



Waitakere City Council
Te Taiao o Waitakere

NOTICE OF MEETING

TENDERS SUBCOMMITTEE

I hereby give notice that a Meeting of the Tenders Subcommittee will be held on:-

DATE: **Friday** **26 November 2004** **TIME:** **9.00 am**

VENUE: **Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

19 November 2004

PP

Ngareta Delamere
COMMITTEE SECRETARY

Telephone (09) 836 8000 extn 8552

MEMBERSHIP:

Councillors JM Clews, QSO, JP (Chairperson)
 RI Clow (Deputy Chairperson)

Chief Executive

Director: City Services

Director: Corporate & Civic Services

Director: Strategy & Development

Director: Quality Assurance

Director: Finance

Maori Issues Manager

Mayor RA Harvey, QSO, JP (ex officio)

Deputy Mayor CA Stone (ex officio)

(Quorum 4 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

**AGENDA FOR A MEETING OF THE TENDERS SUBCOMMITTEE TO BE HELD IN THE
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,
ON FRIDAY, 26 NOVEMBER 2004, COMMENCING AT 9.00 AM**

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1 APOLOGIES



2 URGENT BUSINESS

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

NOTE: Urgent Business need not be dealt with now and may be delayed until later in the meeting.



3 CONFIRMATION OF MINUTES

Meeting Minutes - 12 November 2004

RECOMMENDATION

That the minutes of the Meeting of the Tenders Subcommittee held on Friday, 12 November 2004, as circulated, be taken as read and now be confirmed.



4 CONTRACT NO. 70390 - LICENCE TO OPERATE WAITAKERE QUARRY

PURPOSE OF THE REPORT

The purpose of this report is to seek approval for the extension of the existing Quarry Licence for an additional five years.

BACKGROUND

The Waitakere Quarry Licence agreement expires on the 14 of November 2004. Council has been in negotiation with the existing operator, Wharehine Construction Limited, since July 2004. Agreement has been reached with the operator to extend the licence under the same contract condition, as Clause 3 of the existing licence agreement allows for the extension of the licence for an additional five years.

A study of the remaining resources has been carried out and estimates that there is at least 5 to 10 years of resource left depending upon the extraction rate. The residual resource of rock is estimated to be approximately 1,700,000 tonnes (loose).

Waitakere City Council receives a royalty for each tonne of rock quarried. The production rate has been steadily increasing and is summarised below:

Calendar Year	2000	2001	2002	2003	2004 to June
Annual tonnage	165,810	153,065	204,987	208,724	115,200

SCOPE OF WORK

The scope of the work includes carrying out all quarrying activities and providing a royalty to Council for metal extracted.

A1 Operation of the Quarry is a permitted activity under "Rule 13 - Quarry Special Area," of the District Plan. This rule includes the Quarry Management Plan that sets out various conditions for operation including the quarrying sequence listed as areas 1 through to area 8 in that order. Attached at page A1 is a map showing the location of these areas.

Areas 1 through 5 have been practically exhausted leaving only areas 6,7 and 8 to be quarried, in that order. The resources study indicates that areas 6 and 7 have large overburden (clay and sandstone) thicknesses, typically equal to the thickness of the underlying andesite rock itself.

Consequently these two areas are more expensive to quarry than area 8, which has only a small overburden depth. It is more economic for the operator if parts of area 8 can be quarried in conjunction with areas 6 and 7. To allow this however, would require a variation to the Quarry Management Plan and the District Plan specifically Rule 13 Appendix A [51] clause 4 (a).

ROYALTIES AND PRODUCTION RATES

The existing contract provides for the following royalties to be paid to Council:

Royalty Payments to Council	For annual production up to 160,000 tonnes	For annual production exceeding 160,000 tonnes	Minimum production rates
Uncrushed Rock	\$2.10/tonne	\$2.10/tonne	2,789 tonne/month
Crushed Rock	\$2.30/tonne	\$2.40/tonne	12,707 tonne/month

As well, the contract provides for the following:

- A minimum monthly payment to Council is \$35,083.00;
- A minimum annual payment to Council is \$420,996.00.

