

# Legislative Assembly of the Northern Territory

## Response to Written Question

Minister	The Hon Peter Chandler MLA
Portfolio	Education
Agency	Department of Education

Question Reference	WQ310 – Tenders and Consultancies
From	Ms Nicole Manison MLA

### Question

Tenders and Consultancies

1. Please provide the details and costs of all consultancies undertaken by the Department of Education.
2. Which consultants were not selected through competitive tendering and why?
3. For the Department of Education how many Certificates of Exemption were issued in 2014/15?
4. For each Certificate of Exemption:
  - a. What is the description of the goods and services contracted?
  - b. What is the value of the goods and services contracted?
  - c. Why was the Certificate of Exemption required?
  - d. Who recommended the Certificate of Exemption?
  - e. Who approved the Certificate of Exemption?

### Answer

**\* Note: 30 June 2015 financial year figures are not yet available as the financial year accounting systems are yet to close. A further response will be provided by 17 August 2015.**

1. and 2. Refer to Table A below
3. and 4. Refer to Table B below

**Table A: Response to Questions 1 and 2**

**Consultancies - Total Expenditure for the period 1 July 2014 to 31 March 2015**

<b>Provider</b>	<b>Purpose</b>	<b>Amount</b>	<b>Without public tender (Tier 3 and above)</b>	<b>Reason Consultant not selected through public tender (where relevant)</b>
The Education Business Pty Ltd	Development of a business case for the Darwin International Grammar School	\$ 100 478	Refer to the Department of the Chief Minister	The Department of Chief Minister (DCM) undertook the procurement.  The Department of Education and DCM agreed to both contribute to 50% of the costs.
Cognition Education Limited	Visible Learning Capability Assessment and Planning	\$ 87 073	Yes	Certificate of Exemption awarded on 5 August 2015. A public tender process was not considered appropriate because Cognition Education Limited (now Corwin Press Australia) is the only supplier of the Visible Learning professional development program. The supplier has developed the Visible Learning program, materials, possesses the copyright and is the only supplier of the program internationally.
Mercer Consulting (Australia) Pty Ltd	Defining Key Capabilities and Workforce Modelling Assessment.	\$ 67 198	N/A	Not Applicable. This is an Across Government Contract.
Elly Kordic Architect	Design guidelines for centre based early childhood education and care facilities, building compliance and best practice for the period 15 October 2014 to 11 March 2015.	\$ 47 592	N/A	Not applicable. This was a Tier 2 Single Select Quote.
Victoria University	Development of a needs based Global School Budget	\$ 40 909	Yes	Certificate of Exemption awarded on 20 February 2014. Victoria University is the acknowledged Australian expert in the development of needs-based global school resourcing models and has developed considerable expertise through its work on similar projects in Tasmania, Western Australia and the ACT. Engaging with this organisation assisted in development of a more rigorous and credible NT needs based resourcing model at a lower cost than other suppliers.

Provider	Purpose	Amount	Without public tender (Tier 3 and above)	Reason Consultant not selected through public tender (where relevant)
Australian Council For Educational Research Ltd	Review of secondary subject provision in preparation for global school budgets	\$ 38 934	N/A	Not applicable. This was a Tier 2 Single Select Quote.
Information Consultants Pty Ltd	Advice and training on <i>Information Act</i>	\$ 35 447	N/A	Not applicable. This was a Tier 2 Single Select Quote.
Eamonn Moran PSM QC	Drafting of an Exposure Draft of a Bill for a <i>New Education Act</i> (NT)	\$ 13 636	Yes	Certificate of Exemption issued 26 November 2014.  A public quotation was not considered appropriate as legislation is normally drafted by Office of Parliamentary Counsel (OPC) and OPC had confirmed it had no capacity to undertake the project in the required timeframe set by Government. The listed supplier had been selected upon recommendation from OPC as someone who understands the Northern Territory legislation context. OPC also advised there is a worldwide shortage of legislative drafters.
Charles Darwin University	Development and delivery of a report including research, scope, and milestones on "Economic Contribution of International Education and Training to the Northern Territory Economy"	\$ 10 000	N/A	Not applicable. This was a Tier 1.
Brian Collins	School Autonomy – Workforce Planning in Northern Territory Schools.	\$ 11 000	N/A	Not applicable. This was a Tier 1.
<b>Total</b>		<b>\$ 452 267</b>		

