



**GLADSTONE**  
REGIONAL COUNCIL

**GENERAL MEETING NOTICE  
AND AGENDA**

**TO BE HELD AT THE COUNCIL CHAMBERS – CIVIC CENTRE  
101 GOONDOON STREET, GLADSTONE**

**On Tuesday 5 April 2022**

**Commencing at 9.00am**

**Leisa Dowling  
CHIEF EXECUTIVE OFFICER**

## Table of Contents

ITEM	PAGE
<b>G/1. MAYORAL STATEMENT OF CURRENT ISSUES.....</b>	<b>3</b>
<b>G/2. CONFIRMATION OF MINUTES.....</b>	<b>4</b>
G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 15 MARCH 2022 .....	4
G/2.2. CONFIRMATION OF SPECIAL MEETING MINUTES FOR 24 MARCH 2022 .....	5
<b>G/3. DEPUTATIONS .....</b>	<b>6</b>
G/3.1. DEPUTATION - GLADSTONE BOWLS CLUB INC - SLOUCH HAT MUSEUM .....	6
<b>G/4. OFFICERS' REPORTS .....</b>	<b>7</b>
G/4.1. STRESSCRETE EMERGENCY WORKS .....	7
G/4.2. AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS SPECIALISED SUPPLIER.....	10
G/4.3. PAVEMENT IMPACT ASSESSMENT METHODOLOGY .....	13
G/4.4. TENDER RPQS 76-22 TRAINING SERVICES.....	16
<b>G/5. COUNCILLORS REPORT.....</b>	<b>20</b>
<b>G/6. URGENT BUSINESS.....</b>	<b>20</b>
<b>G/7. NOTICE OF MOTION .....</b>	<b>20</b>
<b>G/8. CONFIDENTIAL ITEMS .....</b>	<b>20</b>

**G/1. MAYORAL STATEMENT OF CURRENT ISSUES**

## **G/2. CONFIRMATION OF MINUTES**

### **G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 15 MARCH 2022**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 5 April 2022

**File Ref:** CM7.2

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#### **Purpose:**

Confirmation of the minutes of the General Meeting held on 15 March 2022.

#### **Officer's Recommendation:**

That the minutes of the General Meeting of Council held on 15 March 2022 be confirmed.

#### **Attachments:**

1. Minutes of the General Meeting of Council held on 15 March 2022.

#### **Tabled Items:**

Nil.

**Report Prepared by:** Executive Secretary

**G/2.2. CONFIRMATION OF SPECIAL MEETING MINUTES FOR 24 MARCH 2022**

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 5 April 2022

**File Ref:** CM7.2

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**Purpose:**

Confirmation of the minutes of the Special Meeting held on 24 March 2022.

**Officer's Recommendation:**

That the minutes of the Special Meeting of Council held on 24 March 2022 be confirmed.

**Attachments:**

1. Minutes of the Special Meeting of Council held on 24 March 2022.

**Tabled Items:**

Nil.

**Report Prepared by:** Executive Secretary

### G/3. DEPUTATIONS

#### G/3.1. DEPUTATION - GLADSTONE BOWLS CLUB INC - SLOUCH HAT MUSEUM

**Responsible Officer:** Chief Executive Officer

**Council Meeting Date:** 5 April 2022

**File Ref:** CM7.6

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**Purpose:**

To present the Club Gladstone Business Case for The Slouch Hat – History of a Nation museum.

**Officer's Recommendation:**

That the deputation from Gladstone Bowls Club be received.

**Background:**

Deputation details are as follows:

<b>Time of Presentation</b>	9:15am
<b>Duration of Presentation plus question time</b>	15 mins
<b>Speakers to present</b>	Mr Graham McVean
<b>Is the matter currently or has previously been subject to legal proceedings?</b>	No
<b>Matter for information only</b>	Yes

**Attachments:**

1. Club Gladstone Business Case – The Slouch Hat – History of a Nation

**Tabled Items:**

Nil.

**Reported Prepared by:** Executive Secretary

## G/4. OFFICERS' REPORTS

### G/4.1. STRESSCRETE EMERGENCY WORKS

**Responsible Officer:** General Manager Finance Governance and Risk

**Council Meeting Date:** 5 April 2022

**File Ref:** PE1.1

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#### **Purpose:**

This report seeks a resolution from Council endorsing expenditure under s235(c) of the *Local Government Regulation 2012* for the manufacture and transport of pre-stressed deck units for upcoming bridge renewal projects.

