



# City of Ipswich

**IPSWICH  
CITY  
COUNCIL**

**AGENDA**

*of the*

**COUNCIL SPECIAL MEETING**

**Held in the Council Chambers  
2<sup>nd</sup> floor – Council Administration Building  
45 Roderick Street  
IPSWICH QLD 4305**

On Wednesday, 17 June 2020  
at 2.00 pm to 4.30 pm

The purpose of the meeting is to consider:

1. Council Procurement Reform 2019-2020
2. Buy Ipswich Approach
3. Tender Consideration Plan - Polaris Data Centre Consolidation
4. Tender Consideration Plan - Pathway Software Licencing, Maintenance and Support
5. Tender Consideration Plan - iFerret Maintenance
6. Contracts extended under Local Government Regulation 2012 - s235 (c) - May 2020
7. Contract Extension - Safe City Monitoring
8. Contract Extension - Supply of parking machines and associated systems
9. Proposed Repeal - Sale of Land for Overdue Rates and Charges
10. Change of time of Council Ordinary Meeting scheduled for 30 June 2020
11. Remondis Deed of Settlement and Variation

**BUSINESS**

- A. OPENING OF MEETING:
- B. WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY:
- C. OPENING PRAYER:
- D. APOLOGIES AND LEAVE OF ABSENCE:
- E. DECLARATIONS OF INTEREST:
- F. OFFICERS' REPORTS:
- Council Procurement Reform 2019-2020 ..... 5
  - Buy Ipswich Approach..... 9
  - Tender Consideration Plan - Polaris Data Centre Consolidation ..... 25
  - Tender Consideration Plan - Pathway Software Licencing, Maintenance and Support..... 33
  - Tender Consideration Plan - iFerret Maintenance ..... 45
  - Contracts extended under Local Government Regulation 2012 - s235 (c) - May 2020 ..... 49
  - Contract Extension - Safe City Monitoring..... 53
  - Contract Extension - Supply of parking machines and associated systems..... 57
  - Proposed Repeal - Sale of Land for Overdue Rates and Charges ..... 61
  - Change of time of Council Ordinary Meeting scheduled for 30 June 2020..... 71
  - Remondis Deed of Settlement and Variation ..... 73

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Doc ID No: A6275253

ITEM: F.1  
SUBJECT: COUNCIL PROCUREMENT REFORM 2019-2020  
AUTHOR: MANAGER, PROCUREMENT  
DATE: 3 JUNE 2020

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### EXECUTIVE SUMMARY

This is a report concerning the reform of procurement within Ipswich City Council in 2019-2020, inclusive of Business Transformation Project #3: Procurement and the delivery of the new model in 2020.

### RECOMMENDATION/S

**That Council note the objectives and outcomes intended by Business Transformation Project (BTP) #3 Procurement and the work that has been completed and is still underway to transform Council's vital procurement model and function.**

### RELATED PARTIES

No declaration of conflicts of interest.

### ADVANCE IPSWICH THEME

Listening, leading and financial management, and Strengthening our economy and building prosperity

### PURPOSE OF REPORT/BACKGROUND

The purpose of this report is to brief Councillors on:

- implementation of Business Transformation Project #3 Procurement
- objectives and intended outcomes
- progress to date
- work underway and still to come

In early 2019, Business Transformation Project #3 – Procurement (BTP#3) was established as one of 18 transformation projects focused on achieving good governance, transparency and accountability within Council. Specifically, BTP#3 was established to transform the procurement operations to create a whole-of-council approach which improves all aspects of the procurement operations, delivering long-term sustainable change. BTP#3 was about transforming the Ipswich City Council procurement function and framework so that we

return the confidence of the community in the way Council buys things (goods, services, outcomes). The project was established to develop enabling governance structures and systems and continue to build and develop Council capability so that our staff also feel confident and adequately equipped to deliver the outcomes expected of us. This project is important to Council as procurement touches every fragment of the organization. The project focused on developing a plan with Council key stakeholders to build and embed critical procurement infrastructure and deliver on that plan to sustain a culture of best-practice procurement, which is ultimately sanctioned by the Ipswich community.

An effective procurement function has strong alignment between governance, strategic direction setting, and value delivery, underpinned with expertise in core competencies and supported by enabling processes, tools and resources and sustained by performance reporting and action planning. Simplicity and clarity of responsibility and accountability across the end to end procurement spectrum is critical. The objectives of the BTP#3 Procurement were to:

- develop a simple and efficient procurement framework that focuses on governance and transparency
- provide a framework that meets the needs of staff and the organisation
- provide a framework that entrenches a consistent message
- provide a framework that meets compliance with relevant legislation, and ensures risk is escalated (where appropriate)
- Increase the confidence of suppliers, providers and ratepayers in ICC's procurement practices,
- mitigate the risk of fraud, corruption and non-compliance

To date the project has delivered the following outcomes.

- council-wide consultation process with all impacted teams to understand Council's business needs
- all procurement teams of the former decentralised model within Council drawn into a single Procurement Branch
- recruitment and appointment of a Manager, Procurement
- design and delivery of a single digital form for all procurement requests
- standardisation of the use of VendorPanel for all Council quotes and tenders
- redesign of Procurement Branch to a category management approach with expert advice from Charles Kendall Australia
- established 58 catalogues (8500 catalogued items) for more efficient and consistent processing of contracted items at fixed price per unit
- implementation of a new procurement framework core documents for Council:
  - Procurement Administrative Directive
  - Single procurement procedure (Code of Practice)
- roll out of new model Council wide for centralised procurement activities over \$15,000
- continued delivery of business as usual procurement support and activities for Council during transition and restructure process

While there have been significant achievements to date in implementing structural, cultural and system changes to procurement within Council, work remains to:

- finalise a current data baseline against which to track improved procurement outcomes for Council
- finalise and implement a contract management framework
- finalise open market selection processes and appoint to all vacant positions
- continue to build the capability of the Branch with support from the People and Culture Branch and external partners where needed
- implement the final phase of centralisation of the new Procurement Model for all activities over \$2000
- finalise and consolidate a forward schedule of procurement activity
- achieve a resourced and well-functioning Procurement Branch by December 2020
- continue to mature the procurement function to be strategic and value generating.

The implementation of the transformed procurement model is an ongoing project that will be monitored by Council's Program Management Office (PMO).

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions: *Local Government Act 2009 and Local Government Regulation 2012*

### **RISK MANAGEMENT IMPLICATIONS**

It is critical that the objectives and outcomes intended by BTP#3 are achieved. Monthly monitoring by the PMO reporting to the Executive Leadership Team will assist in ensuring that successful implementation is fully achieved.

### **FINANCIAL/RESOURCE IMPLICATIONS**

Changes to the resourcing of the Procurement Branch and support for delivery of change have been managed within Council budget.

### **COMMUNITY AND OTHER CONSULTATION**

The implementation of changes to the procurement model have been widely consulted within Council. The local community has been notified of changes to outward facing systems such as Vendor Panel.

### **CONCLUSION**

That Council note the significant changes that have occurred with procurement and that work is still underway to build the capacity and capability within Council to deliver world class procurement for the Ipswich community.

Richard White

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Sonia Cooper

**GENERAL MANAGER CORPORATE SERVICES**

***“Together, we proudly enhance the quality of life for our community”***

Doc ID No: A6275124

ITEM: F.2  
SUBJECT: BUY IPSWICH APPROACH  
AUTHOR: MANAGER, PROCUREMENT  
DATE: 3 JUNE 2020

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### **EXECUTIVE SUMMARY**

This is a report seeking a resolution of Council to adopt a revised Procurement Policy 2020-2021 with a significantly strengthened approach to procuring services from local business and industry.

### **RECOMMENDATION/S**

**That the policy titled 'Procurement Policy' be amended as outlined in Attachment 1, by incorporating significant strengthening of support for local business and industry including a new Buy Ipswich Approach.**

### **RELATED PARTIES**

There was no declaration of conflicts of interest.

### **ADVANCE IPSWICH THEME**

Strengthening our local economy and building prosperity

### **PURPOSE OF REPORT/BACKGROUND**

The purpose of this report is to table for Council's consideration and adoption the revised Procurement Policy 2020-2021 with significantly strengthened support for local business and industry. The revised policy introduces the proposed Buy Ipswich approach.

Mayor Harding committed to 'strictly enforce a buy local approach' in a ten point plan for COVID-19 as part of her campaign for election.

Council's procurement policy and code of practice procedure is proposed to be significantly strengthened to develop local business and industry in the Ipswich City Council local government area. This includes a new Buy Ipswich Approach to provide a framework to Council officers when purchasing future goods, services and/or works that deliver better outcomes for local business and industry. It is designed to be simple to implement and clear in its requirements from a business perspective.

The proposed Procurement Policy for 2020-2021 has been revised as follows:

This Council is absolutely committed to developing competitive and thriving local businesses and industries. Investing in the Ipswich economy will yield social and economic benefits for the community as a whole, including greater opportunities for employment, skills, education and business development. The development of competitive local business and industry will be a priority in the procurement planning stage and form part of the evaluation process for all procurement. Council has developed a Buy Ipswich approach to procurement and will work with key stakeholders and local businesses and industries to support and enable them to compete effectively in the market.

If adopted, from 1 July 2020, when applying the *Local Government Act 2009* sound contracting principle 'development of competitive local business and industry' Council procurement officers will apply the following:

- where quotes are sought for all contracts with an expected value less than \$50,000, only seek quotes from local businesses (as will be defined in the Procurement Code of Practice Procedure) in the first instance (where such are assessed to be reasonably capable of supplying Council's needs of value for money), and
- where quotes are sought for all contracts with an expected value less than \$200,000, provide a 20 per cent local content preferential weighting to the scoring evaluation advertised by Council, or
- where quotes are sought for all contracts with an expected value greater than \$200,000, provide a 15 per cent Local Economy Support preferential weighting to the scoring evaluation advertised by Council.

#### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions: *Local Government Act 2009 and Local Government Regulation 2012*

#### **RISK MANAGEMENT IMPLICATIONS]**

There is a risk for increased expenditure when limiting the supplier selection through this policy change. To mitigate the risk, spend analysis will be undertaken through the year to map the change and a review will be presented to Council for consideration of the ongoing use of this approach.

#### **FINANCIAL/RESOURCE IMPLICATIONS**

There are no direct resource implications for the roll out of the new approach within Council. There are possible financial impacts of restricting quotes and tenders to local suppliers, however there will also be broader financial benefits to the Ipswich community through targeting spend locally. The Procurement Branch will track the impacts of implementation and report to Council for consideration of the ongoing use of the policy after 12 months.

#### **COMMUNITY AND OTHER CONSULTATION**

No community engagement has been undertaken for this paper.

The proposed approach has been consulted with the Executive Leadership Team and the Procurement Branch and was developed after considering approaches taken by a number of other Councils.

Councillors were briefed on the proposed Buy Ipswich Approach on 9 June 2020.

### CONCLUSION

The revised Procurement Policy 2020-2021 is recommended for adoption by Council in order to deliver a Buy Ipswich Approach.

### ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Procurement Policy 2020-2021 - tracked changes <a href="#">↓</a> 
2.	Procurement Policy 2020-2021 - clean copy <a href="#">↓</a> 
3.	Buy Ipswich Approach <a href="#">↓</a> 

Richard White

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Sonia Cooper

**GENERAL MANAGER CORPORATE SERVICES**

*“Together, we proudly enhance the quality of life for our community”*



IPSWICH CITY COUNCIL  
**Procurement Policy**

<b>Version Control and Objective ID</b>	Version No: 1	Objective ID: A5872581
<b>Approved by Council on</b>	29 May 2018	
<b>Date of Review</b>	1 July 2020	

**1. Statement**

Integrity, accountability and transparency are paramount to the way in which Ipswich City Council undertakes procurement.