**Table B: Response to Questions 3 and 4**

**Certificates of Exemption for the period 1 July 2014 to 31 March 2015**

**Tiers 4 and 5 (\$500k and over)**

Certificates of Exemption		Type of Exemption	a) What is the description of the goods and services contracted?	b) What is the value of the goods and services contracted?	c) Why was the Certificate of Exemption required?	d) Who recommended the Certificate of Exemption?	e) Who approved the Certificate of exemption?
1.	A15-0011 - Provision of Visible Learning in Schools South for a Period of 36 months - Option to Extend for a Further 2 x 12 months	Certificate of Exemption from Public Tendering	<p>The Visible Learning program was initially implemented in all government schools in the Department of Education (DoE) Central Australia Directorate in 2012. The Visible Learning Program uses evidence to inform and develop teacher practice to focus on what worked best in schools to improve learning.</p> <p>The Indigenous Education Review (IER) 'A Share in the Future' Report proposes the implementation of Visible Learning into all Territory Government schools to improve the quality of teaching through use of evidence based approach to inform, reflect on, evaluate and change pedagogical practices to enhance student learning to increase educational outcomes.</p> <p>The Schools South directorate introduced the Visible Learning Framework in mid-2012 and has completed the first and second stages. This project involves the provision of Visible Learning in the Schools South directorate undertaking stage three of the framework and anticipates a further 3 to 5 years for completion.</p>	\$1 million	A public tender process was not considered appropriate because Corwin Press Australia (previously Cognition Education Limited) is the only supplier of the Visible Learning professional development program in Australia. The supplier has developed the Visible Learning Program, materials, possesses the copyright and is the only supplier of the program internationally.	Acting Executive Director Schools South	Chief Executive Department of Education with advice from the Procurement Review Committee

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2.	D14-0318 - Darwin, Katherine, Nhulunbuy, Palmerston - Consultancy – Implementation of Visible Learning in Schools North	Certificate of Exemption from Public Tendering	This project is implementing the Visible Learning Program in Schools North Directorate. Visible Learning is a professional development program for teachers and principals that explore how evidence can be used to create innovation in the learning environment. Visible Learning is based on Professor John Hattie's research on 'Visible Learning' and 'Visible Teaching' and focuses on what works best in schools to improve learning.	\$1.9 million	A public tender process was not considered appropriate because Cognition Education Limited (now Corwin Press Australia) is the only supplier of the Visible Learning professional development program. The supplier has developed the Visible Learning Program, materials, possesses the copyright and is the only supplier of the program internationally.	Executive Director School Support Services	Chief Executive Department of Education with advice from the Procurement Review Committee

### Tier 3 (\$100k but less than \$500k)

3.	Q14-0329 Darwin, Katherine, Nhulunbuy, Palmerston – Consultancy – Visible Learning Capability Assessment and Planning	Certificate of Exemption to Invite Select Quotation	To undertake a capability assessment and capture evidence of Top End Schools as the first phase of implementing visible learning.	\$160 000	A public tender process was not considered appropriate because Cognition Education Limited (now Corwin Press Australia) is the only supplier of the Visible Learning professional development program. The supplier has developed the Visible Learning program, materials, possesses the copyright and is the only supplier of the program internationally.	Executive Director School Support Services	Deputy Chief Executive School Education with advice from the Procurement Review Committee
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4.	Q14-0611 – Drafting of an exposure bill for a new <i>Education Act</i> (NT)	Certificate of Exemption to Invite Select Quotation	The <i>Education Act</i> (NT) no longer provides an adequate framework for school education in the Territory. A project commenced early in 2014 to reform the <i>Education Act</i> . Following public consultation and government consideration of proposed policy positions, an exposure draft bill for a revised <i>Education Act</i> was required.	\$150 000	A public quotation process was not considered appropriate because legislation is normally drafted by Office of Parliamentary Counsel (OPC) and OPC confirmed there was no capacity to undertake this project in the required timeframe set by Government. OPC advised that there is a worldwide shortage of legislative drafters and recommended that this contract drafter be engaged who understands the Northern Territory context.	Director Legislation Services	Deputy Chief Executive Organisational Services with advice from Procurement Review Committee
5.	Q14-0632 Systemic Assessments for Monitoring Growth and Reporting A-E	Certificate of Exemption to Invite Select Quotation	The only system-wide data currently available across NT Department of Education schools to monitor student achievement from Transition to Year 9 is NAPLAN (Years 3, 5 7 and 9) and A - E grades (primary schools only).  As a solution DoE required the provision of the PAT Reading Comprehension and PAT Maths assessment tools for a period of three years. The provider must be able to supply the test licences and advanced reporting.	\$ 375 000	A public quotation process was not considered appropriate because Australian Council For Educational Research Ltd (ACER) is the only supplier of the assessments to be implemented in all NT schools. ACER has proven experience and has been implementing assessments in Central Australia since 2013.	Director Curriculum, Assessment & Standards	Executive Director School Support Services with advice from the Procurement Review Committee

