Komiti Mahi Āta Torotoro Rawa / Strategic Procurement Committee

OPEN MINUTES

Minutes of a meeting of the Strategic Procurement Committee held in the Room 1, Level 26, 135 Albert Street, Auckland on 4 September 2019 at 9.32am.

PRESENT

Chairperson
Deputy Mayor Cr Bill Cashmore
Deputy Chairperson
Cr Ross Clow
Members
Cr Alf Filipaina
Cr Penny Hulse
Cr Daniel Newman, JP From 9.55am, Item 5.2

ABSENT

Cr Dr Cathy Casey
Cr Linda Cooper, JP

Ex-officio
Mayor Hon Phil Goff, CNZM, JP

ALSO PRESENT

Cath Handley, Chair Waiheke Local Board
1 **Apologies**

Resolution number STR/2019/62

MOVED by Cr P Hulse, seconded by Chairperson BC Cashmore:

*That the Strategic Procurement Committee:*  
a) accept the apology from Cr L Cooper for absence.  

CARRIED

2 **Declaration of Interest**

There were no declarations of interest.

3 **Confirmation of Minutes**

Resolution number STR/2019/63

MOVED by Chairperson BC Cashmore, seconded by Cr P Hulse:

*That the Strategic Procurement Committee:*  
a) confirm the ordinary minutes of its meeting, held on Wednesday, 7 August 2019, including the confidential section, as a true and correct record.  

CARRIED

4 **Petitions**

There were no petitions.

5 **Public Input**

5.1 **Public Input - Sarah Smuts-Kennedy - Procurement of food scraps processing service**

Sarah Smuts-Kennedy – Chair, For the Love of Bees Charitable Trust – addressed the committee on Item 12 – Update on procurement of food scraps processing service

Documents were tabled in support of the item. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Resolution number STR/2019/64

MOVED by Chairperson BC Cashmore, seconded by Cr P Hulse:

*That the Strategic Procurement Committee:*  
a) receive and thank Sarah Smuts-Kennedy for her presentation regarding procurement of food scraps processing service.  

CARRIED

**Attachments**

A 4 September 2019, Strategic Procurement Committee - Item 5.1 Public input Sarah Smuts-Kennedy
5.2 Public Input - Richard Wallis - Procurement of food scraps processing service

Cr D Newman joined the meeting at 9.55am.

Richard Wallis – Director, The Compost Consultancy Company Limited – addressed the committee on Item 12 – Update on procurement of food scraps processing service.

Documents were tabled in support of the item. Copies have been placed on the official minutes and are available on the Auckland Council website as minutes attachments.

Resolution number STR/2019/65

MOVED by Chairperson BC Cashmore, seconded by Cr P Hulse:

That the Strategic Procurement Committee:

a) receive and thank Richard Wallis for his presentation regarding procurement of food scraps processing service.

CARRIED

Attachments

A 4 September 2019, Strategic Procurement Committee - Item 5.2 Public input Richard Wallis

6 Local Board Input

6.1 Local Board Input - Waiheke Local Board - Waiheke Island waste services

Cath Handley, Waiheke Local Board Chair, spoke at Item C3 - CONFIDENTIAL: Approval of the Waiheke resource recovery and waste services supplier recommendations.

7 Extraordinary Business

There was no extraordinary business.

8 Procurement plan for Retrofit Your Home services

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number STR/2019/66

MOVED by Deputy Chairperson R Clow, seconded by Cr P Hulse:

That the Strategic Procurement Committee:

a) approve the procurement plan (as shown in Attachment B to the report) to establish a Retrofit Your Home supplier panel for up to $9 million per annum of budget over three years from February 2020 to January 2023 for a total value of up to $27 million

b) delegate authority to the chief executive of Auckland Council to appoint suppliers to the Retrofit Your Home panel, including any variations to their contracts throughout the duration of the panel term.

CARRIED

Attachments

A 4 September 2019, Strategic Procurement Committee - Item 8 - Procurement plan for Retrofit Your Home services - presentation
9 Update on procurement of Healthy Waters operations and maintenance contracts

Cr P Hulse left the meeting at 10.11am.

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number STR/2019/67

MOVED by Cr A Filipaina, seconded by Deputy Chairperson R Clow:

That the Strategic Procurement Committee:

a) note the information contained in this report, on procurement of Healthy Waters operations and maintenance contracts, is provided to enable transparency on the topic due for discussion in the public excluded part of the meeting.

CARRIED

Attachments
A 4 September 2019, Strategic Procurement Committee - Item 9 - Healthy Waters procurement update

10 Extension of Legal Services panel contracts

Resolution number STR/2019/68

MOVED by Chairperson BC Cashmore, seconded by Cr A Filipaina:

That the Strategic Procurement Committee:

a) note the information contained in this report, on the External Legal services panel contracts, enables transparency on the topic due for discussion in the public excluded part of the meeting

b) note that the confidential report contains information that could prejudice council's position in negotiations with suppliers.

CARRIED

11 Update on the procurement of Waiheke resource recovery and waste services

Cr P Hulse returned to the meeting at 10.30am.

Deputy Chairperson R Clow left the meeting at 10.30am.