#### **Officer's Recommendation:**

That Council retrospectively in accordance with s235(c) of the *Local Government Regulation 2012* :

1. Endorse the expenditure for manufacture and transport of pre-stressed deck units for upcoming bridge renewal projects; and
2. Authorise the Chief Executive Officer to enter into a contract with Stresscrete Heavy Haulage Pty Ltd for the manufacture and transport of pre-stressed deck units for upcoming bridge renewal projects.

#### **Background:**

Council is undertaking a project where four (4) single lane, concrete modular bridges will replace existing timber bridge structures at Charnwood Road, Stockbridge Road x 2 and Bindaree Road within the southern part of the region. This project is fully funded under the Bridges Renewal Program Round 4 and 5 and the Queensland Reconstruction Authority.

A Design and Construct tender was released to the market in September 2021, however due to significant competing bridge projects occurring throughout the eastern region of Australia (also funded) the tender response was poor, and subsequently Council dissolved the process. The project approach was revised to separate the design and construction activities, with the intent to attract more construction contractors for the construction component of the project.

The detailed designs for the four (4) bridges were due to be issued to Council from the end of February with the tender for the construction to be released in March. Under current procurement timeframes, an award of the construct tender would not occur until June 2022.

Once a build time is locked in with a precast manufacturer, there is approximately a three-month lead time for steel (due to current steel supply challenges). Once the steel arrives the build process will take approximately four months for the components to be ready for install. If the order is not placed until June 2022 (post contract award), the components would not be ready for install until approximately January 2023.

If Council waits for the successful tenderer to place an order for the precast concrete components (following contract award), Council will be unable to meet funding deadlines, which have already been extended several times.

## GENERAL MEETING AGENDA 5 APRIL 2022

Market research has been conducted and Stresscrete, based in Rockhampton, currently has the earliest build time available, being May 2022. Other manufacturers located throughout Australia are advising earliest build times of September 2022 and beyond.

In order to meet the funding deadlines associated with the bridge renewals, Council requires the precast components to be ready for install in September 2022, aligning with the commencement of the construction contract.

An emergency declaration was made by the Chief Executive Officer in January 2022 under s235 of the *Local Government Regulation 2012* ("LGR") which allows Council to enter into a contract without first inviting written quotes or tenders. The CEO's declaration allowed Council to lock in the May 2022 build window at Stresscrete.

Upon the emergency declaration being made, Council issued preliminary design information to Stresscrete in order to book the May 2022 build window.

### **Options, Risk and Opportunity Analysis:**

The emergency declaration was made by the Chief Executive Officer following a recommendation by officers on the following basis:

- There is a current global steel shortage and high market demand due to competing projects.
- There is a risk that if the delivery of the project is delayed:
  - Council would fail to meet funding deadlines and lose the funding opportunity;
  - There would be a significant delay in the replacement of the Charnwood Road, Stockbridge Road and Bindaree Road bridges; and
  - There would be a major interruption to Council's delivery of the Capital Program of Work.

It is not feasible to take this work to the market, as given the procurement timeframes, an award of the contract for this supply would not occur until June 2022 and it is likely that the next available build slot would now be later than September 2022.

While s235(c) of the LGR allows the Chief Executive Officer to enter into a Contract without a resolution of Council, this report is presented for Council's consideration as the value of the contract subject to the emergency declaration is anticipated to exceed the Chief Executive Officer's financial delegation.

### **Communication and Consultation:**

Nil.

### **Legal Strategy and Policy Implications:**

Section 235 LGR provides:

"A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if -

...

(c) a genuine emergency exists; ...

Legislative commentary on s235 of the LGR indicates that what constitutes a "genuine emergency" is to be determined by the local government on a case by case basis.



## **GENERAL MEETING AGENDA 5 APRIL 2022**

Council has delegated the power to make a declaration of a genuine emergency via Statutory Delegation LGR071, however, the delegation must be exercised within the provisions of Gladstone Regional Council's Procurement Policy, Corporate Standards, Financial Delegation Register and Administrative Delegations Register.

The Chief Executive Officer's financial delegation is currently limited to \$500,000 and the estimated cost for the components is estimated to be \$900,000.

Councillors may wish to consider a review of the Chief Executive Officer's financial delegations to make an additional allowance for emergency declarations.

### **Financial and Resource Implications:**

The estimated cost for the components is \$900,000 and is included within the budget/funding for this project.

### **Summary:**

Nil.

### **Anticipated Resolution Completion Date:**

N/A.

### **Attachments:**

Nil.