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6.	Q15-0116 – Supply of MYOB annual cover including updates and upgrades to the MYOB program for a period of 36 months	Certificate of Exemption to Invite Select Quotation	MYOB business, accounting and financial management system is used in all NT Government schools. An annual software licence was required to ensure the upgrades and tax updates are continued.	\$300 000	A public quotation process was not considered appropriate because MYOB Australia Pty Ltd is the only company in Australia that can provide the annual software licence and updates to the software programs. The department has had successful dealings with the company for the past 13 years.	Manager School Finance and Governance	Executive Director Corporate Services with advice from the Procurement Review Committee

#### Tier 2 (\$15k but less than \$100k)

7.	15-0076 - Licence Agreement Renewal for 'On Demand Testing' software for a period of 12 months with an option to extend for 2 x 12 months	Certificate of Exemption to Invite Select Quotation	On Demand Testing is a literacy and numeracy online assessment developed by the Victorian Curriculum and Assessment Authority (VCAA). It allows teachers to assess their students in the areas of reading, spelling, writing, measurement and geometry, number and algebra general mathematics and general English. The data assists teachers to plan for appropriate pedagogy and targeted learning to more effectively scaffold the learning needs of their students and develop literacy and numeracy knowledge and skills.	\$15 000	The supplier has previously provided this service to NTG through the previous Licence Agreement and the continuation of this service reduces ongoing risk and cost to DoE.	Manager School Support Services	Executive Director, School Support Services with advice from the Procurement Review Committee
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8.	Q14-0357 – NT 2012 Australian Early Development Index Report	Certificate of Exemption to Invite Select Quotation	The project is for the finalisation of the NT 2012 AEDI Report by a specialist (Menzies School of Health Research).	\$50 000	There are no other organisations with the unique knowledge of the data in the NT context or its application required.	Senior Policy Officer	General Manager, Early Childhood Policy and Regulation with advice from the Procurement Review Committee
9.	15-0132 – Expert Coaching for Middle Years School Leaders	Certificate of Exemption to Invite Select Quotation	The Department of Education required consultancy advice to develop a model for effective leadership coaching in middle schools across the Northern Territory (NT). This project focuses on developing an effective, scalable model for leadership coaching to be customised for the NT middle school context. The model will be informed by research in the fields of coaching, leadership development and school improvement.	\$85 000	The supplier has previously provided similar services to NTG and the continuation of this service reduces risk and cost to DoE ongoing.	Contracts and Administration Manager	Director Secondary Education with advice from the Procurement Review Committee
10.	15-0263 – Review of Northern Territory Non-Government Schools Registration and Routine Assessment Process	Certificate of Exemption to Invite Select Quotation	To review the Northern Territory (NT) Government's practices and process for registration and routine assessments of non-government schools, with a view to: <ul style="list-style-type: none"> <li>- identify inconsistency, liability and risk to the NT Government;</li> <li>- align NT practices and processes with other Australian jurisdictions; and</li> <li>- develop a robust and streamlined routine assessment process that ensures quality, consistency and reduces risk to the NT Government.</li> </ul>	\$25 000	The supplier had previously provided similar service to NTG and has specialist knowledge of the remote NT context and non-government schools regulatory requirements.	Manager Non-government Schools	Director Education Services with advice from the Procurement Review Committee

