

Te Tai Tokerau Worker Redeployment Package Funding Agreement

Agreement dated June 2020

PARTIES

WHANGAREI DISTRICT COUNCIL (WDC)
Rust Avenue
Whangarei

AND

KAIPARA DISTRICT COUNCIL (KDC)

(together the Parties)

Background

1. WDC has entered into a funding agreement with the Crown through the Chief Executive of the Ministry of Business, Innovation and Employment (“Ministry”) for the Ministry to fund the delivery of projects in the Te Tai Tokerau Region (“Ministry Funding Agreement”). That agreement is at Attachment 3.
2. The Ministry Funding Agreement provides to Te Tai Tokerau urgent economic relief for those in the region’s workforce who have been affected by the COVID-19 pandemic.
3. The Ministry Funding Agreement details Project Elements that have been approved by Cabinet to be undertaken using the funding.
4. The Project Elements include projects that are within the mandate of the KDC (KDC Project Elements).
5. KDC will deliver the KDC Project Elements and WDC will pass on the appropriate Ministry funding to KDC in accordance with this agreement and the Ministry Funding Agreement (the Agreement).

Agreement

Ministry Funding Agreement

6. Where applicable to the rights and obligations in respect of the delivery of the KDC Project Elements and the payment of the Funding, and subject to anything else set out in this Agreement which would be inconsistent, the terms and conditions of the Ministry Funding Agreement shall apply to this

Agreement mutatis mutandis so that, where appropriate and to the extent applicable:

- a) reference to the “Ministry” is substituted for (or as applicable, additional to) “WDC”.
- b) reference to “Recipient” is substituted for (or as applicable, additional to) “KDC”.
- c) reference to the “Parties” is reference to the Parties to this Agreement.
- d) reference to the “Project Elements” is reference to the “KDC Project Elements”.

Delivery and Payment

7. KDC agrees to deliver the KDC Project Elements as set out in Attachment 1.
8. The Parties agree that the total amount of the funding to deliver the KDC Project Elements is \$2,872,100.00 plus GST (if any) (the Funding).
9. WDC will pay the Funding to KDC in accordance with the Reporting and Payment Schedule at Attachment 2.
10. Before payment is made WDC must receive from KDC a valid GST invoice which must be sent to Aidan Clarke at aidan.clarke@wdc.govt.nz and copied to the WDC contact in clause 17.

Social Procurement Objectives

11. The Parties note that the Social Procurement Objectives referred to in clause 4.3 of the Ministry Funding Agreement have been agreed to by the Ministry and WDC. They are at Attachment 4.

Term:

12. This Agreement commences upon being signed by both parties (Commencement Date).
13. The Completion Date is the same as in the Ministry Funding Agreement (Completion Date).

Reporting Requirements:

14. KDC will provide to WDC a monthly report, completed on the template provided at Attachment 5, by the 1st Business Day following the end of each month.
15. KDC will provide to WDC within 15 Business Days following the Completion Date a Final Report that includes the information in clause 8.1(b) of the Ministry Funding Agreement.
16. KDC will provide to WDC any further information that is reasonably requested in regard to the KDC Project Elements to enable WDC to complete the required reporting in the Ministry Funding Agreement. KDC

will provide the requested information within 3 Business Days from the date of the request.

Addresses for Notices:

17.

WDC:	Recipient:
Whangarei District Council Forum North, 7 Rust Avenue Private Bag 9023, Whangarei 0148 Attention: Simon Weston General Manager Infrastructure Email address: simon.weston@wdc.govt.nz	Kaipara District Council

Signed by:

For and on behalf of Whangarei District Council:

For and on behalf of Kaipara District Council:

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Signature

Signature

Name:

Name:

Position:

Position:

Date:

Date:

In the presence of:

In the presence of:

.....

.....

Signature

Signature:

Name:

Name:

Occupation:

Occupation:

Date:

Date:

ATTACHMENT 1

KDC Project Elements

KDC Project Element	Estimated Total cost (plus GST, if any)	Commencement
Removal of known road side hazardous trees	\$500,000	Immediate
Removal of self-seeded roadside trees	\$226,200	Immediate
Roadside litter collection and clean up	\$79,900	Immediate
Spot spraying noxious weeds	\$75,000	Immediate
Site rail improvements	\$14,000	Immediate
Vegetation clearance and clean ups – Kai Iwi Lakes & Pou Tu o Te Rangī	\$1,600,000	Immediate
New footpaths – missing links in existing urban network	\$258,600	
Accelerated unsealed network grading program	\$118,400	Immediate
Total	\$2,872,100	

