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# **Tenders and Procurement Committee**

## **OPEN MINUTES**

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Minutes of a meeting of the Tenders and Procurement Committee held in the Council Chamber, Auckland Town Hall, 301-305 Queen Street, Auckland on Tuesday, 10 December 2013 at 8.30am.

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### **PRESENT**

<b>Chairperson</b>	Cr Dick Quax	
<b>Deputy Chairperson</b>	Cr Denise Krum	
<b>Members</b>	Cr Anae Arthur Anae	
	Cr Cameron Brewer	
	Cr Sharon Stewart, QSM	
	Cr Sir John Walker, KNZM, CBE	From 8.35am, Item 6.1

### **ALSO PRESENT**

Cr Calum Penrose	
Cr Cathy Casey	From 8.35am, Item 6.1

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**1 Apologies**

There were no apologies

**2 Declaration of Interest**

There were no declarations of interest.

**3 Confirmation of Minutes**

There were no minutes to confirm

**4 Petitions**

There were no petitions.

**5 Public Input**

There was no public input.

**6 Local Board Input**

**6.1 Simon Randall - Maungakiekie - Tamaki Local Board**

*Councillor John Walker entered the meeting at 8.35am  
Councillor Cathy Casey entered the meeting at 8.35am*

Resolution number TEN/2013/1

MOVED by Chairperson D Quax, seconded by Deputy Chairperson DA Krum:

**That the Tenders and Procurement Committee:**

- a) **thank Simon Randall, Chair, Maungakiekie – Tamaki Local Board for his verbal presentation.**

**CARRIED**

Secretarial Note: The Chairperson, Maungakiekie – Tamaki Local Board referred to the confidential item 9.1.

**7 Extraordinary Business**

**7.1 Outsourced Facilities Management of Auckland Council Recreational Facilities**

Resolution number TEN/2013/2

MOVED by Chairperson D Quax, seconded by Deputy Chairperson DA Krum:

**That the Tenders and Procurement Committee:**

- a) **consider an extraordinary item regarding Outsourced Facilities Management of Auckland Council Recreational Facilities.**
- I. **the delay was due to negotiations with those who submitted**

- proposals continuing longer than expected. The outcome however is an improved price with reduced costs for Council.
- II. the reason the item cannot wait until the next meeting in February is that there would not be sufficient time for the contractors to manage the contractual changes required for 1 July.
  - b) agree that this item of business be taken in the confidential section of the meeting at item 9.1.
- CARRIED**

**8 Notices of Motion**

There were no notices of motion.

**9 Consideration of Extraordinary Items**

**9.1 Outsourced Facilities Management of Auckland Council Recreational Facilities**

An extraordinary item was considered in confidential.

**10 Procedural motion to exclude the public**

Resolution number TEN/2013/3

MOVED by Chairperson D Quax, seconded by Deputy Chairperson DA Krum:

**That the Tenders and Procurement Committee:**

- a) exclude the public from the following part(s) of the proceedings of this meeting.
- b) agree that Allison Dobbie, Manager Libraries and Information and Louise LaHatte, Manager Regional Resources be permitted to remain for Confidential "ItemC; ACPN\_11071 Libraries and Information Core Collections Supplier Recommendation Report" after the public has been excluded, because of their knowledge of sensitive commercial and financial information about the proposed suppliers, which will help the Tenders and Procurement Committee in its decision-making.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

**C1 ACPN\_11071 Libraries and Information Core Collections Supplier Recommendation Report**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>In particular, the report includes sensitive commercial and financial information about the proposed suppliers.</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>
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**9.1 Outsourced Facilities Management of Auckland Council recreational Facilities**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>In particular, the report contains commercially sensitive information provided as part of an open procurement process which was provided to Council in confidence and for the sole purpose of the evaluation of the Outsourced Facility management procurement.</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

8.40am The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

9.30am The public was re-admitted.

**RESTATEMENTS**

It was resolved while the public was excluded:

**C1 ACPN\_11071 Libraries and Information Core Collections Supplier Recommendation Report**

Resolution number TEN/2013/4

MOVED by Chairperson D Quax, seconded by Deputy Chairperson DA Krum:

**That the Tenders and Procurement Committee:**

- a) **confirm that the resolutions and report remain in the confidential minutes until reasons for confidentiality no longer exists.**

**CARRIED**

**9.1 Outsourced Facilities Management of Auckland Council recreational Facilities**

Resolution number TEN/2013/5

MOVED by Chairperson D Quax, seconded by Deputy Chairperson DA Krum:

**That the Tenders and Procurement Committee:**

- a) **confirm that the resolutions and report remain in the confidential minutes until reasons for confidentiality no longer exists.**

**CARRIED**

9.30 am

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE TENDERS AND  
PROCUREMENT COMMITTEE HELD ON

**DATE:.....**

**CHAIRPERSON:.....**