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11.	14-0912 - Supply and Delivery of Educational Media Platform for a Period of 12 Months	Certificate of Exemption to Invite Select Quotation	The Department of Education required a media platform that realises efficient delivery and collection of media for existing and planned School Support Services educational programs and provides the capacity to extend assessment and reporting capabilities to reach remote localities. School Support Services media delivery platform has been supplied through a third party Australian company and this contract was concluding. A core requirement of the media platform's functionality is its ability to take in both teacher and student generated content (including student assessment) to be uploaded from multiple devices with each user managing their media via a secure web area.	\$60 000	A public process was not considered appropriate because the minimum three quotes could not be sourced through Australian providers. There is only one provider available in Australia and no suppliers within the Northern Territory for this service. Market research indicates Blackboard Inc. has the appropriate capacity and represents good value for money.	Senior Development Manager	Executive Director School Support Services with advice from the Procurement Review Committee
12.	14-1018 - Certification Program in the Nonviolent Crisis Intervention Program	Certificate of Exemption to Invite Select Quotation	The Indigenous Education Review recommends all schools implement the School Wide Positive Behaviour Support (SWPBS). The Certification Program in the Nonviolent Crisis Intervention links and recognises SWPBS as the foundation of nonviolent crisis intervention.	\$26 000	The supplier has previously provided this service to NTG and the continuation of this service would reduce risk and cost to DoE ongoing.	Crisis Intervention Coordinator	Executive Director School Support Services with advice from the Procurement Review Committee

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13.	14-1545 - Changing Gears — Retirement Planning Workshops	Certificate of Exemption to Invite Select Quotation	'Changing Gears' is a tailored workshop for mature employees and includes presentations from the Superannuation Office, Life Planning and a professional specialist in Centrelink entitlements. The workshop is aimed at providing information and support to mature age employees within DoE who are contemplating or actively planning retirement.	\$45 000	The minimum three quotes were unable to be obtained because there are no other suppliers within the Northern Territory for this service. Activetics is a specialist in its field and has previously provided similar services to DoE. It was familiar with the NTPS requirements and represented value for money.	Assistant Director Employee and Industrial Relations	Deputy Chief Executive Organisational Services with advice from the Procurement Review Committee
14.	14-1599 - Staff Survey Services	Certificate of Exemption to Invite Select Quotation	There is a requirement to undertake a survey to obtain reliable and valid information about the leader and cultural behaviours that are contributing to staff wellbeing, engagement and performance. The results of this survey will underpin the implementation of a cultural change and staff engagement strategy in the four cultural pillars of empathy, clarity, engagement and learning.	\$50 000	The supplier had previously provided this service to NTG and the continuation of this service reduces risk and cost to DoE ongoing.	A/ Senior Manager School Education Support	A/Executive Director School Support Services with advice from the Procurement Review Committee
15.	Q14-0373 – All Centres – Supply and Delivery of School2Work News for a period of 6 months	Certificate of Exemption to Invite Select Quotation	Supply and delivery of School2Work News (formerly ClassMate and School Matters) for Semester 2, 2014. The project is for the writing, sub-editing, layout, photographic services, design, full production and distribution of eight editions (four editions a term) of the four-page education feature and five advertising features.	\$69 000	NT News was the only company that supplies and distributes newspapers throughout the NT and had capacity to undertake the production of the materials at the required frequency and distribution volume.	Director Corporate Communications	Deputy Chief Executive with advice from the Procurement Review Committee

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16.	14-1602 - Preliminary Investigation of Yipirinya School	Certificate of Exemption to Invite Select Quotation	An investigation into the governance, financial management and other operational matters at the school.	\$50 000	Iain Summers has previous NTG experience as the Auditor General. He also had specific experience with the non-government school legislation framework and extensive financial and government experience with no conflict of interest with Yipirinya School.	Executive Director Education Partnerships	Acting Chief Executive with advice from the Procurement Review Committee
17.	15-0074 – Online Training Professional Learning for Special Education	Certificate of Exemption to Invite Select Quotation	The supplier is to undertake tutor training and professional learning in special education for School Support Services staff within DoE. This includes the development of educational programs with a focus on IT systems and online training for tutors.	\$50 000	This supplier is a specialist in its field and had previously provided similar services to DoE. It is familiar with the requirements and NT context and maintained value for money.	Manager Special Education	Executive Director School Support Services with advice from the Procurement Review Committee