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number STR/2019/69

MOVED by Chairperson BC Cashmore, seconded by Cr A Filipaina:

That the Strategic Procurement Committee:

a) note the information contained in this report, on the approval of the Waiheke resource recovery and waste services supplier recommendations, enables transparency on the topic due for discussion in the public excluded part of the meeting

b) note that the confidential report contains information that could prejudice Auckland Council’s position with potential suppliers.

CARRIED

Attachments
A 4 September 2019, Strategic Procurement Committee - Item 11 - Update on Waiheke resource recovery and waste services
12 **Update on procurement of food scraps processing services**

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number STR/2019/70

MOVED by Chairperson BC Cashmore, seconded by Cr D Newman:

**That the Strategic Procurement Committee:**

a) note the information contained in this report, on procurement of an Auckland food scraps processing service, is provided to enable transparency on the topic due for discussion in the public excluded part of the meeting.

CARRIED

**Attachments**

A 4 September 2019, Strategic Procurement Committee - Item 12 - Update on procurement of food scraps processing services

13 **Summary of Strategic Procurement Committee information memoranda and briefings, including the Forward Work Programme - 4 September 2019**

Deputy Chairperson R Clow returned to the meeting at 11.00 am.

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number STR/2019/71

MOVED by Chairperson BC Cashmore, seconded by Deputy Chairperson R Clow:

**That the Strategic Procurement Committee:**

a) note the progress on the forward work programme appended as Attachment A of the agenda report

b) receive the Summary of Strategic Procurement Committee information memoranda and briefings – 4 September 2019

c) note the achievements of Strategic Procurement staff to creative and successful procurement outcomes.

CARRIED

**Attachments**

A 4 September 2019, Strategic Procurement Committee - Item 13 - Strategic Procurement Committee Group Source Highlights - presentation

14 **Consideration of Extraordinary Items**

There was no consideration of extraordinary items.
15 **Procedural motion to exclude the public**

Resolution number STR/2019/72

MOVED by Chairperson BC Cashmore, seconded by Cr P Hulse:

**That the Strategic Procurement Committee:**

a) provide for the exclusion of 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:

<table>
<thead>
<tr>
<th>C1 CONFIDENTIAL:</th>
<th>Procurement of Healthy Waters Southern operations and maintenance contract and regional catchpits and treatment devices contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reason for passing this resolution in relation to each matter</td>
<td>Particular interest(s) protected (where applicable)</td>
</tr>
<tr>
<td>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.</td>
<td>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 that could prejudice the council’s position in negotiations with suppliers.</td>
</tr>
</tbody>
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<table>
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<th>C2 CONFIDENTIAL:</th>
<th>Extension of Legal Services panel contracts</th>
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<td>Particular interest(s) protected (where applicable)</td>
</tr>
<tr>
<td>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.</td>
<td>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. In particular, the report contains information sensitive to the arrangements between Auckland Council and the External Legal Suppliers.</td>
</tr>
</tbody>
</table>
C3 CONFIDENTIAL: Approval of the Waiheke resource recovery and waste services supplier recommendations

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. 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 information that could prejudice the council's position with potential suppliers.</td>
<td>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.</td>
</tr>
</tbody>
</table>

C4 CONFIDENTIAL: Supplier recommendations for food scraps processing services

<table>
<thead>
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<tr>
<td>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.</td>
<td>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 that could impact on the council's position in negotiations with suppliers.</td>
<td>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.</td>
</tr>
</tbody>
</table>

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

11.07am 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.

12.36pm The public was re-admitted.
RESTATEMENTS

It was resolved while the public was excluded:

C1  CONFIDENTIAL: Procurement of Healthy Waters Southern operations and maintenance contract and regional catchpits and treatment devices contract
Resolution number STR/2019/75
MOVED by Cr D Newman, seconded by Cr A Filipaina:
c) confirm that the agenda report, attachments of the agenda report, and resolutions will remain confidential until reasons for confidentiality no longer exist.

C2  CONFIDENTIAL: Extension of Legal Services panel contracts
Resolution number STR/2019/76
MOVED by Deputy Chairperson R Clow, seconded by Cr P Hulse:
e) confirm that the resolutions and report remain confidential until reasons for confidentiality no longer exist.

C3  CONFIDENTIAL: Approval of the Waiheke resource recovery and waste services supplier recommendations
Resolution number STR/2019/74
MOVED by Deputy Chairperson R Clow, seconded by Cr A Filipaina:
e) confirm that there be no restatement of the confidential report, attachments or resolutions, until the suppliers have been notified of the awarding of the contract, following the 4 September 2019 Strategic Procurement Committee meeting.

C4  CONFIDENTIAL: Supplier recommendations for food scraps processing services
Resolution number STR/2019/77
MOVED by Deputy Chairperson R Clow, seconded by Cr A Filipaina:
d) confirm that the resolutions and report remain confidential until reasons for confidentiality no longer exist.
12.36pm

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

CONFIRMED AS A TRUE AND CORRECT RECORD BY THE CHAIRPERSON AND CHIEF EXECUTIVE UNDER STANDING ORDER 8.1.4 ON

DATE:........................................................................................................

CHAIRPERSON:.........................................................................................

CHIEF EXECUTIVE OR NOMINEE:............................................................