ATTACHMENT 2

Reporting and Payment Schedule

Payment Requirements	Payment Date	Instalment payable on completion of payment requirements and delivery of valid invoice (plus GST, if any)
This agreement executed	Date of execution of agreement	718,025.00
<ul style="list-style-type: none"> • WDC is satisfied with the progress of the KDC Project Elements; and • KDC has provided to WDC by 25 June 2020 KDC's Health and Safety Training Plan for workforce redeployment (including contractor health and safety obligations) to the satisfaction of WDC 	02/07/20	359,012.50
WDC is satisfied with the progress of the KDC Project Elements and KDC is meeting all of its obligations under this Agreement and has provided to WDC the monthly reporting as required under clause 14 of this Agreement	04/08/20	359,012.50
WDC is satisfied with the progress of the KDC Project Elements and KDC is meeting all of its obligations under this Agreement and has provided to WDC the monthly reporting as required under clause 14 of this Agreement	02/09/20	359,012.50
WDC is satisfied with the progress of the KDC Project Elements and KDC is meeting all of its obligations under this Agreement and has provided to WDC the monthly reporting as required under clause 14 of this Agreement	02/10/20	359,012.50
WDC is satisfied with the progress of the KDC Project Elements and KDC is meeting all of its obligations under this Agreement and has provided to WDC the monthly reporting as required under clause 14 of this Agreement	03/11/20	359,012.50
WDC is satisfied with the progress of the KDC Project Elements and KDC is meeting all of its obligations under this Agreement and has provided to WDC the monthly reporting as required under clause 14 of this Agreement	02/12/20	359,012.50
Final report submitted to WDC in accordance with clause 15 of this Agreement.		No funding attached
	Total	2,872,100.00

ATTACHMENT 3

Ministry Funding Agreement

ATTACHMENT 4

Social Procurement Objectives



Social procurement objectives for immediate worker deployment contracts – Tai Tokerau Northland

Outcome	Measure	When Applied
Targeted employment	<p>Note: Ministry of Social Development(MSD) is the lead agency for employment services and will be contacted for appropriately qualified workers available for immediate redeployment on the project and if there are opportunities for workers employed on this project to upskill through Ministry of Social Development training courses.</p> <p>Contact details are: Name: Darrell Lambert Title: Regional Labour Market Manager Phone: 09 983 9130 Mobile: 027 379 0985 Email: darrell.lambert008@msd.govt.nz</p> <p>Employment targets that apply to the 165 workers employed:</p> <ul style="list-style-type: none"> a. 45% Maori b. 5% Pasifika c. 20% Women d. 30% Youth (18 – 24 years) <p>Note – while the above add to 100%, employed workers may cover multiple categories and therefore not all engaged workers will come from these target groups.</p> <p>Of the 165 workers employed, at least 50 are to be ‘new’ (fixed term) roles for people displaced due to Covid-19 and still unemployed.</p>	All projects
Local (regional) businesses prioritised for employment	40% of direct contract and sub-contract values will be awarded to businesses owned and operated by people who reside in the region	Duration of Project
Maori and Pasifika enterprises prioritised for employment	15% of the direct contract and sub-contract values will be awarded to Maori or Pasifika enterprises.	Duration of Project

Outcome	Measure	When Applied
	<p>Note: Te Puni Kokiri (TPK) is the lead agency for supporting the Councils to engage with Maori and Pasifika enterprises.</p> <p>Contact details are:</p> <p>Name: Huria Heperi Title: Senior Advisor Kaitohu Tōmua Phone: 80 085 7888 Mobile: 027 298 2617 Email: hepeh@tpk.govt.nz</p>	
Skills and training delivered	Provide training relevant to the requirements pre/post and throughout the project to ensure all staff are appropriately skilled, qualified, and safe in the workplace.	Duration of Project
Improved Conditions for Workers	<p>All new employees will undergo pre-employment induction, by the Employer, in accordance with Approved Codes of Practice for Health and Safety for the relevant industry standards.</p> <p>Employers will provide a documented Health and Safety Management System that is effective and meets the requirements of the Health and Safety at Work Act 2015 and the associated Regulations and Codes of Practice.</p>	All projects
	All new employees engaged on fixed term contracts shall receive remuneration consistent with industry standards for their skill level and experience.	All projects
Environmental Responsibility	<p>Adoption of practices that enable the project to be delivered sustainably, include:</p> <ul style="list-style-type: none"> • protecting or enhancing the local ecosystem and its indigenous biodiversity. This tree removal project is focussed on removing pest species trees including wilding Conifers, invasive Poplars and Willows • Actively seeking to minimise the carbon impact of project delivery, to support the transition to a net zero emissions economy whenever practical. • Minimising waste, re-using materials, and where possible incorporating the principles of the circular economy. Where possible tree debris will be chipped into mulch and felled trees (of appropriate size) will be made available to community groups for distribution. • Build resilience back into areas of work following the removal of the pest trees, (where practical) native trees will be replanted. 	All projects

