
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, 16 February 2016 at 9.32am.

PRESENT

Chairperson	Cr Dick Quax	
Deputy Chairperson	Cr Denise Krum	
Members	Cr Cameron Brewer	
	Cr Sharon Stewart, QSM	From 9.32am, Item 1
	Cr Sir John Walker, KNZM, CBE	From 9.48am, Item C1

ABSENT

Cr Anae Arthur Anae
Deputy Mayor Penny Hulse

ALSO PRESENT

Cr George Wood

1 Apologies

Cr SL Stewart entered the meeting at 9.32 am.

Resolution number TEN/2016/1

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

That the Tenders and Procurement Committee:

- a) **accept the apologies from Cr AJ Anae and Member PA Hulse for absence.**

CARRIED

2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number TEN/2016/2

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

That the Tenders and Procurement Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 15 December 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/2016/3

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.

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 Stormwater Capital Works Procurement Framework

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 management 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 Updated Forward Work Programme

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)(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). In particular, the report contains commercially sensitive information relating to the procurement of various services for council.	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.

C3 SAP Negotiations Update - February 2016

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)(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>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 Auckland Council's negotiation objectives and SAP's commercially sensitive pricing 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

9.34am The public was excluded.

10.21am The public was re-admitted.

RESTATEMENTS

It was resolved while the public was excluded:

C1 Stormwater Capital Works Procurement Framework

Resolution number TEN/2016/4

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

That the Tenders and Procurement Committee:

- b) confirm that there be no restatement of the confidential report, attachments or resolutions, with the exclusion of the following information:
 - i) details of the Request for Proposals for suppliers to the framework will be made public when this is released to the market.
 - ii) for contracts awarded through the framework valued 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.
 - iii) 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 Updated Forward Work Programme

Resolution number TEN/2016/5

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

That the Tenders and Procurement Committee:

- a) approve their forward work programme for political reporting.
- b) note that clauses a) and b) will be restated in the open minutes, however, the agenda report and attachments will remain confidential due to commercial activity to be undertaken until the contracts are awarded.

C3 SAP Negotiations Update - February 2016

Resolution number TEN/2016/6

MOVED by Chairperson D Quax, seconded by Cr SL Stewart:

That the Tenders and Procurement Committee:

- a) receive the update on SAP negotiations.

Restatement

- b) note that the report titled "SAP Negotiations Update – February 2016" will remain confidential due to continuing commercial negotiations and commercial sensitivity.

10.21 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:.....