All procurement processes are to be conducted in accordance with the requirements of this Policy and any associated policies, procedures, guidelines or standards.

We aim to put the Ipswich Community at the centre of our policy, service design and delivery by gauging our procurement efforts and activities against key principles that are meaningful to our region.

**2. Purpose and Principles**

Ipswich City Council’s Procurement Policy is the Council’s overarching policy for the procurement of goods and services. Its purpose is to deliver excellence in procurement outcomes for the Ipswich Community.

**Procuring Goods and Services**

All purchases of goods and services must be carried out in strict compliance with the:

- *Local Government Act 2009* and amendments
- *Local Government Regulations 2012*.

Council operates in accordance with Part 3 Default contracting procedures under the *Local Government Regulation 2012*.

Ipswich City Council recognises that developing and adopting appropriate best practice contracting and procurement policies, processes, systems and procedures for all goods and services by Council, will enhance achievement of Council objectives such as sustainable procurement; bottom-line cost savings; supporting local economies; achieving innovation; and better services for communities.

The elements of best practice applicable to Council procurement incorporate:

- broad concepts covering ethics, value for money, responsibilities and accountabilities;
- procurement guides giving effect to those concepts;
- a system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process);

IPSWICH CITY COUNCIL | Procurement Policy

- procurement processes and checklists, with appropriate procedures covering low value, low risk simple procurement to high value, more complex procurement; and
- sound contracting principles as specified in the *Local Government Act 2009*.

All procurement activities of the Council must have regard to the 'sound contracting principles' contained in Section 104(3) of the *Local Government Act 2009*:

1. Value for Money
2. Open and Effective Competition
3. The development of competitive local business and industry
4. Environmental protection, and
5. Ethical behaviour and fair dealing.

Regard is to be had for each principle, although each principle may not receive equal consideration, depending on the particular procurement activity. The Sound Contracting Principles are to be considered as follows:

#### **Value for Money**

Council will use public funds in such a manner that the best return and performance for the money spent is being obtained.

The achievement of value for money can be driven through each stage of the procurement process from procurement planning to contract management.

The benefits of the procurement are considered against the costs necessary for the optimum result for the Council and local community. Ipswich City Council is not required to accept the lowest tender. Instead, Council is required to take into account issues such as but not limited to fitness of purpose, quality, price, service support and warranty and other factors relevant to the overall sound contracting principles of the Local Government Act.

#### **Open and Effective Competition**

Council will give fair and equitable consideration to all prospective suppliers. Prospective suppliers wishing to do businesses with Council will be given a reasonable opportunity to do so. All suppliers will be treated fairly in an open and transparent manner and have access to the same information.

#### **Development of competitive Local Business and Industry**

This Council is absolutely recognises and is committed to the need to support developing competitive and thriving local businesses and industries. Investing in the Ipswich economy will yield social and economic benefits for the community as a whole, including greater opportunities for employment, skills, education and business development. The development of competitive local business and industry benefits of encouraging and dealing with local suppliers will be a priority taken into account in the procurement planning stage and form part of the evaluation process for all procurement. Council has developed a Buy Ipswich approach to procurement and will work with key stakeholders and local businesses and industries to

IPSWICH CITY COUNCIL | Procurement Policy

~~support and enable them to compete effectively in the market. Council's procurement guidance materials encourage Council officers to support the use of local suppliers where benefits exist to all stakeholders and the five contracting principles are satisfied according to their priority.~~

To encourage local business and industry to tender, when seeking quotes, Council will ~~will~~ advertise tenders in local newspapers and actively seek quotations from local suppliers where available. undertake the following actions:

- only seek quotes from local businesses in the first instance for all contracts with an expected value less than \$50,000, where competitive quotes are mandatory, only seek quotes from local businesses in the first instance (where such are assessed to be reasonably capable of supplying Council's needs of value for money for ratepayers)
- provide a 20 per cent local content preferential weighting to the scoring evaluation advertised by Council for all contracts with an expected value less than \$200,000, where competitive offers are mandatory, provide a 20 per cent Local Content preferential weighting to the scoring evaluation advertised by Council
- provide a 15 per cent local economy support preferential weighting to the scoring evaluation advertised by Council for all contracts with an expected value greater than \$200,000, where competitive offers are mandatory, provide a 15 per cent Local Economy Support preferential weighting to the scoring evaluation advertised by Council

### Environmental Protection

Council is sensitive to environmental protection issues. Council is not only dedicated to environment protection; Council is also committed achieving sustainability. In order to achieve sustainability Council will consider environmental, social and economic elements in procurement activities.

When planning the procurement activity Council will analyse, where appropriate, the potential purchase of environmentally friendly goods and services and other environmental initiatives such as reduce, reuse, and recycle. Other considerations that may be examined include, but not limited to, eco-friendly products and suppliers that 'support environmental sustainability initiatives. Council's procurement activities will also address the specific targets contained within the Sustainable Ipswich strategy that deals with reducing the environmental impacts through the procurement practices.

### Ethical Behaviour and Fair Dealing

The Council's procurement activities (methods, practices and procedures) must be performed with integrity and be beyond reap approach.



IPSWICH CITY COUNCIL | Procurement Policy

All Council officers and Councillors when purchasing goods and services will advance the interests of the Council and conduct themselves in ways that are, and are seen to be, impartial, fair and in an ethical manner.

All Council officers and Councillors must:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of commercial in confidence information such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

### 3. Strategic Plan Links

This policy relates to each of the five (5) themes of Advance Ipswich as listed below:

- Strengthening our local economy and building prosperity
- Managing growth and delivering key infrastructure
- Caring for the Community
- Caring for the Environment
- Listening, Leading and Financial Management

### 4. Regulatory Authority

*Local Government Act 2009 and Local Government Regulations 2012*

### 5. Scope

This Procurement Policy is made under Section 198 of the *Local Government Regulation 2012*. The Regulation and the *Local Government Act 2009* are the key legislative frameworks that regulate the process of local government procurement in Queensland. Section 198 of the Regulation requires the Council to prepare and adopt a procurement policy encompassing the principles that apply to all purchases of goods, services by the Council and review this policy annually.

This policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council officers and temporary employees, contractors and consultants and anyone who undertakes procurement on behalf of Council while engaged by the Council.

### 6. Roles and Responsibilities

Chief Executive Officer (CEO) is responsible for organisation wide procurement outcomes.



IPSWICH CITY COUNCIL | Procurement Policy

Executive Leadership Team (ELT) is responsible for promoting consistency in procurement practice across the organisation.

Manager Procurement is responsible for creating and maintaining an appropriate procurement control framework, and for ensuring this policy, [the administrative directive and code of practice procedure](#)~~its related guidelines, checklists and procedures~~ are appropriate, reflect better practice and facilitate a high standard of procurement performance.

General Managers are responsible for ensuring this policy is followed within their departments.

Managers and supervisors are responsible for ensuring that employees are aware of, [and](#) comply with, this policy.

Anyone approving any procurement activities must ensure compliance prior to exercising their [legislative sub](#)-delegation.

All Council officers and Councillors are required to be aware of, and comply with this policy.

#### 7. Monitoring and Evaluation

The Procurement Branch will monitor and report on procurement activities and will assist and enable Management and employees with better decision making through compliance reporting.

#### 8. Definitions

**Procurement** means the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service or construction contract.

**Sound Contracting Principles** mean the principles as outlines in the Local Government Act 2009, s.104.

#### 9. Policy Owner

General Manager, Corporate Services Department



IPSWICH CITY COUNCIL  
**Procurement Policy**

<b>Version Control and Objective ID</b>	Version No: 1	Objective ID: A5872581
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**1. Statement**

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All procurement processes are to be conducted in accordance with the requirements of this Policy and any associated policies, procedures, guidelines or standards.

We aim to put the Ipswich Community at the centre of our policy, service design and delivery by gauging our procurement efforts and activities against key principles that are meaningful to our region.

**2. Purpose and Principles**

Ipswich City Council's Procurement Policy is the Council's overarching policy for the procurement of goods and services. Its purpose is to deliver excellence in procurement outcomes for the Ipswich Community.

**Procuring Goods and Services**

All purchases of goods and services must be carried out in strict compliance with the:

- *Local Government Act 2009* and amendments
- *Local Government Regulation 2012*.

Council operates in accordance with Part 3 Default contracting procedures under the *Local Government Regulation 2012*.

Ipswich City Council recognises that developing and adopting appropriate best practice contracting and procurement policies, processes, systems and procedures for all goods and services by Council, will enhance achievement of Council objectives such as sustainable procurement; bottom-line cost savings; supporting local economies; achieving innovation; and better services for communities.

The elements of best practice applicable to Council procurement incorporate:

- broad concepts covering ethics, value for money, responsibilities and accountabilities;
- procurement guides giving effect to those concepts;
- a system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process);



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- procurement processes and checklists, with appropriate procedures covering low value, low risk simple procurement to high value, more complex procurement; and
- sound contracting principles as specified in the *Local Government Act 2009*.

All procurement activities of the Council must have regard to the 'sound contracting principles' contained in Section 104(3) of the *Local Government Act 2009*:

1. Value for Money
2. Open and Effective Competition
3. The development of competitive local business and industry
4. Environmental protection, and
5. Ethical behaviour and fair dealing.

Regard is to be had for each principle, although each principle may not receive equal consideration, depending on the particular procurement activity. The Sound Contracting Principles are to be considered as follows:

#### **Value for Money**

Council will use public funds in such a manner that the best return and performance for the money spent is being obtained.

The achievement of value for money can be driven through each stage of the procurement process from procurement planning to contract management.

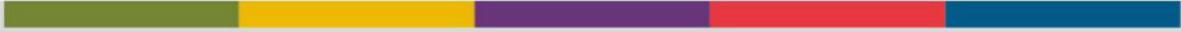
The benefits of the procurement are considered against the costs necessary for the optimum result for the Council and local community. Ipswich City Council is not required to accept the lowest tender. Instead, Council is required to take into account issues such as but not limited to fitness of purpose, quality, price, service support and warranty and other factors relevant to the overall sound contracting principles of the Local Government Act.

#### **Open and Effective Competition**

Council will give fair and equitable consideration to all prospective suppliers. Prospective suppliers wishing to do business with Council will be given a reasonable opportunity to do so. All suppliers will be treated fairly in an open and transparent manner and have access to the same information.

#### **Development of competitive Local Business and Industry**

This Council is absolutely committed to developing competitive and thriving local businesses and industries. Investing in the Ipswich economy will yield social and economic benefits for the community as a whole, including greater opportunities for employment, skills, education and business development. The development of competitive local business and industry will be a priority in the procurement planning stage and form part of the evaluation process for all procurement. Council has developed a Buy Ipswich approach to procurement and will work with key stakeholders and local businesses and industries to support and enable them to compete effectively in the market.



**IPSWICH CITY COUNCIL | Procurement Policy**

To encourage local business and industry to tender, when seeking quotes, Council will:

- only seek quotes from local businesses in the first instance for contracts with an expected value less than \$50,000 (where such are assessed to be reasonably capable of supplying Council's needs of value for money for ratepayers)
- provide a 20 per cent local content preferential weighting to the scoring evaluation advertised by Council for all contracts with an expected value less than \$200,000
- provide a 15 per cent local economy support preferential weighting to the scoring evaluation advertised by Council for all contracts with an expected value greater than \$200,000..

### **Environmental Protection**

Council is sensitive to environmental protection issues. Council is not only dedicated to environment protection; Council is also committed achieving sustainability. In order to achieve sustainability Council will consider environmental, social and economic elements in procurement activities.