ATTACHMENT 5

Monthly Reporting Template

KDC MONTHLY REPORT



Te Tai Tokerau Worker Redeployment Package – Next Phase

Location and Region:	Kaipara District
Funding Amount:	\$2,872,100.00
Report Date:	For the month ending [insert month]
Programme Outcomes:	<ul style="list-style-type: none"> • prioritise the employment of local workers displaced by the COVID economic crisis; • occur at pace, time being critical; and • assist in meeting the social procurement objectives agreed between the parties

1. Project Updates

Provide description and analysis of actual against planned progress of each Project Element to show that the Project is occurring at pace.

Project Element	Details of progress
Removal of known road side hazardous trees	
Removal of self-seeded roadside trees	
Roadside litter collection and clean up	

Iwi Lakes & Pou Tu o Te Rangi								
7. New footpaths – missing links in existing urban network								
8. Accelerated unsealed network grading program								

2.2 Provide any additional narrative to explain the table or give other relevant information.

3. Social Procurement Objectives

In an appendix and in the format that best works for you:

- State the agreed Social Procurement Objectives
- Show achievements to date against the Social Procurement Objectives in table or other useful format.
- Provide additional narrative to show how tendering, procurement, employment and/or training arrangements are helping to achieve the Social Procurement Objectives, identifying any limitations or further support needed.

4. Financials

Give summary of funding received and expenditure to date, actual against budgeted, for each Project Element) in Table or add Appendix.

Project Element	Received from PGF	Budgeted	Actual	Note
1. Removal of known road side hazardous trees	\$500,000			
Removal of self-seeded roadside trees	\$226,200			
Roadside litter collection and clean up	\$79,900			
Spot spraying noxious weeds	\$75,000			
Site rail improvements	\$14,000			
Vegetation clearance and clean ups – Kai Iwi Lakes & Pou Tu o Te Rangi	\$1,600,000			
New footpaths – missing links in existing urban network	\$258,600			
Accelerated unsealed network grading program	\$118,400			

5. Forward Work Programme

Outline forward work to be completed in the next month (not required in the Final Report)

Project Element	Outline of Planned Work (for next month)
1. Removal of known road side hazardous trees	

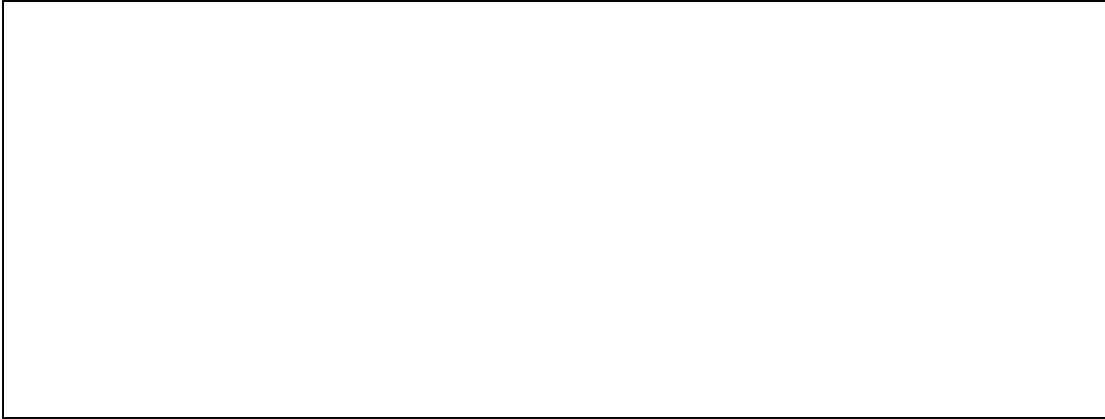
Project Element	Outline of Planned Work (for next month)
2. Removal of self-seeded roadside trees	
3. Roadside litter collection and clean up	
4. Spot spraying noxious weeds	
5. Site rail improvements	
6. Vegetation clearance and clean ups – Kai Iwi Lakes & Pou Tu o Te Rangī	
7. New footpaths – missing links in existing urban network	
8. Accelerated unsealed network grading program	

6. Risks/Issues/Opportunities

(Any risks and/or issues arising or expected to arise, costs and mitigation)

Risks / Issues	Magnitude / Likelihood	Mitigation

7. Communications (An update on media, marketing and communications activity for this project)

A large, empty rectangular box with a thin black border, intended for providing an update on media, marketing, and communications activity for the project.

8. Any other information

A large, empty rectangular box with a thin black border, intended for providing any other information relevant to the project.