### **Tabled Items:**

Nil.

**Report Prepared by:** Manager Contracts and Procurement.

## G/4.2. AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS SPECIALISED SUPPLIER

**Responsible Officer:** General Manager Finance Governance and Risk

**Council Meeting Date:** 5 April 2022

**File Ref:** PE1.1

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### **Purpose:**

This report seeks a resolution from Council to make use of the provisions in section 235 of the *Local Government Regulation 2012* ("LGR") that allows for the exceptions to the requirement for written quotes or tenders. The use of this provision is sought in relation to memberships and training provided by The Australian Institute of Company Directors.

### **Officer's Recommendation:**

That Council resolves, in accordance with s235(b) of the *Local Government Regulation 2012*, it is satisfied that due to the specialised nature of the services sought, The Australian Institute of Company Directors is a specialised supplier.

### **Background:**

The Australian Institute of Company Directors ("the AICD") offers membership, courses and resources for directors and executives.

The key functions of the AICD are:

- to promote excellence in director's performance through education and professional development;
- to initiate research and formulate policies that facilitate improved director performance;
- to represent the views and interests of directors to government, regulatory bodies and the community;
- to provide timely, relevant and targeted information and support services to members and, where appropriate, government and the community;
- to maintain a member's code of professional and ethical conduct;
- to uphold the free enterprise system;
- to develop strategic alliances with relevant organisations domestically; and
- internationally to further the objectives of the AICD.

Membership with the AICD is for not-for-profit, ASX, private and public sectors around Australia and across the globe. Becoming a member will help build professional networks and strengthen governance knowledge and opens the door to the best leadership courses and resources in Australia.

The Company Directors Course is designed for directors from a diverse range of industries and organisations and is ideal for those looking to understand director roles and responsibilities in-depth, take their boardroom performance to the next level and improve their impact in today's evolving business landscape.

The Company Directors Course gives an in-depth look at the responsibilities and expectations of directors. It explores issues and trends facing today's boards and businesses.

## GENERAL MEETING AGENDA 5 APRIL 2022

On completion of the course, directors will deepen their understanding of what effective governance looks like in practice.

The Company Directors Course assists directors to:

- Gain clarity around a director's role, their legal responsibilities and community expectations;
- Improve financial literacy and understanding of the strategic and financial levers that can help drive performance and sustainable value in the organisation;
- Explore the tensions between short and long-term priorities and diverse stakeholder interests;
- Enhance future strategic discussions with the knowledge and tools needed to improve the organisation's performance and evaluate risks effectively;
- Identify how to make the board more effective and streamline board processes;
- Enhance judgement and decision-making skills;
- Improve performance as a director and deeper understanding of boardroom dynamics; and
- Put learnings into practice through activities, real-world case studies and a boardroom simulation.

### **Options, Risk and Opportunity Analysis:**

#### Option 1 – Resolution that the AICD is a specialised supplier

The Officer's Recommendation will enable the professional development of the Executive Leadership Team in accordance with personal development plans.

This resolution will remain in effect until such time as Council no longer requires access to the AICD for membership, courses and resources, or until such time as an alternative provider becomes available.

#### Option 2 – Alternate training

Whilst it is possible for executives to obtain training from other providers, the membership and training services offered by the AICD are incomparable. Should Council elect not to resolve in accordance with the Officer's Recommendation, Council's executive development plans will need to be revisited alternate professional development activities identified.

Option 1 therefore presents the best value to Council for the delivery of these objectives.

### **Communication and Consultation:**

Nil.

### **Legal Strategy and Policy Implications:**

Local Governments are required to invite written quotations or tenders where the supply of goods or services with a cost greater than \$15,000 ex GST pursuant to s225 of the LGR.

Section 235 of the LGR provides some exceptions, relevant to this report is section 235(b) which provides an exception where:

*"The local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders..."*

**Financial and Resource Implications:**

Any engagements with the AICD will be in accordance with approved budgets and development plans.

**Summary:**

Nil.

**Anticipated Resolution Completion Date:**

The Australian Institute of Company Directors will be added to Council's Long-Term Contracts Register in April 2022.

**Attachments:**

Nil.

**Tabled Items:**

Nil.

**Report Prepared by:** Manager Contracts and Procurement.

### **G/4.3. PAVEMENT IMPACT ASSESSMENT METHODOLOGY**

**Responsible Officer:** General Manager Strategic Asset Performance

**Council Meeting Date:** 5 April 2022

**File Ref:** RD1.8

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#### **Purpose:**

The purpose of the report is to inform Council of the need for a revised Pavement Impact Assessment (PIA) Methodology and make provision for future amendments.