When planning the procurement activity Council will analyse, where appropriate, the potential purchase of environmentally friendly goods and services and other environmental initiatives such as reduce, reuse, and recycle. Other considerations that may be examined include, but not limited to, eco-friendly products and suppliers that 'support environmental sustainability initiatives. Council's procurement activities will also address the specific targets contained within the Sustainable Ipswich strategy that deals with reducing the environmental impacts through the procurement practices.

### **Ethical Behaviour and Fair Dealing**

The Council's procurement activities (methods, practices and procedures) must be performed with integrity and be beyond reproach.

All Council officers and Councillors when purchasing goods and services will advance the interests of the Council and conduct themselves in ways that are, and are seen to be, impartial, fair and in an ethical manner.

All Council officers and Councillors must:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of commercial in confidence information such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;



IPSWICH CITY COUNCIL | Procurement Policy

- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

### 3. Strategic Plan Links

This policy relates to each of the five (5) themes of Advance Ipswich as listed below:

- Strengthening our local economy and building prosperity
- Managing growth and delivering key infrastructure
- Caring for the Community
- Caring for the Environment
- Listening, Leading and Financial Management

### 4. Regulatory Authority

*Local Government Act 2009 and Local Government Regulation 2012*

### 5. Scope

This Procurement Policy is made under Section 198 of the *Local Government Regulation 2012*. The Regulation and the *Local Government Act 2009* are the key legislative frameworks that regulate the process of local government procurement in Queensland. Section 198 of the Regulation requires the Council to prepare and adopt a procurement policy encompassing the principles that apply to all purchases of goods, services by the Council and review this policy annually.

This policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council officers and temporary employees, contractors and consultants and anyone who undertakes procurement on behalf of Council while engaged by the Council.

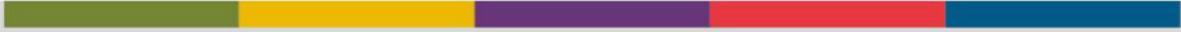
### 6. Roles and Responsibilities

Chief Executive Officer (CEO) is responsible for organisation wide procurement outcomes.

Executive Leadership Team (ELT) is responsible for promoting consistency in procurement practice across the organisation.

Manager Procurement is responsible for creating and maintaining an appropriate procurement control framework, and for ensuring this policy, the administrative directive and code of practice procedure are appropriate, reflect better practice and facilitate a high standard of procurement performance.

General Managers are responsible for ensuring this policy is followed within their departments.



IPSWICH CITY COUNCIL | Procurement Policy

Managers and supervisors are responsible for ensuring that employees are aware of, and comply with, this policy.

Anyone approving any procurement activities must ensure compliance prior to exercising their legislative sub-delegation.

All Council officers and Councillors are required to be aware of, and comply with this policy.

**7. Monitoring and Evaluation**

The Procurement Branch will monitor and report on procurement activities and will assist and enable Management and employees with better decision making through compliance reporting.

**8. Definitions**

**Procurement** means the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service or construction contract.

**Sound Contracting Principles** mean the principles as outlined in the Local Government Act 2009, s.104.

**9. Policy Owner**

General Manager, Corporate Services Department

## Ipswich City Council

### Buy Ipswich Approach

(For inclusion in the Procurement Code of Practice)

#### Australian made

Council prefers to procure goods made in Australia.

#### Competitive local business and industry preferential factors

When applying the sound contracting principle 'development of competitive local business and industry' Council will:

- include a statement in its request for quote or tender documentation that Council, through this policy, encourages the development of competitive local business and industry, and
- where quotes are sought for all contracts with an expected value less than \$50,000 only seek quotes from local businesses (Category A, B and C as defined at table 1) in the first instance (where such are assessed to be reasonably capable of supplying Council's needs of value for money), and
- where quotes are sought for all contracts with an expected value less than \$200,000 provide a 20 per cent local content preferential weighting to the scoring evaluation advertised by Council (see table 2 below), or
- where quotes are sought for all contracts with an expected value greater than \$200,000 provide a 15 per cent local economy Support preferential weighting to the scoring evaluation advertised by Council (see table 3 below)

If the application of the competitive local business and industry preferential factors will result in an outcome that is believed to be unreasonable or will not deliver value for money; the matter must be referred to the Manager, Procurement for further consideration in consultation with the relevant General Manager. A report on any awarded exceptions to use of the competitive local business and industry preferential factors will be provided to the Executive Leadership Team on a monthly basis.

#### Business categorisation for competitive local business and industry preferential factors

For the purposes of competitive local business and industry preferential factors, businesses supplying Council have been categorised as shown in Table 1 following.

**Table 1: Business categorisation for competitive local business and industry preferential factors**

Category	Description
A	Developing or established Ipswich based business
B	Branch office in Ipswich directly employing a minimum of ten (10) people (not contractors)
C	Branch office in Ipswich, established for a minimum of six months, directly employing less than ten (10) people (not contractors)
D	Adjacent local government based business (Lockyer Valley, Scenic Rim, Logan, Brisbane or Somerset)
E	Queensland business

<b>F</b>	Interstate business
<b>G</b>	Overseas business

A Category A business is one that:

- has its head office in Ipswich and conducts business within Ipswich city boundaries (includes sole traders) prior to a contract being awarded for which their offer has been submitted
- may also conduct business outside of the Ipswich.

Any branch office (Category B or C business) must:

- be a branch office of the business submitting the offer, not of a subsidiary or parent company
- constitute a physical address, not a post office box or other mailing address.

Remaining proximities (Category D: adjacent local government, Category E: Queensland, Category F: interstate and Category G: overseas locations) are determined by the location of the business's head office.

#### Applying the local business and industry preferential weightings

##### Local Content

Where quotes are sought for all contracts with an expected value less than \$200,000 (GST Exclusive) provide a 20 per cent local content preferential weighting to the scoring evaluation advertised by Council.

**Table 2: Local content scoring**

Score	Category	Description
20%	A	Developing or established Ipswich based business
15%	B	Branch office in Ipswich directly employing a minimum of ten (10) people (not contractors)
12%	C	Branch office in Ipswich, established for a minimum of six months, directly employing less than ten (10) people (not contractors)
8%	D	Adjacent local government based business (Lockyer Valley, Scenic Rim, Logan, Brisbane or Somerset)
6%	E	Queensland business
3%	F	Interstate business
0%	G	Overseas business

##### Local Economy Support

Where quotes are sought for all contracts with an expected value more than \$200,000 (GST Exclusive) a 15 per cent Local Economy Support preferential weighting will be applied to the scoring evaluation advertised by Council.

The tenderer must, as part of their tender submission, provide details of and/or nominate local suppliers and sub-contractors for the goods and services proposed for use in the project to a minimum value of 30% of the contract sum.

**Table 3: Local Economy Support scoring**

<b>Score</b>	<b>Description</b>
<b>15%</b>	Tenderer provides details and nominates local suppliers and/or sub-contractors for goods and services for use in the project to a minimum value of 30% of the contract sum
<b>8%</b>	Tenderer provides details and nominates local suppliers and/or sub-contractors for goods and services for use in the project to a value less than 30% of the contract sum
<b>0%</b>	Tenderer does not commit to using local suppliers and/or sub-contractors

**Competitive local business and industry preferential factors**

This approach will be reviewed by June 2021 for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents.

Doc ID No: A6273460

ITEM: F.3  
SUBJECT: TENDER CONSIDERATION PLAN - POLARIS DATA CENTRE CONSOLIDATION  
AUTHOR: SENIOR PROCUREMENT OFFICER  
DATE: 3 JUNE 2020

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### EXECUTIVE SUMMARY

This is a report concerning the leased rack space and fibre cross connects in the Polaris Data Centre that support connectivity to the ICT Infrastructure for Council, and the broader community services, such as free Wifi. The contracted ICT Managed Service Provider (Datacom) has a leased area in Polaris that houses all of the ICC IaaS infrastructure. The ICC leased rack space from NTT Data (previously Dell), provides critical connectivity between the Datacom IaaS space, and the ICC Network, Edge Security and ERP database servers.

### RECOMMENDATION

- A. **That Council resolve to prepare a Tender Consideration Plan for the leased rack space from NTT Data in accordance with section 230(1)(a) of the *Local Government Regulation 2012*.**
- B. **That Council resolve to adopt the Tender Consideration Plan for the leased rack space from NTT Data as outlined in the report by the Manager, Procurement dated 3 June 2020 in accordance with section 230(1)(b) of the *Local Government Regulation 2012*.**
- C. **That Council resolve to enter into a contract with NTT Data Services Australia Pty Ltd for Leased Rack space on the terms described in the report by the Manager, Procurement dated 3 June 2020.**
- D. **That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract with NTT Data Services Australia Pty Ltd to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.**

### RELATED PARTIES

NTT DATA Services Australia Pty Ltd (ABN 41 612 215 764)

## **ADVANCE IPSWICH THEME**

Listening, leading and financial management

### **PURPOSE OF REPORT/BACKGROUND**

The purpose of this report is to outline the key critical business requirements of the leased rack space in the Polaris Data Centre, and seek approval to continue with the current arrangement with NTT Data Services Australia Pty Ltd. There are a minimal number of suppliers within the Polaris Data Centre that can provide this service. The original engagement, which was with Dell (novated to NTT Data after NTT Data purchased this section of Dell), and via a State Government contract as a prequalified supplier. NTT Data Services Australia Pty Ltd is a registered Vendor Panel supplier.

In 2017, a Project was undertaken to consolidate the Ipswich City Council's IT infrastructure from three primary Data Centres (Hayden, IGIC and Polaris) to a single Data Centre at Polaris.

This was a strategic move as the IGIC and Hayden Data Centres were becoming out dated and the IT infrastructure was nearing, or had reached end of life. There was also the risk of flooding at the Hayden Data Centre.

During the implementation of the project, the scoping included a co-location rack space that would be required to house the ICT owned equipment for the Oracle database servers (application servers are in the hosted IaaS environment with Datacom, and it reduced the risk to have the environments separated). In addition to this, the network and edge security core was required to be housed in independent rack spaces, as ICC did not have physical access to the Datacom IaaS environment, due to commercial-in-confidence arrangements with their other customers, and access to this equipment is required.

This report is to seek approval to continue this engagement, and by doing so, mitigate any risks to the organisation, as the current supplier has maintained a quality outcome for Council, with no outages caused by this infrastructure in three years.

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:  
*Local Government Regulation 2012*

### **RISK MANAGEMENT IMPLICATIONS**

Council resolution to proceed with adoption of the Tender Consideration Plan will assist in minimising risk management implications.

### **FINANCIAL/RESOURCE IMPLICATIONS**

No resource or financial implications, as is currently within the Operational budget. NTT Data have been contacted for a revised agreement, anticipating a small decrease in the current cost overall.

## COMMUNITY AND OTHER CONSULTATION

No community consultation required, as is a core business function for Council to maintain connectivity between Ipswich and Polaris, and ICC infrastructure and the ICT Managed Service Provider's IaaS environment (servers).

## CONCLUSION

As the business requirement for independent rack space will be an ongoing requirement to support the ICT infrastructure for Council, while the Infrastructure as a Service (IaaS) environment is hosted in Polaris, an approach to market was considered. However, the risk to change the environment design is significant for Council (risk and financial), as these racks house the ERP databases, backup storage for the ERP servers, and the network and edge security devices. Any disruption in these, will have significant business impacts and a re-design will have significant investment (time and financial) impacts.

Based on this, it is recommended that ICC engage NTT DATA Services Australia Pty Ltd for a three year agreement for the three racks for continuity of service.

## ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Tender Consideration Plan - Polaris Data Centre Consolidation  
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Wanda Schoenfisch  
**SENIOR PROCUREMENT OFFICER**

I concur with the recommendations contained in this report.