PRICE VARIATIONS

There have been only marginal increases in the (wholesale) market price for aggregate over the last four years, as shown on the following table on the of price for various aggregates.

Aggregate	1999	2000	2001	2002	2003	2004
GAP 65	\$7.6/t	\$8.36/t	\$8.36/t	\$8.36/t	\$8.36/t	\$8.36/t
GAP 40	\$10.24/t	\$11.26/t	\$11.26/t	\$11.26/t	\$11.26/t	\$11.26/t
GAP 20	\$12.36/t	\$13.60/t	\$13.60/t	\$13.60/t	\$13.60/t	\$13.60/t

The table shows that there have been no significant price rises since 1999 and therefore it is recommended that the current royalty be retained.

SUMMARY

The cost of extracting rock is expected to increase with the increasing overburden thickness and increases in fuel charges. The quarry appears to have sufficient reserves to allow for extraction to occur into the foreseeable future.

It is proposed that the royalty payments paid to Council under the proposed extension to the contract period of five (5) years will remain unchanged, and approval is subject to granting a five year extension to this contract.

RECOMMENDATIONS

1. That the Contract No. 70390 - Licence to Operate Waitakere Quarry report be received.
2. That the extension of Contract No. 70390 - Licence to Operate Waitakere Quarry be granted to Wharehine Contractors Limited for a period of five years at the current royalty.
3. That the authority to enter into a contract for the extension of Contract No. 70390 - Licence to Operate Waitakere Quarry, be delegated to the Group Manager: Asset Management.

Report prepared by: Tony Miguel, Group Manager: Asset Management.



5 PARKS MAINTENANCE CONTRACT 2005 - PK05001A CITY PLANT AND ANIMAL PEST MAINTENANCE

PURPOSE OF THE REPORT

The purpose of this report is to seek approval from the Tenders Subcommittee to publicly tender for two (2) years with extensions of two (2) plus two (2) years for Contract PK05001A City Plant and Animal Pest Maintenance Contract

BACKGROUND

The contract period for the existing contracts concludes on 30 June 2005 and is at present carried out by various contractors.

SCOPE OF WORK

The new City Plant and Animal Pest Maintenance Contract involves the combination of several smaller contracts. The works includes programmed and response work involving the programmed control of legal and environmental weeds on roadside and in parks, response to community requests, a programme for the treatment of gorse on Piha Road, possum and wasp and wild bee treatment.

All other response and non programmed maintenance is to be undertaken by a separate Response maintenance contractor.

PROPOSAL

It is proposed to publicly tender the City Plant and Animal Pest Maintenance Contract for two (2) years with extensions of two (2) plus two (2) years subject to the contractor's quality and performance and at the sole discretion of the Principal. The proposal to tender the works over a two (2) years plus two (2) years plus two (2) years contract is to gain better pricing from tenders who will be able to recover cost of plant over a longer term, attract quality staff with possibility of long term employment and negotiate better supply contracts. This also eliminates the cost to Council of tendering the contract works two more times. Continuity of a contractor eliminates the risk that is inherent in the change over period between contractors.

RESOURCES

Funding for this contract has been included in the 2003 Long Term Council Community Plan.

SUMMARY

It is proposed to publicly tender the City Plant and Animal Pest Maintenance Contract and authority is required to commence the procurement process.

RECOMMENDATIONS

1. That the Parks Maintenance Contract 2005 - PK05001A City Plant and Animal Pest Maintenance Contract report be received.
2. That approval be given to invite public tenders for Contract PK 05001A City Plant and Animal Pest Maintenance Contract, for two (2) years with extensions of two (2) plus two (2) years.

Report prepared by: Grant Jennings, Service Manager, Parks and Open Space Assets.



6 PARKS MAINTENANCE CONTRACT 2005 - PK05001B CITY ROADSIDE VEGETATION MAINTENANCE

PURPOSE OF THE REPORT

The purpose of this report is to seek approval from the Tenders Subcommittee to publicly tender for two (2) years with extensions of two (2) plus two (2) years for Contract PK05001B City Roadside Vegetation Maintenance Contract.

