

Due to the requirement for the entry statements to be Quandamooka-inspired, the specialist knowledge and authority of Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) to share these stories and consult with Quandamooka Elders, and the short timeframe to complete the project (30 June 2019), it is considered appropriate to contract QYAC to conduct the community engagement (in consultation with Council) and design and installation of the two Quandamooka-inspired entry for \$340,000 excluding GST. As allowed for in the Funding Agreement, Council will expend \$60,000 excluding GST for administration activities including, project management, assisting with community consultation, contract administration, coordination of the Project 13 Project Implementation Committee, reporting commitments to the State Government and seeking tenure of the land if required.

Objective of the Plan

The objectives of this Tender Consideration Plan are:

1. to conduct an efficient procurement process;
2. to facilitate Council meeting its obligations under the Funding Agreement with the State Government for completion of Project 13 by 30 June 2019;
3. to support the local economy by buying local;
4. to support Council's Corporate Plan outcome for a supportive and vibrant economy;
5. to support Council's Corporate Plan outcome for Quandamooka Country
6. to contribute to the *Redland City Tourism Strategy and Action Plan 2015-2020*;

7. to demonstrate Council's support of the local Indigenous community in business initiatives in accordance with sound contracting principles in alignment with Council's *Procurement & Contract Manual*. In particular, section 2.3 (d) advocates that Council supports working with the Quandamooka people and QYAC's aspiration to grow their business capacity, employment opportunity and skill sets; and
8. to support the spirit of the *Indigenous Land Use Agreement* Clause 50.1(e) Policy on Preferred Tenderer-Contractor Status - Tender with Consideration Plan – Council encourages the development of local business and industry and in particular will support the Quandamooka people in local business initiatives.

How the objectives are to be achieved

The objectives of this Tender Consideration Plan will be achieved because:

1. By contracting directly with QYAC, Council will ensure strong involvement from the Quandamooka people in the design of the Project and demonstrate support for Quandamooka people in local business as per the spirit of ILUA Clause 50.1(e) Policy on Preferred Tenderer-Contractor Status - Tender with Consideration Plan.
2. A direct contract with QYAC will enable Council to ensure the timeframes under the Funding Agreement are met by reducing the duration of the procurement process. Additionally, the proposed contract will contain staged payments to ensure key requirements and timeframes are met and completed in entirety by 31 May 2019. Council will assign a responsible contract manager to oversee requirements and organise regular scheduled meetings with QYAC.;
3. As per the Funding Agreement Redland City Council will seek endorsement from the other members of the North Stradbroke Island Economic Transition Strategy Project 13 Project Implementation Committee (QYAC, Straddie Chamber of Commerce, Department of State Development, Manufacturing, Infrastructure and Planning and the Department of Transport and Main Roads) on the consultation, design and installation of the two Quandamooka-inspired entry statements;
4. The contract will be awarded to an organisation within the Redland City area and will support the local economy;
5. The Quandamooka-inspired entry statements will contribute to a supportive and vibrant economy by increasing awareness of the island, enhancing the visitor experience, increasing visitor attraction and promoting environmental and Quandamooka culture experiences;
6. The Quandamooka-inspired entry statements will contribute to Quandamooka Country by supporting commitments under the ILUA with the Quandamooka people; and by working with the Quandamooka Traditional Owners to help them achieve their goal of establishing North Stradbroke Island (Minjeribah) as a global eco-cultural tourism destination;
7. The Quandamooka-inspired entry statements will support the implementation of the Redland City Tourism Strategy and Action Plan 2015-2020; and
8. Engaging QYAC will demonstrate Council's commitment to support of the Quandamooka people in business initiatives in accordance with sound contracting principles in alignment with Council's *Procurement & Contract Manual*.

How the achievement of the objectives will be measured

The achievement of the objectives of this Tender Consideration Plan will be measured by Redland City Council successfully procuring QYAC to deliver the community engagement (in consultation with Council), design and installation of two Quandamooka-inspired entry statements:

- informed by consultation with the local community (including Quandamooka people and Straddie Chamber of Commerce);
- with approval from the North Stradbroke Island Economic Transition Strategy Project 13 Project Implementation Committee;
- as per the specifications and contract terms
- within the contract budget; and
- by the completion date of 31 May 2019 to allow for finalisation of reporting to the State Government by 30 June 2019.

Alternate ways of achieving the objectives and why the alternative ways were not adopted

It is possible that the objectives may be achieved by undertaking a Council tender procedure in accordance with the Regulation. This alternative was not adopted as a result of:

1. Compliance with the Funding Agreement requires project completion by 30 June 2019 and tender procurement would absorb 8-12 weeks of this short timeframe;
2. QYAC is uniquely placed to engage with Quandamooka Elders to ensure support for – and sharing of – Quandamooka cultural stories and information that is key to the development of Quandamooka-inspired entry statements.

For the reasons stated above, Council will contract QYAC to deliver the community engagement (in consultation with Council), design and installation of two Quandamooka-inspired entry statements (one at Point Lookout and one at Amity).

Proposed terms of the contract

A standard terms contract will be negotiated between the parties for a mutually beneficial outcome. The contract will ensure that QYAC delivers the design and installation of two Quandamooka-inspired entry statements at Point Lookout and Amity in consultation with the local community within the timeframes and requirements specified in the Funding Agreement.

