
Tenders and Procurement Committee

OPEN MINUTES

Minutes of a meeting of the Tenders and Procurement Committee held in Room 1, Level 26, 135 Albert Street, Auckland on Tuesday, 15 December 2015 at 8.28am.

PRESENT

Chairperson
Members

Cr Dick Quax
Cr Anae Arthur Anae
Cr Cameron Brewer
Cr Sharon Stewart, QSM

From 8.50am, Item C2

ABSENT

Mayor Len Brown
Member Penny Hulse
Deputy Chairperson Cr Denise Krum
Cr Sir John Walker, KNZM, CBE

ALSO PRESENT

Cr George Wood, CNZM

Election of a Chair

The meeting elected a chairperson to preside at the meeting in the absence of Chairperson D Quax.

Resolution number TEN/2015/55

MOVED by Cr AJ Anae, seconded by Cr SL Stewart:

That the Tenders and Procurement Committee:

- a) **agree that Cr C Brewer be elected to preside as the chair at the meeting.**

There being no further nominations the Democracy Advisor DECLARED that the Cr C Brewer be elected to preside at the meeting.

Cr C Brewer assumed the Chair.

CARRIED

1 Apologies

Resolution number TEN/2015/56

MOVED by Acting Chairperson C Brewer, seconded by Cr AJ Anae:

That the Tenders and Procurement Committee:

- a) **accept the apologies from Mayor LCM Brown, Member PA Hulse, Deputy Chairperson DA Krum and Cr JG Walker for absence, and Chairperson D Quax for lateness.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number TEN/2015/57

MOVED by Cr SL Stewart, seconded by Cr AJ Anae:

That the Tenders and Procurement Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 24 November 2015, including the confidential section, as a true and correct record.**

CARRIED

4 Petitions

There were no petitions.

5 Public Input

There was no public input.

6 Local Board Input

There was no local board input.

7 Extraordinary Business

There was no extraordinary business.

8 Notices of Motion

There were no notices of motion.

9 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

10 Procedural motion to exclude the public

Resolution number TEN/2015/58

MOVED by Cr AJ Anae, seconded by Acting Chairperson C Brewer:

That the Tenders and Procurement Committee:

a) exclude the public from the following part(s) of the proceedings of this meeting.

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 Supplier recommendations for Artillery Drive stormwater tunnel

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
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.	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. In particular, the report contains commercially sensitive information relating to the procurement of stormwater construction services..	s48(1)(a) 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.

C2 SAP Support and Maintenance Negotiation

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
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.	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	s48(1)(a) 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

	<p>person who supplied or who is the subject of the information.</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>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>In particular, the report contains Council's negotiation objectives and SAP's commercially sensitive pricing information.</p>	exists under section 7.
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C3 Supplier Relationship Management

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
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>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>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 third party commercial information.</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

8.32am 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.

9.37am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Supplier recommendations for Artillery Drive stormwater tunnel

Resolution number TEN/2015/59

MOVED by Acting Chairperson C Brewer, seconded by Cr AJ Anae:

That the Tenders and Procurement Committee:

- c) confirm that there be no restatement of the confidential report, attachments or resolutions, with the exclusion of the following information:
 - i) for contracts awarded over \$100,000 Auckland Council will publish the following details on their website; the contract number, contract description, contract type, supplier's trading name, contract start date and contract expiry date.
 - ii) for when the total spending of vendors exceeds \$100,000, Auckland Council will publish the following details on their website; supplier identification, supplier name and total spend on the Auckland Council website.

C2 SAP Support and Maintenance Negotiation

Resolution number TEN/2015/60

MOVED by Cr D Quax, seconded by Acting Chairperson C Brewer:

That the Tenders and Procurement Committee:

Restatement

- d) note that these decisions will remain confidential due to continuing commercial negotiations.

C3 Supplier Relationship Management

Resolution number TEN/2015/61

MOVED by Chairperson D Quax, seconded by Cr C Brewer:

That the Tenders and Procurement Committee:

- a) receive the presentations for Lend Lease Services (New Zealand) Limited, and City Parks Limited.

Restatement:

- b) confirm that clause a) be restated in the open section of the minutes and that the presentation and report remain confidential.

9.37 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:.....