

22 October 2020

File:SF2020/037518

Peter Thompson
Wagga Wagga City Council
PO Box 20
Wagga Wagga NSW 2650

Attention: Peter Thompson

Dear Peter

2020/2021 Active Transport Program - Approved Project

Transport for NSW (TfNSW) is pleased to advise you that your Council has been successful in gaining funding for the following project through the NSW Government's Active Transport Program for the 2020/21 financial year.

Program	Project Number	Project Description	2020/21 Funding Offered	2020/21 contributions	Total Project Value
Active Transport: Walking/ Cycling	P.0054106	Cycling Stage 2. 32.7km of concrete and asphalt shared pathways which includes 29 refuge crossings and 4 pedestrian bridges.	\$3,797,077.00	\$130,506.00	3927583

This letter and the outlined requirements only cover these projects listed in the above table funded by the NSW Active Transport program.

This letter also documents the procedures Transport for New South Wales (TfNSW) and Council must follow so that funding to Councils is administered in accordance with TfNSW Financial Arrangements with Councils for Road Management (see www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/index.html).

TfNSW has a considerable amount of funds invested in a range of traffic, safety and active transport projects that are to be delivered by Councils. As a consequence, both TfNSW and Councils need to adhere to this process and the schedule for the effective delivery of these projects under the various programs. The key requirements that Council must adhere to as part of its acceptance of project funding are outlined below, with further detail provided in Attachments A.

1. Council provides written acceptance of funding (Attachments B and C).
2. Council provides detailed design and cost estimate (Attachment D) for approval prior to commencing construction.
3. Council submits monthly status reports.
4. Council submits invoices/ certified expenditure claims and evidence of work completed.

Transport for NSW

193 – 195 Morgan Street, Wagga Wagga 2650 NSW | PO Box 484, Wagga Wagga 2650 NSW |
ABN 18 804 239 602

5. All physical works completed by 30 June 2021
6. Any variations to scope or cost must be discussed and approved by TfNSW Manager Local Government before starting construction of the project.
7. Council submits at the completion of the project a Post Completion Report. Cycling and pedestrian volumes are required to be provided at 6 and 12 months, post completion. Template to be provided.
8. Council accepts ongoing maintenance of completed asset.

Attachments:

- A. Key requirements for acceptance of NSW Government funding
- B. Council acceptance of NSW Government funding
- C. Council initial financial forecast and Key Milestone Dates
- D. Detailed cost estimate

Please complete Attachments B, C and D return a signed copy of each to TfNSW by 14 days from the date of the letter via email: LocalGovCoord.SouthWest@rms.nsw.gov.au

For any further enquiries about information in this letter please contact TfNSW Manager Local Government, Regional LG Manager: Joanne Cheshire.

Via email: LocalGovCoord.SouthWest@rms.nsw.gov.au
Telephone: 69 23 6586

Yours sincerely



Jonathan P Tasker
Director, South West Region

Attachment A - Key Requirements for Approval of Funding

Key requirements for funding

There are several compliance phases throughout the life of a project that need to be adhered to if funding is to be offered and maintained. The performance of Council against these compliance phases will be monitored and reported on by Transport.

1. Council acceptance of funds and Council project I program plan

Council must notify TfNSW that they will accept the funding offered by TfNSW within **14 days of receiving this letter of offer**. If Council requires more time to process the funding approval they should advise TfNSW before this date. Council is required to submit "*Council acceptance of Transport funding*" form when accepting the funds offered by TfNSW (Attachment C).

In addition to the acceptance Council should also submit the financial forecast sheet (Attachment D) for the 2020/21 financial year. It is expected that Council will complete all physical works by end of June 2021.

Please note that these targets may be used as a performance measure in future funding submission considerations.

In accepting an allocation for projects that are not 100% funded by TfNSW, Council has then confirmed that their share of the costs of the projects is committed to and these projects will be delivered under that basis.

2. Completion of design and estimate

Councils are requested to complete the design and final cost estimate for each project by no later than **30 June 2021** (or by agreement with TfNSW). Design and estimate are to be submitted to Manager Local Government for approval prior to construction. Should there be any variation to cost or scope of the projects, details of the variation must be submitted in writing to TfNSW for assessment and approval, prior to commencement of construction.

If TfNSW will be responsible for the ongoing maintenance of any part of the project, Council must ensure that TfNSW reviews and provides formal approval of the plans prior to the commencement of construction by Council.

Council is required to undertake public **consultation** and meet all WHS requirements for each project, including any duties that relate to the construction or commissioning of a structure. Projects must be constructed in accordance with the relevant Australian Standards, Austroads Guidelines and Transport Supplements.

Council is responsible to undertake a Road Safety Audit, if required, under *Guidelines for Road Safety Audit Practices* for all funded projects and address all corrective actions. Any audits must be undertaken by an accredited and independent audit team.