Richard White  
**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Sonia Cooper  
**GENERAL MANAGER CORPORATE SERVICES**

*“Together, we proudly enhance the quality of life for our community”*



IPSWICH CITY COUNCIL

## TENDER CONSIDERATION PLAN (TCP)

Our Values:



Collaboration



Communication



Integrity



Efficiency



Leadership

TOGETHER WE PROUDLY ENHANCE THE QUALITY OF LIFE FOR OUR COMMUNITY

# TENDER CONSIDERATION PLAN (TCP)

## 16-17-002

# Data Centre Consolidation – NTT Data Co-location Rack Space and Cross Connects

Prepared by:  
Wanda Schoenfisch  
ICT Category Specialist  
02 June 2020

IPSWICH CITY COUNCIL | Tender Consideration Plan

### 1. OBJECTIVE

To provide continuity of ICT services via connectivity to core infrastructure that supports the business of Ipswich City Council, and the community services such as the free Wifi at the Library/s, Robelle Domain and the Orion Lagoon.

### 2. BACKGROUND

In 2017, a Project was undertaken to consolidate the Ipswich City Council's IT infrastructure from three primary Data Centre's (Hayden Centre, Ipswich Global Information Centre and Polaris) to a single Data Centre at Polaris.

This was a strategic consideration as the IGIC and Hayden Data Centre's were becoming out dated and the IT infrastructure was nearing, or had reached end of life. There was also the risk of flooding at the Hayden Data Centre. Components of the ERP environments were located at all three Data Centre's, however the Production Environment was primarily located in the Hayden Data Centre. This project delivered the consolidation of all the ERP environments components into the Polaris Data Centre.

During the implementation of the project, the scoping included a co-location rack space that would be required to house the ICT owned equipment for the Oracle database servers (application servers are in the hosted IaaS environment with Datacom, and it reduced the risk to have the environments separated). In addition to this, the network and edge security core was required to be housed in independent rack spaces, as ICC did not have physical access to the Datacom IaaS environment, due to commercial and confidence arrangements with their other customers, and access to this equipment is required. At the time, there were a number of providers, and NTT Data (previously owned by Dell) were selected via an existing QLD State Government arrangement.

The co-location racks in Polaris now house the ERP database servers, along with the infrastructure that is managed by Telstra (owned by ICC) to support the ICC network, including the free wifi to Robelle Domain and the Orion Lagoon, the Council internet links and a number of other key infrastructure components to the ICC environment, that ICC require access to. Cross connects from these racks provide access into the ICT Managed Service providers IaaS environment (paid for by Datacom) within the Polaris Datacentre.

- Racks EI31 and EI32 – Core Network and Edge Security infrastructure
- Rack EI33 – ERP database servers

### 3. OPTIONS CONSIDERED

As the business requirement for independent rack space will be an ongoing requirement to support the ICT infrastructure for Council, while the Infrastructure as a Service (IaaS) environment is hosted in Polaris, an approach to market was considered. However, the risk to change the environment design is significant for Council (risk and financial), as these racks house the ERP databases, backup storage for the ERP servers, and the network and edge security devices. Any disruption in these, will have significant business impacts and a re-design will have significant investment (time and financial) impacts.

<https://www.polarisdatacentre.com.au/>

**4. MARKET AND SUPPLIER CAPABILITY ANALYSIS**

NTT Data is named as one of the preferred supplier arrangements in the Polaris Data Center for rack space rental, and to provide cross connects within the Data Centre. They are an industry leader in providing this service, and during the three years these racks have been used to house the ICT infrastructure, there has not been an outage or service disruption caused by this infrastructure. This has continued to provide a significant risk reduction for Council.

**5. PREFERRED OPTION (INCLUDING HOW THE OBJECTIVE WILL BE ACHIEVED VIA THIS EXCEPTION AND RISK ASSESSMENT)**

This engagement shall be undertaken by applying s230 Local Government Regulation 2012, which operates as an exception to inviting quotes or written tenders for medium and large-sized contractual arrangements.

This Tender Consideration Plan presents the procurement recommendations to provide continued service continuity maintenance and support for Pathways, and seeks approval to continue an existing agreement under the current agreement conditions.

Financial Risk		Risk Level
Likelihood	Possible	Moderate
Consequence	Moderate	
Comment	Ongoing connection to the co-location rack spaces will be required to reduce risk to Council at \$120k/year	
Mitigation	Resolution of the Tender Consideration Plan with due consideration to potential consolidation to 2 racks (from 3) after the Platform of the Future is implemented, reducing the requirement for the Oracle DB servers.	

Legal/ Governance Risk		Risk Level
Likelihood	Possible	Moderate
Consequence	Moderate	
Comment	The existing agreement has been in place since 2016	
Mitigation	Resolution of the Tender Consideration Plan with due consideration to the current agreement between NTT Data and ICC and NTT Data and Polaris Data Centre.	

Political/ Reputation Risk		Risk Level
Likelihood	Possible	Low
Consequence	Low	
Comment	Will only be a risk, if the provider disconnects the current services	
Mitigation	Renewal of agreement	

Environmental/ Public Health Risk		Risk Level
Likelihood	N/A	N/A
Consequence	N/A	

<b>Comment</b>	There is no Environmental or Public Health Risk.
<b>Mitigation</b>	

Workplace Health & Safety Risk		Risk Level
<b>Likelihood</b>	N/A	NA
<b>Consequence</b>	N/A	
<b>Comment</b>	There is no WH&S Risk.	
<b>Mitigation</b>		

Service Delivery/ Business Continuity Risk		Risk Level
<b>Likelihood</b>	Unlikely	Moderate
<b>Consequence</b>	Major	
<b>Comment</b>	There is a delivery/ business continuity risk in relation to this if not renewed	
<b>Mitigation</b>	Renewal of agreement	

Cyber Security, Security & Confidentiality Risk		Risk Level
<b>Likelihood</b>	Unlikely	Low
<b>Consequence</b>	Minimal	
<b>Comment</b>	There is no perceived Cyber Security, Security or Confidentiality Risk.	
<b>Mitigation</b>		

## 6. EVIDENCE OF ACHIEVEMENT OF OBJECTIVE

Objectives will be evident by Council maintaining continuity of service to its core infrastructure via the current design and set up In Polaris Data Centre.

## 7. PROPOSED TERMS OF THE CONTRACT

Quotes have been requested from NTT data and a copy of the agreements. The terms and conditions approved at the last engagement have not changed. Currently reviewing cheaper pricing, and a change to the configuration of the racks. There is currently a 2KW, 3KW and 4KW rack. Will be changing the 3KW to a 4KW rack, as the pricing is cheaper, and reduces the power consumption charges.

Proposed term/s of the contract is 3 years (1/7/20 – 30/6/23). This will be in line with a planned decommission of the old ERP servers after the current Oracle environment is upgraded/replaced. Cost is \$120,000/year (total engagement \$360,000)

## 8. CONCLUSION

Due to the significant risk to Council to not proceed with this solution and this vendor, this Tender Consideration Plan has been compiled in preparation for its adoption under s230 of the Local Government Regulation 2012. This Tender Consideration Plan recommends the engagement of NTT DATA Services Australia Pty Ltd to supply rack space rental, and fiber cross connects to the Datacom IaaS environment.



Doc ID No: A6268926

ITEM: F.4

SUBJECT: TENDER CONSIDERATION PLAN - PATHWAY SOFTWARE LICENCING,  
MAINTENANCE AND SUPPORT

AUTHOR: SENIOR PROCUREMENT OFFICER

DATE: 1 JUNE 2020

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### EXECUTIVE SUMMARY

This is a report concerning the Tender Consideration Plan for Pathway Software Licencing, Maintenance and Support Agreement. The report recommends that Council resolve to prepare and adopt the Tender Consideration Plan in accordance with section 230(1)(a) and (b) of the *Local Government Regulation 2012*. Pathway is an embedded and widely used critical information and communication technology (ICT) system. Inviting tenders for a replacement system is not considered prudent at this time as Ipswich City Council prepares a business case for its ICT platform for the future. A three year contract with Infor Global Solutions (ANZ) Pty Ltd is recommended.

### RECOMMENDATION

- A. That Council resolve to prepare a Tender Consideration Plan for Pathway Licencing, Maintenance and Support in accordance with section 230(1)(a) of the *Local Government Regulation 2012*.
- B. That Council resolve to adopt the Tender Consideration Plan for Pathway Licencing, Maintenance and Support as outlined in the report by the ICT Category Specialist – Senior Procurement Officer dated 1 June 2020 in accordance with section 230(1)(b) of the *Local Government Regulation 2012*.
- C. That Council resolve to enter into a contract with Infor Global Solutions for Pathway Licencing, Maintenance and Support on the terms described in this report by the Manager, Procurement dated 1 June 2020.
- D. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract with Infor Global Solutions (ANZ) Pty Ltd to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

### RELATED PARTIES

Infor Global Solutions (ANZ) Pty Ltd (ABN 23 003 538 314)

## ADVANCE IPSWICH THEME

Listening, leading and financial management

### PURPOSE OF REPORT/BACKGROUND

In 2001, Council commissioned Pathway, a core business solution to underpin a significant range of land and citizen administration functions. Pathway is currently well leveraged by multiple functions and branches across Council. This solution is currently widely utilised by other Local Governments to perform these critical administrative functions.

Over time, Ipswich City Council (Council) has made significant investment into Information and Communications Technology (ICT) platforms and solutions to enable successful business operations, supporting all aspects of services from strategic planning through to daily operations.

Ongoing use of this platform aligns with Council's ICT goals to leverage, extend and maintain in-place systems and tools to maximise ICT investment into current technologies, as well as to provide fit for purpose applications and platforms to enable the business to efficiently and effectively provide services to the Ipswich (and wider) community.

A Tender Consideration Plan (TCP) (Attachment 1) has been prepared recommending that invitations to tender for a replacement system are not proceeded with and that Council enters into a contract with Infor Global Solutions (ANZ) Pty Ltd.

### The proposed terms of the contract for the goods or services

1. Renewal of the current term where-by Council renew the licensing, maintenance and support agreement annually, incurring a 6% year on year increase.
2. Three (3) year locked commitment for licensing, maintenance and support remitted on an annual basis, incurring a 3% year on year increase for the period 1/07/2020 to 30/06/2023.

Costs associated with the options above are as follows, noting the comparison of costs over three (3) years to account for Option 2 above:

Period	Option 1	Option 2
1/07/2020 – 30/06/2021	\$ 372,348.60	\$ 361,809.46
1/07/2021 – 30/06/2022	\$ 394,688.46	\$ 372,663.74
1/07/2022 – 30/06/2023	\$ 418,369.77	\$ 383,843.65
<b>Total</b>	<b>\$ 1,185,406.83</b>	<b>\$ 1,118,316.85</b>

Note: all costs exclusive of GST.

### LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:  
*Local Government Regulation 2012*

## **RISK MANAGEMENT IMPLICATIONS**

A risk analysis has been undertaken in relation to this report, with potential risks assessed identified between Moderate and Low. Refer Attachment 1, for identified risks and associated mitigation strategies.

## **FINANCIAL/RESOURCE IMPLICATIONS**

There are no resourcing or budgeting implications, as Pathway is budgeted as an Operational expense in the ICT Budget, as a core business platform. There are no additional financial implications.

If ICC commit to a three year contract as per the recommendation, an overall saving of \$69k will be achieved (across three years), rather than a 12 month renewable contract for up to three years (Option 1 in above table).

## **COMMUNITY AND OTHER CONSULTATION**

The contents of this report did not require community and other consultation.

## **CONCLUSION**

It is recommended that Council renew the current arrangement with Infor as per Option 2 for three years (1/7/2020 - 30/6/2023) in accordance with section 230(1)(a) of the *Local Government Regulation 2012*. This will support the business direction of going to market for the Platform/s of the Future as per the ICT Strategy. The initial critical platform that is replaced will not be Pathway, and the three years will give time for planning and scoping to review the best solution and outcomes for Council.