BACKGROUND

The contract period for the existing contract concludes on 20 June 2005. The Contract is at present undertaken by Techscope Limited and various other contractors.

SCOPE OF WORK

The new City Roadside Vegetation Maintenance Contract involves the treatment of weeds alongside road edges and footpath in urban and rural areas. Works include the use of mechanical means (weed eater) and herbicide contact (non spray) in high sensitive areas including schools and town centres.

All other response and non programmed maintenance is to be undertaken by a separate Response maintenance contractor.

PROPOSAL

It is proposed to publicly tender the City Roadside Vegetation Control Contract for two (2) years with extensions of two (2) plus two (2) years subject to the contractor's quality and performance and at the sole discretion of the Principal. The proposal to tender the works over a two (2) years plus two (2) years plus two (2) years contract is to gain better pricing from tenders who will be able to recover cost of plant over a longer term, attract quality staff with possibility of long term employment and negotiate better supply contracts. This also eliminates the cost to Council of tendering the contract works two more times. Continuity of a contractor eliminates the risk that is inherent in the change over period between contractors.

RESOURCES

Funding for this contract has been included in the 2003 Long Term Council Community Plan.

SUMMARY

It is proposed to publicly tender City Roadside Vegetation Maintenance Contract and authority is required to commence the procurement process.

RECOMMENDATIONS

1. That the Parks Maintenance Contract 2005 - PK05001B City Roadside Vegetation Maintenance Contract report be received.
2. That approval be given to invite public tenders for Contract PK 05001B City Roadside Vegetation Maintenance Contract for two (2) years with extensions of two (2) plus two (2) years.

Report prepared by: Grant Jennings, Service Manager, Parks and Open Space Assets.



7 PARKS MAINTENANCE CONTRACT 2005 - PK05002A CITY ARBORICULTURE MAINTENANCE

PURPOSE OF THE REPORT

The purpose of this report is to seek approval from the Tenders Subcommittee to publicly tender Contract PK05002A City Arboriculture Maintenance Contract for two (2) years with extensions of two (2) plus two (2) years.

BACKGROUND

The contract period for the existing contract concludes on 30 June 2005 and is at present carried out by Asplundh Tree Expert (NZ) Limited.

SCOPE OF WORK

The new City Arboriculture Maintenance Contract includes programmed and response work. This involves the programmed maintenance of the city roadside and park trees, response to community requests, the removal of potentially unsafe trees and the programmed clearance of overhanging vegetation along roadsides and walkways. Works also include the commencement for the programmed maintenance of trees under power lines, planting and renewal of new trees and aftercare maintenance of newly established trees.

All other response and non programmed maintenance is to be undertaken by a separate Response maintenance contractor.

PROPOSAL

It is proposed to publicly tender the City Arboriculture Maintenance Contract for two (2) years with extensions of two (2) plus two (2) years subject to the contractor's quality and performance and at the sole discretion of the Principal. The proposal to tender the works over a two (2) years plus two (2) years plus two (2) years contract is to gain better pricing from tenders who will be able to recover cost of plant over a longer term, attract quality staff with possibility of long term employment and negotiate better supply contracts. This also eliminates the cost to Council of tendering the contract works two more times. Continuity of a contractor eliminates the risk that is inherent in the change over period between contractors.

RESOURCES

Funding for this contract has been included in the 2003 Long Term Council Community Plan.

SUMMARY

It is proposed to publicly tender the City Arboriculture Maintenance Contract and authority is required to commence the procurement process.

RECOMMENDATIONS

1. That the Parks Maintenance Contract 2005 - PK05002A City Arboriculture Maintenance Contract report be received.
2. That approval be given to invite public tenders for Contract PK 05002A City Arboriculture Maintenance Contract for two (2) years with extensions of two (2) plus two (2) years.

Report prepared by: Grant Jennings, Service Manager, Parks and Open Space Assets.



8 PARKS MAINTENANCE CONTRACT 2005 - PK05003A CITY SPORTS PARKS PROGRAMMED MAINTENANCE

PURPOSE OF THE REPORT

The purpose of this report is to seek approval from the Tenders Subcommittee to publicly tender for Contract PK05003A City Sports Parks Programmed Maintenance Contract for two (2) years with extensions of one (1) year.