#### **Officer's Recommendation:**

That Council:

1. Repeal the Pavement Impact Assessment Methodology adopted by resolution of Council at its General Meeting of 7 December 2010 (Resolution G/10/383-16); and
2. Delegate the Chief Executive Officer authority to adopt and approve amendments to, Council's Pavement Impact Assessment Methodology.

#### **Background:**

A PIA Methodology is used to determine the level of impact traffic will have on Council's road pavement assets and provide a basis for compensation payments, through Infrastructure Agreements and other charging mechanisms.

In November 2010 Council created a methodology for conducting PIAs on Council's road assets and Gladstone Regional Council's Pavement Impact Assessment Methodology was originally adopted by Council at a General Meeting on 7 December 2010:

*"That Council adopt the Pavement Impact Assessment Guideline document, as contained in Addendum 2 to the minutes, as its policy for assessing the pavement impacts during the construction phase of major projects and to determine compensation payment amounts for this impact on our assets."*

Since the adoption there have been some amendments and updates related to previous case histories, most recently adopted in December 2015.

With the increase in requests and applications from renewable energy companies and with consideration for the additional demand being placed on Council's road network, some limitations have been identified by Council Officers while preparing Infrastructure Agreements.

The amendments being proposed are as follows:

- Changes to align with Council's brand guidelines;
- Minor spelling and grammatical corrections;
- Amendments to the formulas contained in the spreadsheet used for the calculations;
- The methodology has been expanded for use by any application or proposed activity that may significantly impact the road network – not just those that trigger the Environmental Impact Statement process;

## GENERAL MEETING AGENDA 5 APRIL 2022

- The way the Design Life Equivalent Standard Axles are calculated has been modified to use historical pavement design records, recent traffic count data or the minimum traffic loadings for the relevant Council Road Hierarchy, whichever is greater (or available); and
- The maintenance contribution calculation has been changed to be calculated using maintenance costs (if available per road) or a historical percentage value.

A copy of the proposed *Pavement Impact Assessment Methodology, Revision D, March 2022* is attached as Attachment 1.

### **Options, Risk and Opportunity Analysis:**

Not updating the methodology as proposed could result in some or all the cost of the increased demand, maintenance and reconstruction of Council's Road Assets not being recovered from proponents. This could negatively impact Council's ability to maintain service levels due to premature asset failure, or an increased impost on ratepayers.

### **Communication and Consultation:**

The following officers have been consulted regarding the amendments - Engineer Asset Performance and Monitoring, Engineer Asset Planning, Manager Asset Performance and Monitoring, General Manager Strategic Asset Performance, Economic Development Specialist.

### **Legal Strategy and Policy Implications:**

Section 72(3) of the *Local Government Act 2009* ("LGA") provides a legislative basis under certain circumstances for Council to:

- (a) Give an entity a direction about the use of a road to lessen the impact; and/or
- (b) Require the entity -
  - (i) to carry out works to lessen the impact; or
  - (ii) To pay an amount as compensation for the impact.

Council has delegated the authority to the Chief Executive Officer to give a direction in accordance with s72(3) of the LGA.

While the original Pavement Impact Assessment Methodology has previously been adopted by Council there is no requirement for it to be formally adopted by Council. The Pavement Impact Assessment Methodology is a technical document and operational in nature. It would be consistent with Council's policy framework if future iterations of the Pavement Impact Assessment Methodology were approved by the Chief Executive Officer.

### **Financial and Resource Implications:**

Infrastructure Agreements, and special charges are informed by the values developed from this revised methodology and are better able to accurately recover contributions for maintenance and reconstruction of Roads Assets if required.

### **Summary:**

The paper asks for Council to repeal the previous methodology for Pavement Impact Assessments and to allow the Chief Executive Officer the authority to make future amendments necessary to mitigate the risk of increased demand on Council's road network.

**GENERAL MEETING AGENDA 5 APRIL 2022**

**Anticipated Resolution Completion Date:**

N/A

**Attachments:**

1. Pavement Impact Assessment Methodology, Revision D, March 2022

**Tabled Items:**

Nil.

**Report Prepared by:** General Manager Strategic Asset Performance

## G/4.4. TENDER RPQS 76-22 TRAINING SERVICES

**Responsible Officer:** General Manager Finance Governance and Risk

**Council Meeting Date:** 5 April 2022

**File Ref:** PE1.1

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### **Purpose:**

This report seeks resolution from Council to enter into agreements for the provision of Training Services under a Register of Pre-Qualified Suppliers.