## **ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS**

1.	Tender Consideration Plan - Pathway Software Licencing, Maintenance and Support  
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Wanda Schoenfisch  
**SENIOR PROCUREMENT OFFICER**

I concur with the recommendations contained in this report.

Richard White  
**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Sonia Cooper  
**GENERAL MANAGER CORPORATE SERVICES**

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IPSWICH CITY COUNCIL

## TENDER CONSIDERATION PLAN (TCP)

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# TENDER CONSIDERATION PLAN (TCP)

08-09-213

## Pathway Software Licensing, Maintenance and Support

Prepared by:

Wanda Schoenfisch

ICT Category Specialist

02 June 2020

IPSWICH CITY COUNCIL | Tender Consideration Plan

## 1. OBJECTIVE

This plan has been prepared to support the procurement considerations and requirements to extend the agreement for licensing, maintenance and support of Pathway, in order to continue to leverage existing software.

### Plan objective

This tender consideration plan is intended to fulfil the following objectives:

- Continue to deliver core ICT services and systems to enable Council operations and customer needs and support decision making/ planning
- Document Council's decision not to seek quotes or tender for the provision of software maintenance and support to the current Pathway solution
- Establish/ renew an agreed maintenance and support arrangement

While this plan provides an exemption for Council Officers sourcing tenders for the maintenance and support of Pathway, all other areas of the process will proceed in accordance with the Ipswich City Council Procurement Framework.

## 2. BACKGROUND

In 2001, Council commissioned Pathway, a core business solution to underpin a significant range of land and citizen administration functions and is well leveraged by multiple functions and Branches across Council. This solution is still currently widely utilised by Local Government to perform these critical administrative functions.

Pathway is a core business solution that underpins a significant range of land and citizen administration functions and is well leveraged by multiple functions and Branches across Council.

Where an existing solution is considered fit for purpose and achieved at value for money, Council should continue to leverage, extend, renew and maintain the in-place software solutions to maximise the ICT investment. This presents a decreased risk posture and ensures the continued support and stability of an existing service without compromising the ability to meet future demands and requirements through the provision of software solutions.

Licensing, maintenance and support agreements for ICT assets and solutions, particularly software, often present the following:

- Software solutions are often commissioned for a number of years following initial investment and implementation. The lifecycle of a core business solution is often excess of five (5) or even ten (10) years. To ensure investment is maximised, ongoing maintenance and support are required to ensure the functionality, security and stability of the software is maintained throughout the lifecycle.
- Software solutions enable Council staff to provide services to the community and, as such, solutions are embedded into daily operations. To replace a core business

solution, there is a high level of organisational change involved, in addition to technical changes. An ICT sourcing and implementation project can often incur significantly more cost and introduce more organisational risk than that of a suitable maintenance arrangement.

- Software solutions that underpin many other solutions can easily become redundant and unsupported if not part of a strategic partnership with the relevant industry.
- It is often difficult to provide a realistic alternative or comparative provider and therefore clear choice against multiple solutions.
- Generally partnering with a long standing and well established industry specialist vendor, the risks to having a redundant solution is decreased.
- Often the proposition is not driven by price but rather by the identifiable quality of the solution and vendor, its fit within the organisation and industry with known support characteristics and a well-defined product road map.

Key functions and considerations of the suite of software include:

Customer Service and People Management

- Central name/Address register
- Customer request management
- Bookings management
- Registers

Property Management

- Property administration (land and property information)
- Animal registration

Revenue Management

- Rates accounting
- Valuations and mass appraisals
- Accounts receivable
- Income/receipting
- Refunds
- General ledger interface

Regulatory Management

- Applications
- Licensing
- Compliance and enforcement
- Inspections

### 3. OPTIONS CONSIDERED

In the current circumstance there are no known efficient or effective methods of achieving the objectives, outside of this contracting plan. The following options were investigated:

- Alternative methods of engagement via Local or State Government Agreements under Section 234 or 230(f) of the Local Government Regulation 2012 were not selected as there were no suitable arrangements available for leverage for this solution.
- Request for Tender was not selected as seeking tenders at this time is not considered in the best interest of Council due to:
  - o outcomes of the tender for the platform/s of the future are likely to have a broader impact on all ongoing core systems and solutions to support Council operations, now and into the future;
  - o at this time, the current Pathway solution is fit for purpose; and
  - o Undertaking a Tender process for a replacement solution will take considerable time, effort and investment in planning through to implementation and operations, which represents a high risk to Council’s current operations and service delivery.

**4. MARKET AND SUPPLIER CAPABILITY ANALYSIS**

As noted above, the engagement of a different solution for the functions undertaken through Pathway would require a significant review and investment through a broader market approach. It is not advantageous to Council to undertake a market approach for a different solution while Pathway remains fit for purpose.

**5. PREFERRED OPTION (INCLUDING HOW THE OBJECTIVE WILL BE ACHIEVED VIA THIS EXCEPTION AND RISK ASSESSMENT)**

This engagement shall be undertaken by applying s230 Local Government Regulation 2012, which operates as an exception to inviting quotes or written tenders for medium and large-sized contractual arrangements.

The business objectives for Council in delivering core services and systems is supported by the approved ICT Strategy. In order to continue the provision of essential and critical services to the City of Ipswich, Council will be required to maintain existing core software solutions, including Pathway.

This Tender Consideration Plan presents the procurement objectives and recommendations to provide continued maintenance and support for Pathways, and seeks approval to continue an existing agreement under the current agreement conditions.

Financial Risk		Risk Level
Likelihood	Possible	Moderate
Consequence	Major	

<b>Comment</b>	Ongoing support is required for the life of the solution. Solution replacement has a significant financial and organisational impact that requires careful planning and execution.
<b>Mitigation</b>	Resolution of the Tender Consideration Plan with due consideration to the current position of Council in relation to in-flight Business Transformation Program and significant operational risks of non-renewal of maintenance and support agreement.

Legal/ Governance Risk		Risk Level
<b>Likelihood</b>	Possible	Moderate
<b>Consequence</b>	Moderate	
<b>Comment</b>	The existing agreement has been in place since 2001, with an annual spend exceeding \$200k.	
<b>Mitigation</b>	Resolution of the Tender Consideration Plan with due consideration to the current position of Council in relation to in-flight Business Transformation Program and significant operational risks of non-renewal of maintenance and support agreement.	

Political/ Reputation Risk		Risk Level
<b>Likelihood</b>	Unlikely	Low
<b>Consequence</b>	Moderate	
<b>Comment</b>	Potential reputational risk exists in the instance of system outage as a result of un-maintained software or reduced access to vendor technical support.	
<b>Mitigation</b>	Renewal of maintenance and support agreement	

Environmental/ Public Health Risk		Risk Level
<b>Likelihood</b>	N/A	N/A

<b>Consequence</b>	N/A	
<b>Comment</b>	There is no Environmental or Public Health Risk.	
<b>Mitigation</b>		

Workplace Health & Safety Risk		Risk Level
<b>Likelihood</b>	N/A	NA
<b>Consequence</b>	N/A	
<b>Comment</b>	There is no WH&S Risk.	
<b>Mitigation</b>		

Service Delivery/ Business Continuity Risk		Risk Level
<b>Likelihood</b>	Unlikely	Moderate
<b>Consequence</b>	Major	
<b>Comment</b>	There is a potential delivery/ business continuity risk in relation to this software if licensing and support are not maintained.	
<b>Mitigation</b>	Renewal of maintenance and support agreement	

Cyber Security, Security & Confidentiality Risk		Risk Level
<b>Likelihood</b>	Unlikely	Low
<b>Consequence</b>	Minimal	
<b>Comment</b>	There is no perceived Cyber Security, Security or Confidentiality Risk.	
<b>Mitigation</b>		

## 6. EVIDENCE OF ACHIEVEMENT OF OBJECTIVE

Indicators for measuring the delivery of outcomes and success of use of this tender consideration plan include the provision of ongoing maintenance and support to ICC’s core operational software, ensuring reduced risk of security exposure and interruption to daily business operations.

**7. PROPOSED TERMS OF THE CONTRACT**

It is recommended that ICC renews the current arrangement with Infor as per *Option 2 (below) for 3 years (1/7/2020 - 30/6/2023)* in accordance with section 230(1)(a) of the Local Government Regulation 2012. This will support the business direction of going to market for the Platform/s of the Future as per the ICT Strategy. Three years will give time for planning and scoping to review the best solution and outcomes for Council.

1. Renewal of the current term where-by Council renew the licensing, maintenance and support agreement annually, incurring a 6% year on year increase.

or

2. Three (3) year locked commitment for licensing, maintenance and support remitted on an annual basis, incurring a 3% year on year increase for the period 1/07/2020 to 30/06/2023.

Costs associated with the options above are as follows, noting the comparison of costs over three (3) years to account for Option 2 above:

Period	Option 1	Option 2
1/07/2020 – 30/06/2021	\$ 372,348.60	\$ 361,809.46
1/07/2021 – 30/06/2022	\$ 394,688.46	\$ 372,663.74
1/07/2022 – 30/06/2023	\$ 418,369.77	\$ 383,843.65
<b>Total</b>	<b>\$ 1,185,406.83</b>	<b>\$ 1,118,316.85</b>

Note: all costs exclusive of GST.

**8. CONCLUSION**

Due to Council’s objective to continue to deliver core business ICT services and systems for its operations and to demonstrate that value for money has been achieved in providing the solution, this Tender Consideration Plan has been compiled in preparation for its adoption under s230 of the Local Government Regulation 2012.

This Tender Consideration Plan recommends the engagement of Infor Global Solutions (ANZ) Pty Ltd to provide Pathway Software Licensing, Maintenance and Support.



Doc ID No: A6277885

ITEM: F.5  
SUBJECT: TENDER CONSIDERATION PLAN - IFERRET MAINTENANCE  
AUTHOR: SENIOR PROCUREMENT OFFICER  
DATE: 4 JUNE 2020

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### EXECUTIVE SUMMARY

This is a report seeking a Council resolution to continue the maintenance and support subscription for Council's iFerret software. This specialised software was purchased in 2013 through a procurement quote process and its continued use is considered essential. A resolution of Council is sought to proceed to enter into a Contract for the licensing maintenance and support with Galapagos Pty Limited for the next three (3) years expiring 30 June 2023.

### RECOMMENDATION

- A. That Council resolve to adopt the Tender Consideration Plan for Galapagos Pty Limited iFerret software as outlined in the report by the ICT Category Specialist dated 4 June 2020 in accordance with section 230(1)(b) of the *Local Government Regulation 2012*.**
- B. That Council resolve it is satisfied under section 235 (b) of the *Local Government Regulation (Regulation) 2012* that the exemption under section 235 (b) of the *Regulation* applies because of the specialised nature of the services that it would be impractical or disadvantageous for the local government to invite quotes or tenders.**
- C. That Council resolve to enter into a contract with Galapagos Pty Limited for maintenance and support for iFerret for a period of three (3) years.**
- D. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract with Galapagos Pty Limited to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.**

### RELATED PARTIES

Galapagos Pty Limited, Surry Hills NSW

No declaration of conflicts of interest.

## **ADVANCE IPSWICH THEME**

Listening, leading and financial management

### **PURPOSE OF REPORT/BACKGROUND**

Council sought quotes from suppliers on a LocalBuy panel in 2013 to establish the availability of a 'search and discovery' solution for Council. The search and discovery solution that Council was seeking required functionality to facilitate the exploration across multiple Council existing systems to provide an efficient and effective means of tracking and tracing vital information and documents. Key stakeholders of the search and discovery tool included Legal and Governance Branch, Internal Audit and other individual stakeholders within the organisation.