BACKGROUND

The contract period for the Sports Parks Programmed Maintenance Contract concludes on 30 June 2005. This contract is currently undertaken by Techscape Limited.

SCOPE OF WORK

The new City Sports Parks Maintenance Contract involves the programmed maintenance of the city's sports parks, which includes preparation of sports fields, mowing, toilet cleaning, litter collection, garden maintenance, car parks maintenance, tracks and walkways maintenance including the maintenance of the Douglas Track and Field.

All other response and non programmed maintenance is to be undertaken by a separate Response maintenance contractor.

PROPOSAL

It is proposed to publicly tender the City Sports Parks Maintenance Contract for two (2) years with one (1) year extension subject to the contractor's quality and performance and at the sole discretion of the Principal. With changes in technology and methodologies of work practises, the Sports Contract will have a shorter overall contract period in order to allow for these changes to be introduced. The proposal to tender the works over a two (2) years plus one (1) years contract is to gain better pricing from tenders who will be able to recover cost of plant over a longer term, attract quality staff with possibility of long term employment and negotiate better supply contracts. This also eliminates the cost to Council of tendering the contract works two more times. Continuity of a contractor eliminates the risk that is inherent in the change over period between contractors.

RESOURCES

Funding for this contract has been included in the 2003 Long Term Council Community Plan.

SUMMARY

It is proposed to publicly tender the City Sports Parks Maintenance Contract and authority is required to commence the procurement process.

RECOMMENDATIONS

1. That the Parks Maintenance Contract 2005 - PK05003A City Sports Parks Programmed Maintenance Contract report be received.
2. That approval be given to invite public tenders of Contract PK05003A Sports Parks Maintenance for two (2) years with one (1) year extension.

Report prepared by: Grant Jennings, Service Manager, Parks and Open Space Assets.



9 CONTRACT NO. CC04120A - NGĀTI WHATUA O ORAKEI CORPORATE LIMITED - PROFESSIONAL SERVICES CONTRACT FOR 2004 TO 2007

PURPOSE OF THE REPORT

The approval of the Tenders Subcommittee is sought to enter into a revised contract with Ngāti Whatua O Orakei Corporate Limited for the supply of professional services for the period 1 December 2004 to 30 November 2007.

BACKGROUND AND STRATEGIC CONTEXT

Waitakere City Council is required under both the Local Government Act 2002 and the Resource Management Act 1991 to take account of the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga, to establish and maintain processes and opportunities for Maori to contribute to its decision making processes, and to take into account the principals of the Treaty of Waitangi. The Council must also consider ways in which it can foster Maori capacity to contribute to decision making.

Alongside this legislative imperative, Council has long seen the meaningful involvement of the Maori community in the city as a key part of achieving its sustainable development objectives.

Council approaches Maori involvement through a number of mechanisms. One of the mechanisms used in order to ensure Council meets specific obligations under the Resource Management Act 1991, and more latterly under the Local Government Act 2002, has been a contract for professional services with iwi groups that have manawhenua status within the city. This contract arrangement has allowed Council to ensure that it has detailed iwi input in relation to District Plan and resource consent matters as well as broader policy and service delivery and implementation that impact on Maori traditional interests.

Ngāti Whatua is one of the iwi claiming manawhenua status in Waitakere City. As part of Council's broader relationship with Ngāti Whatua, it has been agreed that Council will deal with Ngāti Whatua O Orakei on regulatory and policy issues. Ngāti Whatua O Orakei delivers professional services through Ngāti Whatua O Orakei Corporate Limited.

A contract relationship has existed between Ngāti Whatua O Orakei Corporate Limited and Waitakere City Council since 1998. Until now the contract has been a fixed fee contract with a work programme specified to fill a fixed amount of hours provided for. The amount of the contract in 2003/2004 was \$48,000.