3. Council monthly reporting

Each month throughout the 2020/21 financial year, Council shall submit a report that includes all projects detailed in this letter and its attachments. In the event other projects are funded throughout the year then these must be added to the monthly report.

Following Council's acceptance of the funds and return of Attachments C & D, the project will appear on Council's monthly project status report (PSR).

The monthly PSR includes:

- The program and project numbers for each project along with a description / scope of each project in accordance with that funded proposal.
- Details of the progress of all works including submission of design and cost estimate to Transport, and the start and completion dates of construction.
- Cost estimation / actuals as follows:
 - o Actual costs for each month prior to the current reporting month.
 - o Actual costs for reporting month including an estimate for the value of works to be completed to the end of the month.(to be used by TfNSW for accrual purposes)
 - o Forecast for each month after the reporting month to the end of the financial year.
 - o Note that the cost estimate represents the works completed, not when Council receives invoices. Also, Council should be aware that this forecasting process does not generate payment, and is separate from invoicing.
- Risks, mitigations and comments on each project. Comments should be detailed enough to give an accurate view as to the current status of the project.
- Work Health Safety (WHS) occurrences (any events or conditions that resulted in or had the potential to result in a noteworthy amount of damage or injury including any notifiable incidents).

A report is still required to be submitted even if there has been no change to the previous month – in this case it should be noted that there is no change.

Please email the PSR to LocalGovCoord.SouthWest@rms.nsw.gov.au

4. Invoicing

Council is to submit a Monthly Claim for Payment and Forecast Spreadsheet. This spreadsheet will be forwarded to Council's representative by Transport Shared Services (TSS) -

email: TSS.localgovernment@transport.nsw.gov.au Each month Council will receive a Payment Summary outlining payments made by TfNSW based on Council's previous month's claim.

5. Project finalisation

All physical works must be completed by **30 June 2021**. The final tax invoice and post completion report are to be submitted as soon as practicable after completion. **Note that any approved allocated funding not spent prior to 30 June 2021 will lapse.** TfNSW will only pay for actual and completed works at this date and is unable to pay bills for any incomplete project works not billed at this date. No project funds will be rolled over to the next financial year. For works completed in June 2021 but not claimed in the June invoice, Council are to provide evidence of completed work and expenditure of completed work and expenditure to enable an accrual of funds. If evidence is not provided, funds will lapse and will not carry beyond 30 June 2021 and Council will be responsible for covering all remaining costs to complete the project.

On completion of the works the TfNSW Post Completion Report (including photos) is to be completed and returned to the TfNSW Manager, Local Government. Cycling and pedestrian volumes are required to be provided at 6 and 12 months, post completion. Template to be provided.

6. Scope changes / variations

Any change of scope, including time or cost, for projects **MUST** be discussed as soon as possible with the TfNSW Local Government Manager. Council must formally request and detail in writing the proposed scope changes to the Local Government Manager. No works are to commence prior to receiving written approval for the change of scope from TfNSW and a revised forecast is agreed to in writing. Note that a change of scope may result in a revised funding allocation and the merits of the project may be re-assessed against other priority projects.

7. Ongoing maintenance

Council will be responsible for the maintenance of all completed assets except for the following:

- Traffic signals.
- VAS signage.
- Where the asset is not owned by TfNSW or Council
- Any asset where TfNSW has formally accepted ownership and maintenance liability in writing.

For TfNSW to accept ownership/maintenance of an asset, the asset must be designed and constructed in accordance with all TfNSW specifications/requirements.

8. Media Communications

Council must notify TfNSW before making any public announcement regarding the above approved projects.

9. Work Health and Safety

Council will comply with WHS Laws (*Work Health and Safety Act 2011, Work Health and Safety Regulation 2017*).

Council acknowledges that under WHS Laws, it has a primary duty of care to ensure, so far as is reasonably practicable:

- The health and safety of workers; and
- That's the health and safety of others is not put at risk from the works.

Council acknowledges and agrees to consult, cooperate and coordinate with other relevant persons about matters relating to shared risks and the health, safety and welfare of the workers.¹

Council will have a system in place to manage work health and safety risks that is sufficiently resourced and implemented.

If a notifiable incident occurs, the Council must notify:

- SafeWork NSW (formerly WorkCover) immediately, and
- Transport within 24 hours.

Council will exercise due diligence in the selection of workers to carry out works and impose the requirements set out above, to the extent possible.

10. NSW Funding Acknowledgement Guidelines

All recipients of NSW Government funding for infrastructure and capital works must acknowledge the NSW Government. Funding made available by the NSW Government is designed to improve the lives of people across the state and grants can provide significant benefits to communities. The NSW Government has produced a set of Funding Acknowledgement Guidelines, these guidelines are designed to help groups and organisations with acknowledging NSW Government support in a way which is consistent across the state. They aim to simplify government advertising and signage.