Galapagos Pty Limited was the successful supplier of the competitive tender process. Council has been receiving annual maintenance and support for iFerret since the implementation of this software in 2013. Council has undertaken annual extensions of this agreement since the expiry of the initial term to ensure continued use of the service. Further information is provided in the attached Tender Consideration Plan.

Section 235 (b) of the *Local Government Regulation 2012* can only be applied through a resolution of Council. This power is not delegated to the Chief Executive Officer.

Section 235 (b) provides an exception to first inviting written quotes or tenders and entering into a medium-sized or large-sized contractual arrangement if –

- (b) 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.

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:  
*Local Government Act 2009*  
*Local Government Regulation 2012*

### **RISK MANAGEMENT IMPLICATIONS**

The risk to Council if the recommendation within this report is not approved is the iFerret software will not be supported and will cease due to the licence expiring. This will result in disruption to the business and will impact Council's ability to search multiple systems in an efficient manner.

### **FINANCIAL/RESOURCE IMPLICATIONS**

This Tender Consideration Plan presents the objectives and recommendations to provide continued maintenance and support for the purchased software and seeks approval to enter into a continuing annual agreement with an existing Supplier with a value over the next three (3) years of approximately \$90,000 (ex GST). This is an average annual cost of approximately \$30,000 (ex GST).

### **COMMUNITY AND OTHER CONSULTATION**

The Procurement Branch has consulted with the Legal and Governance Branch, Internal Audit and the ICT Branch who support the recommendations of this report.

This report does not require Community consultation.

### **CONCLUSION**

To enable Council to continue to leverage the specialised software purchased in 2013 through a procurement quote process, a resolution of Council is sought to proceed to enter into a Contract for the licensing maintenance and support with Galapagos Pty Limited for the next three (3) years expiring 30 June 2023.

### **ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS**

	CONFIDENTIAL
1.	Tender Consideration Plan - iFerret
1.1	2020-2021 Annual Maintenance and support quote
1.2	Original Procurement Plan
1.3	Attachment A to Original Procurement Plan
1.4	Attachment B to Original Procurement Plan

Wanda Schoenfisch

**SENIOR PROCUREMENT OFFICER**

I concur with the recommendations contained in this report.

Richard White

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Sonia Cooper

**GENERAL MANAGER CORPORATE SERVICES**

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Doc ID No: A6275138

ITEM: F.6

SUBJECT: CONTRACTS EXTENDED UNDER LOCAL GOVERNMENT REGULATION 2012 - S235 (C) - MAY 2020

AUTHOR: MANAGER, PROCUREMENT

DATE: 3 JUNE 2020

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### **EXECUTIVE SUMMARY**

This is a report concerning three contracts extended under s235 (c) of the *Local Government Regulation 2012* concerning commercial cleaning, plant hire services (dry hire) and plant hire services (wet hire).

### **RECOMMENDATION/S**

**That Council note the extension of three contracts under s235 (c) of the Local Government Regulation 2012:**

- **Commercial Cleaning (14-15-060)**
- **Plant Hire Services (Dry Hire) (14-15-014)**
- **Plant Hire – Wet Services (14-15-005)**

### **RELATED PARTIES**

There are no conflicts of interest that have been declared.

### **ADVANCE IPSWICH THEME**

Strengthening our local economy and building prosperity

### **PURPOSE OF REPORT/BACKGROUND**

The purpose of this report is to inform Council of the extension of three contracts under s235 (c) of the *Local Government Regulation 2012*. This provision under the Regulation allows an appropriate delegate, the CEO in this case, to enter into an agreement without first seeking quotes where *a genuine emergency exists*. In this case the CEO endorsed the extension of three agreements to ensure continued services within Council while tenders are finalised.

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### **Commercial Cleaning (14-15-060)**

This contract has been in place since 2015 with an initial three year term and two one year extensions under contract. Total contract expenditure to date has been approximately \$6,500,000. The contract includes cleaning services at various council locations (public facilities and structures, Ipswich Central Business District, commercial carpets, graffiti removal, commercial kitchens, gutters, pathways and bus stops). Due to a failure in scheduling and contract administration practices, the tender to establish a new contract was not commenced within appropriate time. As the services are required on an ongoing basis, and Council resolution for extension could not be obtained prior to the expiry of the current contract, an extension was sought and approved by the CEO for six months to allow time to undertake an open tender to market.

### **Plant Hire Services (Dry Hire) (14-15-014)**

This contract has been in place since 2015 with an initial three year term and two one year extensions under contract. Total contract expenditure to date has been approximately \$1,500,000. The contract establishes a panel of suppliers to provide the hiring of large and small plant without an operator – for incidental items like event hire through to large earthmoving equipment. Due to a failure in scheduling and contract administration practices, the tender to establish a new contract was not commenced within appropriate time. As access to these services is required on an ongoing basis, and Council resolution for extension could not be obtained prior to the expiry of the current panel arrangement, an extension was sought and approved by the CEO for three months to allow time to finalise an open tender to market.

### **Plant Hire – Wet Services (14-15-005)**

This contract has been in place since 2015 with an initial three year term and two one year extensions under contract. Total contract expenditure to date has been approximately \$13,000,000. The contract establishes a panel of suppliers to provide the hiring of plant which includes an operator – for plant such as bobcats, trucks, specialised civil equipment. Due to a failure in scheduling and contract administration practices, the tender to establish a new contract was not commenced within appropriate time. As the services are required on an ongoing basis, and Council resolution for extension could not be obtained prior to the expiry of the current contract, an extension was sought and approved by the CEO for six months to allow time to undertake an open tender to market.

To mitigate the risk of future poor practices such as these, the Procurement Branch are implementing a centralised Council Forward Procurement Schedule and a Contract Management Framework. The Forward Procurement Schedule will:

- effectively prioritise procurement processes;
- allocate sufficient resources and time to procurement processes to ensure their success;
- ensure compliance with relevant legislation and policies;

- seek early advice from the Procurement Branch on the procurement strategies that will best allow a procurement process to meet its stated objectives whilst complying with relevant policies, processes and legislation; and
- support management of budgets with visibility of future spend requirements.

The Contract Management Framework will ensure allocation of suitable roles, application of appropriate governance, and effective administration of supplier contracts to support achieving organisational objectives and for meeting regulatory compliance obligations. The Contract Management Framework outlines a basis for compliance as well as for good practice with respect to important contract management practices.

#### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions: *Local Government Act 2009 and Local Government Regulation 2012*

#### **RISK MANAGEMENT IMPLICATIONS**

There are risk implications if contracts are extended under emergency exemption on a regular basis. To ensure transparency to the Council and the public, Council will receive a report on any future use of this exemption where Council would be the decision-maker.

#### **FINANCIAL/RESOURCE IMPLICATIONS**

There are no financial impacts from the extension of these contracts as they are managed within budgeted costs.

#### **COMMUNITY AND OTHER CONSULTATION**

Infrastructure and Environment Department, as the relevant contract owner, were consulted on the extension of agreements.

#### **CONCLUSION**

Council should note the utilisation of the extension of the above described agreements under S235 (c) of the *Local Government Regulation 2012* and the actions being undertaken to ensure better management of contract administration within Council in future.

Richard White

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Sonia Cooper

**GENERAL MANAGER CORPORATE SERVICES**

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Doc ID No: A6272570

ITEM: F.7  
SUBJECT: CONTRACT EXTENSION - SAFE CITY MONITORING  
AUTHOR: PRINCIPAL OFFICER (PROCUREMENT AND CONTRACT OPERATIONS)  
DATE: 2 JUNE 2020

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### **EXECUTIVE SUMMARY**

This is a report concerning the extension of contract 14-15-011 Safe City Monitoring with Wilson Security Pty Ltd. The Council is requested to endorse a three-month extension from 30 June 2020 to 30 September 2020. This extension will allow for the finalisation of a current tender process and possible transition to a new contract 13697 Safe City Monitoring.

### **RECOMMENDATION**

That the Chief Executive Officer be authorised to administer a contract extension for the Safe City Monitoring, Contract No. 14-15-011 and to do any other acts necessary to implement Council's decision in accordance with section 13(3)(c) of the *Local Government Act 2009*.

### **RELATED PARTIES**

There was no declaration of a conflict of interest.

The incumbent contractor is Wilson Security Pty Ltd.

### **ADVANCE IPSWICH THEME**

Caring for the community

### **PURPOSE OF REPORT/BACKGROUND**

The Scope of the 14-15-011 Safe City Contract is for the monitoring of the council camera network, the provision of security guards and the patrol of Council Assets and Alarm responses.

The Council endorsed the engagement of Wilson Security for the 14-15-011 Safe City Monitoring contract at Council Ordinary Meeting of 25 August 2015 for a period of three (3) years with the option to extend a further two (2), one (1) year periods. An extract from the Council Ordinary Meeting of 25 August 2015 provides additional details.

EXTRACT

5. TENDER EVALUATION – TENDER NO.14-15-011 – SECURITY RESPONSE CENTRE RESOURCING

With reference to a report by the Senior Contracts Officer dated 5 June 2015 concerning the contract award for Tender No. 14-15-011 for the operation and resourcing of the Security Response Centre.

RECOMMENDATION

- A. That Tender No. 14-15-011 for the operation and resourcing of the Security Response Centre be awarded to Wilson Security Pty Ltd.
- B. That Council enter into a contractual arrangement for the operation and resourcing of the Security Response Centre with Wilson Security Pty Ltd for a period of three (3) years with the option to extend a further two (2), one (1) year periods.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other act necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

The contract commenced on 1 October 2015 for a term of three years to 31 September 2018 and the first 12-month extension was exercised to 1 October 2019. The Council exercised a second extension for 6 months, expiring 31 March 2020. A third extension was implemented for a period of two months to 30 June 2020.

A replacement tender, 13697 Security Services, is currently in evaluation with a recommendation pending and scheduled for submission to the July 2020 Council Meeting. The extension of the current arrangement will provide sufficient time to complete the contract award process and give time to transition to the new agreement.

Council endorsement of the additional short-term extension is sought based on expenditure under this arrangement, exceeding the original contract value \$1.1M per annum, with total estimated expenditure of \$5.2M over five years. The actual expenditure to date is \$6.65M, with an average annual expenditure of \$1.3M per annum. The increased expenditure is due to the expansion of the network, variability in the number of patrol responses and increase in payments due under industrial awards.

**LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions: *Local Government Regulation 2012*

### **RISK MANAGEMENT IMPLICATIONS**

The Safe City Monitoring offers a vital service to the community; the endorsement of the extension will ensure continuity of service to the community. The extension of three months will allow for the smooth transition processes between contracts.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The estimated expenditure for the term of this extension is \$135,000 per month for a three-month total expenditure of \$400,000 (ex GST). Funding is available through the Safe City Monitoring program.

### **COMMUNITY AND OTHER CONSULTATION**

This extension has been consulted with the Community Safety and Innovation Manager – Community, Cultural and Economic Development Department and Manager, Procurement - Corporate Services Department

### **CONCLUSION**

Council is requested to consider and endorse the extension of contract 14-15-011 Safe City Monitoring with Wilson Security Pty Ltd for a three-month extension from 30 June 2020 to 30 September 2020.

Stephen Bailey

**PRINCIPAL OFFICER (PROCUREMENT AND CONTRACT OPERATIONS)**

I concur with the recommendations contained in this report.

Richard White

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Ben Pole

**GENERAL MANAGER - COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT**

I concur with the recommendations contained in this report.