### **Officer's Recommendation:**

That Council:

1. Endorse the Tender Evaluation Panel's recommendation to appoint the following (53) service providers on RPQS 76-22 Training Services:
  - 4 T CONSULTANTS PTY LTD;
  - Actrua Pty Ltd ATF Jalak Family Trust;
  - AISIT Pty Ltd;
  - Australian Institute for Security and Investigation Training;
  - Central Safety Training & Assessing Services Pty Ltd t/a All States Training;
  - Altus Training Pty Ltd;
  - ASPL Australia Pty Ltd trading as ASPL Group;
  - Auditor Training Online Pty Ltd;
  - Australasian Leadership Academy Pty Ltd (ALA);
  - Australian Red Cross Society trading as Australian Red Cross First Aid and Mental Health;
  - Baseline Training Pty Ltd;
  - Trewenack-Lee Consulting Pty Ltd Trading as BBB Advisory;
  - Bendelta Pty Ltd;
  - Blanchard International Pty Ltd;
  - Collective Learning and Development Pty Ltd The Trust for Consolidated Training Trust;
  - Corporate Training Solutions Australia Pty Ltd ATF JYK Family Trust;
  - Endless Sunsets Pty Ltd;
  - CQ First Aid & Safety Training Pty Ltd;
  - CQUniversity Australia;
  - Current Training (QLD) Pty Ltd;
  - AB Quality Homes Pty Ltd (Diggerman);
  - Down to Earth Results Pty Ltd trading as DTE Training & Safety Skills;
  - S&K Duff Holdings Pty Ltd t/a Duff Consultin Group;
  - eMotion Video;
  - Grey Matta Solutions Pty Ltd;
  - HENRY REED Pty Ltd;
  - Inspyr Pty Ltd;
  - WH&S Training & Assessment Services Pty Ltd;
  - Koya Consulting Pty Ltd trading as Koya Training Services;
  - Link Resources Training Pty Ltd;
  - Blac Investments Pty Ltd, The Trustee for Webster Corporate Trust trading as Local Roaming;



## GENERAL MEETING AGENDA 5 APRIL 2022

- Glenn David Groves (Sole Trader) trading as MAC Training Solutions;
  - Guinea Enterprises;
  - Nexacu;
  - The Trustee for WK Chan and Associates Trust, trading as Paradigm Infinitum and Australian Leadership Skills Centre;
  - PDT Unit Trust ATF Professional Development Training Pty Ltd;
  - Peak Services Pty Ltd;
  - The Jarvis Family Trust as trustee for People and Organisational Development Partners Pty Ltd;
  - Pinnacle Height Safety Pty Ltd trading as Pinnacle Safety and Training;
  - Pro Leaders Academy Pty Ltd;
  - Black Belt Business Pty Limited as trustee for Black Belt Business Trading Trust trading as Resolution Education;
  - Safety Wise Solutions;
  - SEEC ABILITY Pty Ltd;
  - Shape Consulting Pty Ltd;
  - Bellcastle Pty Ltd ATF Team Management Resources Unit Trust TA Team Management Systems;
  - The Guinea Group of Companies Pty Ltd;
  - The Trustee for the Penfold Family Trust – Top Consulting Pty Ltd trading as Top Consulting Safety;
  - Queensland Training Services Pty Ltd trading as Total Management and Training;
  - Trainers Direct Pty Ltd;
  - Transport Compliance Training Solutions Pty Ltd;
  - Abrahamson Holdings as the trustee for the Abrahamson Family Trust trading as Upskills Qld;
  - WINNER-at-WORK Pty Ltd; and
  - Rick Davis and Associates Pty Ltd as trustee for WISE Up Training Trust trading as Wise Workplace Training.
2. Authorise the Chief Executive Officer to enter into panel arrangements for a fixed term of 3 years, with the above service providers.

### Background:

Council seeks to establish a Register of Pre-Qualified Suppliers (RPQS) for a diverse range of training services for Council employees. The types of training that may be required throughout the term of the RPQS include:

- High Risk Work;
- People Skills;
- Leadership;
- Safety;
- Licences;
- Computer;
- Operator;
- Environmental; and
- Local Laws.