These guidelines will help you determine what kind of acknowledgement is appropriate for each project. It will outline where signs should be displayed and for how long, and how to obtain NSW Government approval for acknowledgements. See below for a copy of the funding acknowledgment guidelines.

<https://www.nsw.gov.au/sites/default/files/2020-02/Funding-acknowledgement-guidelines.pdf>

11. Project spatial data requirements

TfNSW (State Government) is moving the Walking and Cycling (Active Transport) Program to a spatial database. The spatial databases will be used by the State Government to report on the status of the program (and projects) and to capture the network being developed by this program. One of the key features which the State Government is focusing on is the location and type of infrastructure, the number of kilometres (if relevant), costs per infrastructure type and the project status.

Your council, as a recipient of funding in 2020/21, is required to provide spatial and project related data as input into this database. Project data will be spatially recorded as either line or point data. While all Walking Infrastructure projects will be contained to point data only, Cycling Projects will

likely contain both line (the path of cycleway infrastructure) and point (signalised crossings, for example) data. Transport will liaise with Council post acceptance of funding to obtain this project spatial data and provide further detail around this request.

12. Before and after photo requirements

TfNSW requires before and after photographs for all construction projects. Council is requested to take a few before and after high resolution (2MB +) photographs at the same location/angle. Before and after photographs need to highlight the issues the project is addressing or has addressed. Photos are required to be submitted in their original file format (eg. JPEG, PNG or TIF), not embedded in a document.

TfNSW looks forward to working with Council to achieve the successful delivery of this project.

Attachment B - Council acceptance of TfNSW funding

2020/21 Financial Year

Wagga Wagga City Council hereby accepts TfNSW funding for the following project(s):

Program	Project Number	Project Description	2020/21 Funding Offered	2020/21 contributions	Total Project Value
Active Transport: Walking/ Cycling	P.0054106	Cycling Stage 2. 32.7km of concrete and asphalt shared pathways which includes 29 refuge crossings and 4 pedestrian bridges.	\$3,797,077.00	\$130,506.00	3927583

Council confirms acceptance of TfNSW funding on the terms and conditions outlined in the TfNSW funding letter and attachments which detail the TfNSW funding program requirements for 20/21.

- Council will complete all necessary planning, design, road safety audit, public consultation, WHS considerations and environmental assessment for these projects.
- Council will construct the projects in accordance with the submitted project plan and endeavor to meet all specified completion dates noted in the TfNSW letter and attached notes.
- Council will submit a monthly financial and milestone report.
- **Council will complete all physical works by 30 June 2021.** Transport will only pay for actual and completed works and is unable to pay bills for any incomplete project works. No funds will be rolled over to the next financial year. Note: If Council advise TfNSW that a project is being withdrawn, any costs relating to the withdrawn project will be the responsibility of Council

General Manager Signature:

Print Name:

Date:

Please retain a copy of this funding acceptance letter for Council records.

Attachment C - Initial financial forecast and Key Milestone Dates

Please provide an initial financial forecast of the expected dollar value and key milestone dates in the tables bellow.

Monthly reports will also be required to be completed via a supplied spreadsheet and must include an estimate of the cost of works to be completed up to the end of the current month for TfNSW accrual purposes. This does not generate payment and is separate from invoicing. Forward months should show a forecasted figure of expected work completed.

Financial Forecast

Please provide an initial financial forecast of the expected dollar value of works to be completed for the year against each project in the table below.

[illegible]

Milestone Dates

Please provide key milestone dates for each of council project below.

Program	Project Number	Project Description	Commence Construction	Finish Construction and Open for Use
Active Transport: Walking/ Cycling	P.0054106	Cycling Stage 2. 32.7km of concrete and asphalt shared pathways which includes 29 refuge crossings and 4 pedestrian bridges.		

"I have the authority to complete the monthly financial report on behalf of Council":

Wagga Wagga City Council

Contact Name:

Title:

Contact Number:

Signature:

Attachment D – Detailed cost estimate*

Detailed Cost Breakdown										
Council		TBC								
Project		TBC								
Item	Description	Labour		Material		Plant		Subcontractor		Total
	Construction	No	\$ per unit - M/M2/Hr/lump	No	\$ per unit - M/M2/Hr/lump	No	\$ per unit - M/M2/Hr/lump	No	\$ per unit - M/M2/Hr/lump	
1	Drainage									
2	Earthworks									
3	Fencing									
4	Furniture (handrails, racks)									
5	Kerb blisters									
6	Kerb ramps									
7	Lighting									
8	Linemarking									
9	Pavement									
10	Pedestrian refuge									
11	Signage									
12	Site preparation									
13	Traffic control									
14	Traffic counters									
15	Utility adjustments									
16	Vegetation removal									
17	Waste disposal									
18	Other									
(i)	*									
(II)	*									
(III)	*									
	Sub Total									
19	Project Management									
	Total									
20	Contingency @							Rate	10%	
	Total									

*Electronic file available on request