Sonia Cooper

**GENERAL MANAGER CORPORATE SERVICES**

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Doc ID No: A6272569

ITEM: F.8

SUBJECT: CONTRACT EXTENSION - SUPPLY OF PARKING MACHINES AND ASSOCIATED SYSTEMS

AUTHOR: PRINCIPAL OFFICER (PROCUREMENT AND CONTRACT OPERATIONS)

DATE: 2 JUNE 2020

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### **EXECUTIVE SUMMARY**

This is a report concerning the extension of contract 11928 Parking Machines and Communication and Management Systems with Australian Parking and Revenue Control Pty Ltd. A Council resolution is sought to exercise the remaining twelve month extension from 1 May 2020 to 30 April 2021.

### **RECOMMENDATION**

That the Chief Executive Officer be authorised to administer a final twelve month contract extension for the Parking Machines and Communication and Management Systems contract No. 11928 and to do any other acts necessary to implement Council's decision in accordance with section 13(3)(c) of the *Local Government Act 2009*.

### **RELATED PARTIES**

There was no declaration of conflicts of interest.

### **ADVANCE IPSWICH THEME**

Managing growth and delivering key infrastructure

### **PURPOSE OF REPORT/BACKGROUND**

On 19 March 2018 the Council resolved that it was satisfied that under section 235(a) of the *Local Government Regulation 2012*, Australian Parking and Revenue Control Pty Ltd is the only supplier reasonably available to provide the maintenance of Council's existing parking machines. The Parkeon Strada parking network is under a licence arrangement between the Manufacturer and Australian Parking and Revenue Control Pty Ltd which has established a sole supplier arrangement for the supply and maintenance of the parking network. In line with the extract of the Works, Parks and Sport Committee No. 2018(03) Recommendation B set out below: a contract extension is at the option of Council.

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5. CONTRACT EXTENSION – 10-11-093 PARKING MACHINE AND COMMUNICATION AND MANAGEMENT SYSTEMS

With reference to a report by the Principal Officer (Procurement and Contract Operations) dated 6 March 2018 concerning the extension of expiring Contract 10-11-093 Parking Machine and Communication and Management System Contract with Australian Parking and Revenue Control Pty Ltd.

RECOMMENDATION

- A. That Council resolve it is satisfied pursuant to section 235(a) of the *Local Government Regulation 2012* (the Regulation) that the exemption under s235(a) of the Regulation applies and that Australian Parking and Revenue Control Pty Ltd, is the only supplier reasonably available to it to provide the maintenance of Council's existing parking machines for the following reason:
- The Parkeon Strada parking network is serviced under a licence arrangement between the Manufacturer and Australian Parking and Revenue Control Pty Ltd which has established a sole supplier arrangement for the supply and maintenance of the parking network.
- B. That Council enter into a contract with Australian Parking and Revenue Control Pty Ltd for the maintenance of Council's existing parking meters for the sum of \$720,000.00, for a period of three years, being one year initially, with 2 one year extensions, at the option of Council.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other act necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.
- 

Council entered into a contract with Australian Parking and Revenue Control Pty Ltd on 13 June 2018 for the maintenance of Council's existing parking meters for the expected sum of \$720,000 (ex GST), for a period of three years, being one year initially, with 2 one year extensions, at the option of Council.

The estimated total expenditure for this arrangement was \$720,000 (ex GST) based on the previous annual average expenditure of \$240,000. Current expenditure is \$950,000 (ex GST) for the past two years, which includes the cost of two significant variations. Changes to banking compliance standards required a significant hardware upgrade to all Parking Meter credit card readers at the cost of \$362,000 (ex GST) and a smaller approved ongoing variation for the monthly processing of credit card transaction processing performed by Australian Parking and Revenue Control Pty Ltd. These variations result in an additional contract cost of \$402,000 (ex GST).

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:  
*Local Government Regulation 2012*

### **RISK MANAGEMENT IMPLICATIONS**

Extending the current arrangement continues to offer the Council the ability to delay a significant investment in parking meter assets at a time when smart technologies are evolving. The extension provides the Council with the opportunity to delay the replacement of the existing network to a time more favourable to the Council. Delaying the investment in new parking meter assets allows the Council the opportunity to minimise the community impact of change while the development of the Ipswich Central Business District occurs over the coming years.

Any alternative to the incumbent supplier may result in the need to replace the existing parking meters at significant capital investment.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The estimated expenditure for the final year extension is \$240,000 (for meter operations, hosting and communication) and an additional \$45,000 for Credit Card Processing Fees for a total estimated cost of \$285,000. The total cost of this arrangement over the entire period is expected to be \$1.23 million.

### **COMMUNITY AND OTHER CONSULTATION**

Infrastructure Strategy Branch in the Infrastructure and Environment Department manages the day to day operational contract. Their endorsement of the extension was sought before making this request.

### **CONCLUSION**

Council is requested to exercise the remaining twelve month extension from 1 May 2020 to 30 April 2021 of the Parking Machines and Communication and Management Systems contract (Contract 11928) with Australian Parking and Revenue Control Pty Ltd.

Stephen Bailey

**PRINCIPAL OFFICER (PROCUREMENT AND CONTRACT OPERATIONS)**

I concur with the recommendations contained in this report.

Richard White

**MANAGER, PROCUREMENT**

I concur with the recommendations contained in this report.

Sonia Cooper

**GENERAL MANAGER CORPORATE SERVICES**

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Doc ID No: A6182891

ITEM: F.9  
SUBJECT: PROPOSED REPEAL - SALE OF LAND FOR OVERDUE RATES AND CHARGES  
AUTHOR: TREASURY ACCOUNTING MANAGER  
DATE: 8 JUNE 2020

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### EXECUTIVE SUMMARY

This is a report concerning a proposed repeal of a previous Ipswich City Council (**Council**) decision made at the Ordinary Council Meeting on 19 November 2019 to sell land for overdue rates and charges under Chapter 4 – Rates and Charges, Part 12 – Overdue Rates and Charges, section 140 of the *Local Government Regulation 2012*.

### RECOMMENDATION

- A. That the following recommendation 9(E) made by the Governance Committee on 12 November 2019 and adopted at the Council Ordinary Meeting of 19 November 2019, be repealed:**
- E That pursuant to section 140(2) of the Local Government Regulation 2012, to sell the property at 2/45 Blaxland Crescent, REDBANK PLAINS QLD 4301 (more properly described, as Lot 2 Survey Plan 198183) in accordance with the Local Government Regulation 2012 as some or all of the overdue rates or charges have been overdue for at least 3 years.**
- B. That the following recommendation 9(G) made by the Governance Committee on 12 November 2019 and adopted at the Council Ordinary Meeting of 19 November 2019, be repealed:**
- G That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 12 Marcel Street, EAST IPSWICH QLD 4305 (more properly described, as Lot 14 Registered Plan 80179 to depth 30.48m) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.**
- C. That the following recommendation 9(I) made by the Governance Committee on 12 November 2019 and adopted at the Council Ordinary Meeting of 19 November 2019, be repealed:**
- I That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 156 Old Ipswich Road, RIVERVIEW QLD 4303 (more properly described, as Lot 2 Registered Plan 813070) in accordance with the**

***Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.**

**D. That the following recommendation 9(J) made by the Governance Committee on 12 November 2019 and adopted at the Council Ordinary Meeting of 19 November 2019, be repealed:**

**J That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at, 19 Highbury Drive, REDBANK PLAINS QLD 4301 (more properly described, as Lot 33 Registered Plan 198885) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.**

## **RELATED PARTIES**

**FOR THE PURPOSES OF RELATED PARTY DISCLOSURES, COUNCILLORS AND SENIOR MANAGERS SHOULD CONSIDER THE PROPERTIES LISTED IN THE RECOMMENDATION.ADVANCE IPSWICH THEME**

Listening, leading and financial management

## **PURPOSE OF REPORT/BACKGROUND**

On 19 November 2019 Council resolved to sell ten properties for overdue rates and charges pursuant to section 140(2) of the *Local Government Regulation 2012*. **Attachment 1** is a copy of the report from November 2019 and is provided as background.

In the period subsequent to issuance of the required “*Notices of Intention to Sell*”, rates and charges on six (6) of those properties have been paid in full. No further action in relation to those properties is required at this time.

The National Cabinet through the Prime Minister of Australia, announced a series of hardship principles related to the provision of energy, water and rates arising from the impacts of the COVID-19 Pandemic. These principles include:

- Offering flexible payment options to all households and small businesses in financial stress – including small businesses eligible for the JobKeeper Payment;
- Not disconnecting restricting supply/services to those in financial stress;
- Deferring debt recovery proceedings and credit default listing;
- Waiving late fees and interest charges on debt; and
- Minimising planned outages for critical works, and provide as much notice as possible to assist households and businesses during any outage.

Repealing the former decision of Council to sell these properties for overdue rates and charges and ceasing any related actions, is consistent with the principles of deferring debt recovery proceedings, given the additional financial difficulties arising from the COVID-19 Pandemic.

However, it should be noted that rates and charges on these properties have been accruing for a period of greater than three (3) years and can reasonably be considered pre COVID-19 Pandemic debts.

Council officers have remained in contact with the property owners or other interested parties prior to and since the decision of Council on 19 November 2019. Council officers are aware of genuine steps and actions that have been instigated by either the property owner or another interested party to settle these overdue rates and charges. However, the actions of either the property owner and / or any other interested party cannot be confirmed at the time of writing this report.

Rates and charges will continue to accrue on these properties and will remain recoverable against the respective properties. Should Council wish to consider the sale of these properties for overdue rates and charges at a future point in time, a new resolution under section 140(2) of the *Local Government Regulation 2012* will be required.

### **LEGAL/POLICY BASIS**

*Local Government Act 2009*  
*Local Government Regulation 2012*  
*Rates Recovery Policy*

### **RISK MANAGEMENT IMPLICATIONS**

If the previous Council decision is not repealed and the overdue rates and charges on these properties are not paid prior to the auction, the auctions will proceed as scheduled.

### **FINANCIAL/RESOURCE IMPLICATIONS**

There are no significant financial implications as a result of this report. While the rates and charges on these properties remain uncollected, interest continues to accrue on the outstanding balances and will remain recoverable against the respective properties.

### **COMMUNITY AND OTHER CONSULTATION**

No community consultation has been undertaken in relation to this report as these matters are of statutory nature under the *Local Government Regulation 2012*.

### **CONCLUSION**

Under the *Local Government Act 2009*, Council is empowered with the responsibility to levy and collect rates to fund the cost of providing services to Ipswich. The onus is on the registered owner of a property to ensure rates are paid.

Given the hardship principles established by the National Cabinet in response to the COVID-19 Pandemic and in light of the expressed intentions and actions of the property owners or other interested parties, Council is able to consider repealing some or all of the previous resolutions based on the information available to Council at the time of making its decision.

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**ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS**

1.	Report - Sale of Land for Overdue Rates and Charges - November 2019 
	CONFIDENTIAL
2.	History of interactions regarding the properties

Paul Mollenhauer  
**TREASURY ACCOUNTING MANAGER**

I concur with the recommendations contained in this report.

Jeffrey Keech  
**MANAGER, FINANCE**

I concur with the recommendations contained in this report.

Sonia Cooper  
**GENERAL MANAGER CORPORATE SERVICES**

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GOVERNANCE COMMITTEE  
MEETING AGENDA

12 NOVEMBER  
2019

Doc ID No: A5861140

ITEM: 9  
SUBJECT: SALE OF LAND FOR OVERDUE RATES AND CHARGES GC 121119  
AUTHOR: TREASURY ACCOUNTING MANAGER  
DATE: 23 OCTOBER 2019

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### EXECUTIVE SUMMARY

This is a report by the Treasury Accounting Manager dated 23 October 2019 concerning properties that are eligible for Sale of Land for overdue rates and charges under Chapter 4 – Rates and Charges, Part 12 – Overdue Rates and Charges, Section 140 of *the Local Government Regulation 2012*.