A Register of Pre-Qualified Suppliers ('RPQS') provides Council with efficiencies when engaging service providers as follows:

- i. Section 232 of the *Local Government Regulation 2012* ("LGR"), allows Council to enter into contracts with suppliers for engagements \$15,000 ex GST and over, without the need for a formal quoting or tender process.

## GENERAL MEETING AGENDA 5 APRIL 2022

- ii. The suppliers on an RPQS have been appointed in accordance with the requirements of Council's Procurement Policy including meeting safety requirements, local content and value for money.
- iii. Suppliers and their personnel relevant to potential future works, will be managed in Council's Contractor Management System ('Beakon') including inductions, licensing and insurances.
- iv. Employees can request quotes from suppliers on an RPQS to ensure value for money is achieved.
- v. Engagements will be approved via Purchase Orders in accordance with Council's Register of Financial Delegations; which means any engagements over \$500,000 ex GST will be brought to Council for approval.

Appointment to an RPQS gives no guarantee or representation as to the volume or value of orders to be issued by Council, nor is Council limited to utilise only these contractors.

Council may refresh this contract at any time during the contract term by issuing a new Invitation to Tender (ITT) based on the same evaluation criteria as this ITT, seeking offers from service providers wishing to be added to the register.

### Options, Risk and Opportunity Analysis:

On 22 January 2022, Council released an Invitation to Tender ('ITT') to the open market via VendorPanel, in accordance with the tender process requirements set out in section 228 of the LGR.

The tender closed on 15 February 2022 with fifty-three (53) conforming offers received.

The offers were evaluated by a panel of subject matter experts, and was evaluated based on the criteria disclosed in the ITT which included:

Objective Evaluation Criteria	Weighting
Business Capabilities	50%
Nominated past projects performed meet GRC's experience requirements	20%
Proposed Key Personnel have the qualifications and experience required by GRC	10%
Local Content	20%

The offers were scored against the above evaluation criteria and were found to meet or exceed Council's technical requirements for acceptance onto this panel.

As a Request for Proposal (RFP) process will be used for each for each engagement, costs were not assessed as part of this evaluation. Value for money will be assessed on an as per engagement basis with confirmation against the schedules of rates provided by the service providers in their submissions.

The following are locally based service providers:

- Baseline Training Pty Ltd;
- CQ University Australia
- CQ First Aid & Safety Training Pty Ltd;
- Down to Earth Results Pty Ltd trading as DTE Training & Safety Skills;
- Guinea Enterprises;

## GENERAL MEETING AGENDA 5 APRIL 2022

- The Guinea Group of Companies Pty Ltd; and
- Australian Red Cross Society trading as Australian Red Cross First Aid and Mental Health.

The Tender Evaluation Panel recommends appointment of the fifty-three (53) service providers to this RPQS, on the basis of anticipated service requirements and the range of training options it will make available to Council.

### **Communication and Consultation:**

Nil.

### **Legal Strategy and Policy Implications:**

Council sought offers via LG Tenderbox in accordance with the *Local Government Act 2009*, LGR and Council's Procurement Policy P-2018-12.

Council's endorsement of this tender award is in accordance with the Register of Delegations - Exercise of Statutory Powers and Financial Delegation Register.

The Officer's recommendation is based on the evaluation methodology and criteria in the ITT. There are risks associated with Council awarding a contract contrary to the officer's recommendation.

If Council is not satisfied with the evaluation methodology and criteria or the application thereof, Council may refer the matter back to officers for re-evaluation.

In the interests of probity, an amendment to the evaluation methodology and/or criteria may require referral back to tenderers so that they can each have the opportunity to make any changes to their offers having regard to the amended criteria prior to re-evaluation.

### **Financial and Resource Implications:**

Appointment to an RPQS is based on a schedule of rates, it does not commit financial resources. Engagements with service providers under this arrangement will be exempt from tender or quote requirements in accordance with s232 of the LGR, however will be subject to the Sound Contracting Principles and Register of Delegations - Exercise of Statutory Powers and Financial Delegation Register.

### **Summary:**

The offers from the fifty-three (53) service providers recommended for award will meet Council's anticipated demand for these services.

### **Anticipated Resolution Completion Date:**

The contracts will be awarded in April 2022.

### **Attachments:**

1. CONFIDENTIAL RPQS 76-22 Offer Evaluation Report

### **Tabled Items:**

Nil.

**Report Prepared by:** Manager Contracts and Procurement.

**G/5. COUNCILLORS REPORT**

**G/6. URGENT BUSINESS**

**G/7. NOTICE OF MOTION**

**G/8. CONFIDENTIAL ITEMS**