After discussions between Council and the Ngāti Whatua Orakei Corporate Limited, it has been agreed that the contract should be restructured. It is proposed that the contract will be divided into two parts: Part A, consisting of resource consent checking and base level input, and all general liaison, monitoring and reporting required under the contract; and, Part B covering all other policy and projects. Details on the work to be undertaken are set out under issues below.

ISSUES

As noted above, it is proposed that the contract be restructured into two parts.

Through contract discussions it has been identified that in addition to the core Resource Consent and Liaison work (Part A), professional services will be required in the following areas:

- a) Reserve Management Plans.
- b) Parks Strategy.
- c) Green Network Education.
- d) Sustainable Housing Strategy.
- e) District Plan updates including Heritage Issues.
- f) Long Term Council Community Plan for 2006.
- h) Water Services Assessment.
- i) Twin Streams.
- j) Transport Strategy.
- k) Water Assets Programme Implementation.
- m) Parks Assets Work Programme.
- n) Revegetation Programme.
- o) Waitakere Wellbeing Collaboration Project.
- q) Social Policy Work Programme.
- r) Leisure Strategy.
- s) Facility Partnership Policy.
- t) Twin Streams.
- u) Walk and Cycle Ways.
- v) Arts and Culture Programmes.

These areas of work comprise Part B of the contract.

In terms of contract operation, the company will quote for Part B work required of it by the Council as part of the agreed work programme. Providing the scope of each piece of work and price can be agreed, specific job agreements under the head contract will be issued to cover each piece of work. The company will continue to invoice the Council on a regular basis for Part A work and will invoice pursuant to job agreements for Part B work. Council will only pay for work specifically commissioned and carried out.

The reasons for the restructuring are now two fold:

- Firstly, the company feels that two part structure will give them greater ability to prioritise and manage their work for the city. The approach proposed is similar to other contracts they have in place with other local authorities in the region;
- Secondly, from a Council perspective, the move away from bulk funding will enable improved monitoring and accountability measures to be put in place. While monitoring regimes are currently managed by the Maori Issues Manager, the proposed approach will place a greater responsibility for monitoring of project owners, who are best placed to observe work quality and quantity.

Ngāti Whatua O Orakei Corporate Limited has provided a highly professional level of service over the duration of Council's relationship with them. To provide both the Iwi and Council with certainty about the ongoing relationship, it is proposed that Council enters into a three year contract arrangement with Ngāti Whatua O Orakei Corporate Limited, subject to agreement of a Part B work programme in each year. In order to have a three-year term contract, a funding commitment is required for the 2005/2006 Annual Plan, 2006/2007 Annual Plan in addition to the funds allocated in the current 2004/2005 Annual Plan. This approach is in line with other contracts that council has in place with community based organisations.

RESOURCES

Funding for the contract with Ngāti Whatua O Orakei Corporate Limited for the balance of the current 2004/2005 Annual Plan is provided for in the Maori Issues Iwi Consultation budget. It is proposed that both Part A and B of the Contract will be funded from this budget for the remainder of the year. In subsequent years it is proposed that Part A will be funded from the Maori Issues budget. Part B budget will be provided for in project budgets in subsequent years. The budget provision in the Maori Issues area for iwi consultation will decrease, while project budgets may increase depending on work required from year to year. Amounts comparative to that provided for in the 2004/2005 year are included in the Long Term Council Community Plan for 2005/2006 and 2006/2007.

CONCLUSION

Following a review of the contract relationship between Council and Ngāti Whatua O Orakei Corporate Limited, it is proposed to enter into a new contract arrangement which will provide greater accountability to the Council, and enable Ngāti Whatua O Orakei Corporate Limited to better manage the work they are doing for Council.

RECOMMENDATIONS

1. That Contract No. CC04120A: Ngāti Whatua O Orakei Corporate Limited - Professional Services Contract for 2004 to 2007 report be received.
2. That the proposed restructured form of contract for Professional Services for Ngāti Whatua O Orakei Corporate Limited be approved.
3. That the Chief Executive be delegated authority to negotiate and enter into a contract with Ngāti Whatua O Orakei Corporate Limited for professional services to Waitakere City from 1 December 2004 to 30 November 2007 on the basis outlined in the report.
4. That approval is given for the commitment of the Part A base funding of \$20,000 plus \$2,500 GST totalling \$22,500 in each of the 2005/2006, 2006/2007 and 2007/2008 Annual Plan years.