Risk analysis of the market

The following risk analysis and mitigation strategies have been identified for Council entering into a contract arrangement and performed using Council's Risk Assessment Handbook.

Risk	Likelihood	Consequence	Level	Treatment
Other local companies may have wanted to tender	Likely	Low	M-16	Tender Consideration Plan will comply with all aspects of the <i>Local Government Regulation 2012</i> and note special consideration as the entry statements are Quandamooka inspired.
Value for money	Likely	Low	M-16	There is a defined budget of \$340,000 excluding GST provided through the Funding Agreement for NSI ETS Project 13 and this will be reflected in the contract.
Project not being completed on time	Possible	Low	M-12	Contract will identify key deliverable and timeframes with staged payments. QYAC will be required to assign an experienced Project Manager. Council will assign a responsible contract manager to oversee requirements and require regular scheduled meetings with QYAC. QYAC may work in partnership with other agencies to ensure capacity to deliver. Council will assist with community engagement on the project.
Contract costs increasing	Unlikely	Low	L-8	Contract will specify that no additional funding is available and QYAC must deliver within set budget.
Contractual obligations are breached	Unlikely	Low	L-8	Council will clearly articulate requirements in contract. QYAC will be required to assign an experienced Project Manager. Council will assign a responsible contract manager to oversee requirements.
Council is seen to favour one organisation	Likely	Low	M-16	Due to the requirement for the entry statements to be Quandamooka-inspired, it is appropriate that QYAC are contracted for this project. Council will complete a communications strategy for the project and will be actively involved in the community consultation phase.
Quandamooka-inspired entry statements do not reflect community values.	Unlikely	Low	L-8	Contract will require community consultation with the local community including the Quandamooka peoples and Straddie Chamber of Commerce on the location, design and installation of the Quandamooka-inspired entry statements in line with specifications provided below. In addition QYAC will be required to seek approval of Project 13 - Project Implementation Committee who will endorse the final decision on the location, design and installation of the Quandamooka-inspired entry statements.
Poor contract management	Unlikely	Low	L-8	QYAC will be required to assign an experienced Project Manager. Council will assign a responsible contract manager to oversee requirements and require regular scheduled meetings with QYAC.

Legend:

E – Risk is not acceptable and must be mitigated immediately. Operational Risk Management Committee to review.

H – Urgent attention required and action taken within three months. Operational Risk Management Committee to review.

M – Requires attention but can be prioritised according to budget. Group Manager to review.

L – Can be scheduled as part of regular maintenance. Group Manager to review.

Draft specifications to be included in the contract with QYAC for the design and installation of two Quandamooka-inspired entry statements (one at Point Lookout and one at Amity) on North Stradbroke Island include:

Two public art style Quandamooka-inspired entry statements reflective of location, community and Quandamooka culture – to be located at Amity Point and Point Lookout in safe locations where visitors could take images with the Quandamooka-inspired entry statements.

- Consult with local communities including Quandamooka people and Straddie Chamber of Commerce on the design and location.
- The location could be within public reserves or at safe locations near or along state or local government's roads within the townships. This would be determined through community consultation and from the Project Implementation Committee. They do not have to be at the exact entry points to the townships.
- The statements must include Redlands Coast branding elements (manual to be attached).
- Must include dual naming for Amity Point (Pulan) and Point Lookout (Mooloomba)
- Budget is \$340,000 excluding GST. This includes community engagement, design, build and installation.
- The size and materials will be at QYAC's discretion (also to be endorsed by Project Implementation Committee) but need to adhere to engineering, safety and all-weather requirements for roadside artwork/signage including the Traffic and Road Use Manual in particular Volume 3 signing and pavement marking, be constructed from sustainable materials and require low cost maintenance. They should last for at least 15 years.
- The contract will include the requirement for a project brief including approach to consultation and design and implementation as well as timeline.
- Address: lighting, power source/solar, disability access, future costs, maintenance and provision of a maintenance manual.
- There has already been some community engagement on the essence of the Amity Point township and the essence of the Point Lookout township and these will be provided to QYAC.
- In addition, there has been some engagement by Council around the types of public artwork that island residents prefer and these will be provided to QYAC.
- Council is leading the project that is funded by the State Government under the North Stradbroke Island Economic Transition Strategy program.
- It is likely that a Quandamooka-designed entry statement for Dunwich will be completed in a separate process after a master plan for that area is complete. It is out of scope in this project.
- Deadline to have the two Quandamooka-inspired entry statements installed is 31 May 2019. Estimated timeline for works is below:

- Local community consultation and consultation with key stakeholders (QYAC, Straddie Chamber of Commerce, Department of State Development, Manufacturing, Infrastructure and Planning and the Department of Transport and Main Roads, Quandamooka Elders) on Quandamooka-inspired entry statements design and location completed by 15 January 2019,
- Approval must be sought from North Stradbroke Island Economic Transition Strategy Project 13 - Project Implementation Committee on design and location of Quandamooka-inspired entry statements by 30 January 2019.
- Completed construction and installation of Quandamooka-inspired entry statements by 15 May 2019.
- Handover of Quandamooka-inspired entry statements and maintenance manuals by 15 May 2019.
- Participation in Redland City Council coordinated media launch by 31 May 2019.
- Completion of contract requirements and invoices by 31 May 2019.