As part of the ongoing property rates arrears recovery activities, properties have been identified as being eligible for sale of land for overdue rates and charges. The total overdue rates and charges associated with these properties is currently \$81,165.

All attempts to resolve this matter for these properties has been unsuccessful to date.

### RECOMMENDATIONS

**That the Interim Administrator of Ipswich City Council resolve:**

A. **That it is satisfied that:**

- i) **There are overdue rates or charges on the properties at:**
  - a. 11 Belleglade Avenue, BUNDAMBA QLD 4304; and
  - b. 142 Equestrian Drive, YAMANTO QLD 4305; and
  - c. 8 McLeod Street, BASIN POCKET QLD 4305; and
  - d. 2/45 Blaxland Crescent, REDBANK PLAINS QLD 4301; and
  - e. 18 Whitehill Road, NEWTOWN QLD 4305; and
  - f. 12 Marcel Street, EAST IPSWICH QLD 4305; and
  - g. 38 Toongarra Road, LEICHHARDT QLD 4305; and
  - h. 156 Old Ipswich Road, RIVERVIEW QLD 4303; and
  - i. 19 Highbury Drive, REDBANK PLAINS QLD 4301; and
  - j. 39-41 Duncan Street, CHUWAR QLD 4306; and
- ii) **The liability to pay rates or charges is not subject of court proceedings; and**
- iii) **Some or all of the overdue rates or charges have been overdue for at least 3 years.**

- B. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 11 Belleglade Avenue, BUNDAMBA QLD 4304 (more properly described as Lot 102 on Registered Plan 98668) in accordance with the *Local Government Regulation 2012*, as some or all of the overdue rates or charges have been overdue for at least 3 years.
- C. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 142 Equestrian Drive, YAMANTO QLD 4305 (more properly described, as Lot 178 Registered Plan 852417) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.
- D. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 8 McLeod Street, BASIN POCKET QLD 4305 (more properly described, as Lot 29 Registered Plan 126794) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.
- E. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 2/45 Blaxland Crescent, REDBANK PLAINS QLD 4301 (more properly described, as Lot 2 Survey Plan 198183) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.
- F. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 18 Whitehill Road, NEWTOWN QLD 4305 (more properly described, as Lot 18 Registered Plan 24208) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.
- G. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 12 Marcel Street, EAST IPSWICH QLD 4305 (more properly described, as Lot 14 Registered Plan 80179 to depth 30.48m) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.
- H. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 38 Toongarra Road, LEICHHARDT QLD 4305 (more properly described, as Lot 2 Registered Plan 85285) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.
- I. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 156 Old Ipswich Road, RIVERVIEW QLD 4303 (more properly described, as Lot 2 Registered Plan 813070) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.

GOVERNANCE COMMITTEE  
MEETING AGENDA

12 NOVEMBER  
2019

- J. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at, 19 Highbury Drive, REDBANK PLAINS QLD 4301 (more properly described, as Lot 33 Registered Plan 198885) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.
- K. That pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 39-41 Duncan Street, CHUWAR (more properly described, as Lot 85 Registered Plan 133612) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.

#### RELATED PARTIES

For the purposes of related party disclosures the Interim Administrator and Senior Managers should consider the properties listed in Recommendation A.

#### ADVANCE IPSWICH THEME

Listening, leading and financial management

#### PURPOSE OF REPORT/BACKGROUND

- Under Part 12 – Overdue Rates and Charges, Division 3 – Selling or acquiring land for overdue rates and charges, of the *Local Government Regulation 2012*, the properties may now be sold by auction for the recovery of overdue rates and charges in terms of section 140(1)(c)(i).
- Recovery action has been implemented in accordance with Council's Rate Recovery Policy (reminder letters, contact letters, and telephone contact where able). Legal action has been taken where deemed appropriate.
- During the past quarter, several properties owned by pensioners are now such that the overdue of rates and charges have become greater than 3 years. This report does not include any such pensioner owned eligible properties. A review of the Rates Recovery Policy is currently being undertaken and any properties owned by pensioners with greater than 3 years of overdue rates and charges, will be considered following the completion of that policy review.

When Council resolves to sell land for overdue rates and charges the land owners are notified of such action by a 'notice of intention to sell' signed by the Chief Executive Officer. If the rates and charges remain outstanding 3 months after such notice was sent to the land owner, the Council is able to commence sale of the land.

#### LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:  
*Local Government Act 2009*  
*Local Government Regulation 2012*  
*Rates Recovery Policy*

### **RISK MANAGEMENT IMPLICATIONS**

If the land is not sold at auction, or to the highest bidder by agreement after negotiation, the land is taken to have been sold to Council at the auction at the reserve price (section 143(4) of the *Local Government Regulation 2012*).

Council recognises that the sale of land for overdue rates and charges is an undesirable but at times a necessary process associated with its rating powers under the *Local Government Act 2009*.

The resolutions of this report could ultimately lead to the sale of properties, if all overdue rates and charges as well as expenses are not paid prior to the sale. This represents a potential reputational risk for Council where the possible displacement of a property owner may be perceived as an unjust outcome.

In recent years it has been Council's experience that where a property is the subject of a current mortgage, the mortgage holder will generally take steps to pay the overdue rate and charges to avoid the property being sold. Noting that 8 of 10 properties recommended for sale in this report are the subject of a mortgage.

### **FINANCIAL/RESOURCE IMPLICATIONS**

There are no significant financial implications as a result of this report. Activities related to the sale of properties for overdue of rates and charges form part of the business as usual activities of the Finance Branch. In the event that a property is sold for the recovery of overdue of rates and charges, Council is able to recover its costs of the sale process and the outstanding rates and charges.

As outlined in the risks, if the land is not sold at auction or after, Council is taken to have been sold the land which would have financial outlays to Council.

### **COMMUNITY AND OTHER CONSULTATION**

No community consultation has been undertaken in relation to this report as these matters are of statutory nature under the *Local Government Regulation 2012*.

### **CONCLUSION**

Under the *Local Government Act 2009*, Council is empowered with the responsibility to levy and collect rates to fund the cost of providing services to the City. The onus is on the registered owner of a property to ensure rates are paid.

As all previous efforts to resolve the matter of outstanding rates on properties referred to in the Confidential Background Papers (**Attachments 1 and 2**) have been unsuccessful, the sale of land process will ensure rates owing to Council are paid.

GOVERNANCE COMMITTEE  
MEETING AGENDA

12 NOVEMBER  
2019

**ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS**

1.	CONFIDENTIAL Background Information
2.	Details of Rates

Paul Mollenhauer  
**TREASURY ACCOUNTING MANAGER**

I concur with the recommendations contained in this report.

Jeffrey Keech  
**ACTING GENERAL MANAGER - CORPORATE SERVICES**

I concur with the recommendations contained in this report.

Andrew Knight  
**GENERAL MANAGER - CORPORATE SERVICES**

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Doc ID No: A6280984

ITEM: F.10  
SUBJECT: CHANGE OF TIME OF COUNCIL ORDINARY MEETING SCHEDULED FOR 30 JUNE 2020  
AUTHOR: COMMITTEE MANAGER  
DATE: 8 JUNE 2020

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### **EXECUTIVE SUMMARY**

This is a report concerning a proposed change in time to the Council Ordinary Meeting scheduled for 30 June 2020.

### **RECOMMENDATION/S**

**That the Council Ordinary Meeting scheduled to commence at 9.00 am on Tuesday, 30 June 2020 be rescheduled to commence at 12.30 pm on Tuesday, 30 June 2020.**

### **RELATED PARTIES**

There are no identified conflict of interests in relation to this matter.

### **ADVANCE IPSWICH THEME**

Listening, leading and financial management

### **PURPOSE OF REPORT/BACKGROUND**

At Council's Post-Election Meeting held on 27 May 2020, Council resolved to hold an Ordinary meeting on 30 June 2020 commencing at 9.00 am.

As this time was previously resolved by Council resolution, a further Council resolution to change the time is required.

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:  
*Local Government Regulation 2012*

### **RISK MANAGEMENT IMPLICATIONS**

As a Council resolution already exists for the timing of the Council meeting scheduled for 30 June 2020, a further resolution to amend it is required.

### **FINANCIAL/RESOURCE IMPLICATIONS**

There are no financial or resource implications associated with this report.

### **COMMUNITY AND OTHER CONSULTATION**

Consultation has occurred with the Chief Executive Officer, General Manager Coordination and Performance and the Manager, Executive Services.

### **CONCLUSION**

A Council resolution is required to change the time of the Council Ordinary Meeting scheduled for 30 June 2020 from 9.00 am to 12.30 pm.

Vicki Lukritz

**COMMITTEE MANAGER**

I concur with the recommendations contained in this report.

Wade Wilson

**MANAGER EXECUTIVE SERVICES**

I concur with the recommendations contained in this report.

Sean Madigan

**GENERAL MANAGER - COORDINATION AND PERFORMANCE**

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Doc ID No: A6288887

ITEM: F.11  
SUBJECT: REMONDIS DEED OF SETTLEMENT AND VARIATION  
AUTHOR: MANAGER, ENVIRONMENT AND SUSTAINABILITY  
DATE: 11 JUNE 2020

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### **EXECUTIVE SUMMARY**

This is a report concerning a Deed of Settlement and Variation negotiated by Council and Remondis Australia Pty Ltd in resolution of a dispute concerning Waste Disposal Services Contract 19-10-264. The report contains confidential attachments, including a briefing note outlining the history of the dispute and the basis for its resolution, and a copy of the proposed Deed.

### **RECOMMENDATION**

**That Council authorise the Chief Executive Officer to execute the Deed of Settlement and Variation with Remondis Australia Pty Ltd as per Attachment 2 to this report dated 11 June 2020.**

### **RELATED PARTIES**

Remondis Australia Pty Ltd

### **ADVANCE IPSWICH THEME**

Caring for the environment  
Caring for the community

### **PURPOSE OF REPORT/BACKGROUND**

In 2012, Council entered into a contract with Remondis Australia Pty Ltd for the disposal of municipal solid waste generated from Council's kerbside refuse collection service, commercial and industrial waste, and its dead animal collection service known as putrescible waste. Certain terms of this contract are the subject of dispute between the parties, the attached reports and Deed of Settlement and Variation seek to settle this dispute. Please refer to confidential attachments 1 and 2 for the background to this dispute and the proposed terms for its resolution.

### **LEGAL/POLICY BASIS**

This report and its recommendations are consistent with the following legislative provisions:  
*Local Government Act 2009*

*Local Government Regulation 2012*  
*Waste Reduction and Recycling Act 2011*

### **RISK MANAGEMENT IMPLICATIONS**

Council and Remondis Australia Pty Ltd have engaged in without prejudice negotiations since June 2019. As a result, a proposed Deed of Settlement and Variation to Contract 19-10-264 has been drafted and finalised for execution. A delay in the execution of the Deed will place these negotiations at risk of further delays and potential financial implications to Council.

### **FINANCIAL/RESOURCE IMPLICATIONS**

The financial implications of this report are contained within the confidential attachments.

### **COMMUNITY AND OTHER CONSULTATION**

This report has been prepared in consultation and agreement with Council's legal services.

### **CONCLUSION**

Since June 2019, Council and Remondis Australia Pty Ltd have engaged in without prejudice negotiations in resolution of a dispute concerning Waste Disposal Services Contract 19-10-264. A proposed Deed of Settlement and Variation has been drafted and is presented to Council for authorisation to the Chief Executive Officer to execute the Deed and settle the dispute.

### **ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS**

	CONFIDENTIAL
1.	Confidential Briefing Note
2.	Confidential Final Deed of Settlement and Variation

Kaye Cavanagh

**MANAGER, ENVIRONMENT AND SUSTAINABILITY**

I concur with the recommendations contained in this report.

Charlie Dill

**GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT**

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