5. The authority to enter into the contract on behalf of the Council be delegated to the Chief Executive.

Report prepared by: Warahi Paki, Manager: Maori Issues and David Tait, Manager: Unit Co-ordination and Support, Corporate & Civic Services.



10 **CONTRACT NO. CC04127A - TE KAWERAU A MAKI PROFESSIONAL SERVICES CONTRACT FOR 2004 TO 2007**

PURPOSE OF THE REPORT

The approval of the Tenders Subcommittee is sought to enter into a revised contract with Te Kawerau A Maki for the supply of professional services for the period the period 1 December 2004 to 30 November 2007.

BACKGROUND AND STRATEGIC CONTEXT

Waitakere City Council is required under both the Local Government Act 2002 and the Resource Management Act 1991 to take account of the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga, to establish and maintain processes and opportunities for Maori to contribute to its decision making processes, and to take into account the principals of the Treaty of Waitangi. The Council must also consider ways in which it can foster Maori capacity to contribute to decision making.

Alongside this legislative imperative, Council has long seen the meaningful involvement of the Maori community in the city as a key part of achieving its sustainable development objectives.

Council approaches Maori involvement through a number of mechanisms. One of the mechanisms used in order to ensure Council meets specific obligations under the Resource Management Act 1991, and more latterly under the Local Government Act 2002, has been a contract for professional services with iwi groups that have manawhenua status within the city. This contract arrangement has allowed Council to ensure that it has detailed iwi input in relation to District Plan and resource consent matters as well as broader policy and service delivery and implementation that impact on Maori traditional interests.

Te Kawerau A Maki is one of the iwi claiming manawhenua status in Waitakere City. Te Kawerau A Maki delivers professional services through the Te Kawerau A Maki Tribal Trust.

A contract relationship has existed between Te Kawerau A Maki and Waitakere City Council since 1994. Until now the contract has been a fixed fee contract with a work programme specified to fill a fixed amount of hours provided for. The amount of the contract in 2003/2004 was \$202,000.

After discussions between Council and the Te Kawerau A Maki, it has been agreed in principle that the contract should be restructured. This is a welcome move by Te Kawerau A Maki as there is still a year to run of their existing bulk-funded contract, which they could have insisted remain in place. It is proposed that the contract will be divided into two parts: Part A, consisting of resource consent checking and base level input, and all general liaison, monitoring and reporting required under the contract; and, Part B covering all other policy and projects. Details on the work to be undertaken are set out under issues below.

ISSUES

As noted above, it is proposed that the contract be restructured into two parts.

Through contract discussions it has been identified that in addition to the core Resource Consent and Liaison work (Part A), professional services will be required in the following areas:

- a) Reserve Management Plans.
- b) Parks Strategy.
- c) Green Network Education.
- d) Sustainable Housing Strategy.
- e) District Plan updates including Heritage Issues.
- f) Long Term Council Community Plan for 2006.
- h) Water Services Assessment.
- i) Twin Streams.
- j) Transport Strategy.
- k) Water Assets Programme Implementation.
- m) Parks Assets Work Programme.
- n) Revegetation Programme.
- o) Waitakere Wellbeing Collaboration Project.
- q) Social Policy Work Programme.
- r) Leisure Strategy.
- s) Facility Partnership Policy.
- t) Twin Streams.
- u) Walk and Cycle Ways.
- v) Arts and Culture Programmes.

These areas of work comprise Part B of the contract.

In terms of contract operation, the Trust will quote for Part B work required of it by the Council as part of the agreed work programme. Providing the scope of each piece of work and price can be agreed, specific job agreements under the head contract will be issued to cover each piece of work. The Trust will continue to invoice the Council on a regular basis for Part A work and will invoice pursuant to job agreements for Part B work. Council will only pay for work specifically commissioned and carried out.

The reasons for the restructuring are now two fold:

- Firstly, the Trust feels that two part structure will give them greater ability to prioritise and manage their work for the city. The approach proposed is similar to other contracts they have in place with other local authorities in the region;
- Secondly, from a Council perspective, the move away from bulk funding will enable improved monitoring and accountability measures to be put in place. While monitoring regimes are currently managed by the Maori Issues Manager, the proposed approach will place a greater responsibility for monitoring of project owners, who are best placed to observe work quality and quantity.

As part of the contract restructuring, the existing contract will be terminated by mutual agreement.

Te Kawerau A Maki has provided a professional level of service over the duration of Council's relationship with them. To provide both the Iwi and Council with certainty about the ongoing relationship, it is proposed that Council enters into a three year contract arrangement with Te Kawerau A Maki Tribal Trust, subject to agreement of a Part B work programme in each year. In order to have a three-year term contract, a funding commitment is required for the 2005/2006 Annual Plan, 2006/2007 Annual Plan in addition to the funds allocated in the current 2004/2005 Annual Plan. This approach is in line with other contracts that council has in place with community based organisations.

RESOURCES

Funding for the contract with Te Kawerau A Maki for the balance of the current 2004/2005 Annual Plan is provided for in the Maori Issues Iwi Consultation budget. It is proposed that both Part A and B of the Contract will be funded from this budget for the remainder of the year. In subsequent years it is proposed that Part A will be funded from the Maori Issues budget. Part B budget will be provided for in project budgets in subsequent years. The budget provision in the Maori Issues area for iwi consultation will decrease, while project budgets may increase depending on work required from year to year. Amounts comparative to that provided for in the 2004/2005 year are included in the Long Term Council Community Plan for 2005/2006 and 2006/2007.

CONCLUSION

Following a review of the contract relationship between Council and Te Kawerau A Maki, it is proposed to enter into a new contract arrangement which will provide greater accountability to the Council, and enable Te Kawerau A Maki to better manage the work they are doing for Council.

RECOMMENDATIONS

1. That Contract No. CC04127A - Te Kawerau A Maki Professional Services Contract for 2004 to 2007 be received.
2. That the proposed restructured form of contract for Professional Services for Te Kawerau A Maki be approved.
3. That the Chief Executive be delegated authority to negotiate and enter into a contract with Te Kawerau A Maki Tribal Trust for professional services to Waitakere City from 1 December 2004 to 30 November 2007 on the basis outlined in the report.
4. That approval is given for the commitment of the Part A base funding of \$20,000 plus \$2,500 GST totalling \$22,500 in each of the 2005/2006, 2006/2007, 2007/2008 Annual Plan years.
5. The authority to enter into the contract on behalf of the Council be delegated to the Chief Executive.

Report prepared by: Warahi Paki, Manager: Maori Issues and David Tait, Manager: Unit Co-ordination and Support, Corporate and Civic Services.



11 CONTRACT NO. PK 04623C - ENVIRONMENTAL WEED CONTROL IN PARKS

PURPOSE OF THE REPORT

The purpose of this report is to seek approval to award Contract PK 04623C - Environmental Weed Control in Parks.

BACKGROUND

This work is being commissioned to meet objectives of the Waitakere City Council's Weed Strategy, which fits within Waitakere City Council's strategic framework as a mechanism to support the objectives of the Green Network Strategic Direction. This work is part of the five-year weed management strategy for selected high priority reserves in Waitakere City. Waitakere City Council therefore seeks a fixed fee proposal for undertaking environmental weed control in nominated reserves in Waitakere City.

SCOPE OF WORK

The intention of this programme is to control environmental weeds in reserves within Waitakere City that have previously been subjected to environmental weed control. The most important aspect of environmental weed control is the need for ongoing maintenance and follow up control.

The scope of work in this contract involves the control and removal of listed environmental weeds in the following reserves:

- Kay Road Bale Fill Site.
- Piha Reserves
- Opanuku Stream Reserves.
- Manutewhau Reserves.
- Kowhai Reserves.
- Henderson Valley Scenic.
- Rahui Kahika Reserves.
- Waitakere Quarry.
- Laingholm Reserves.
- Te Atatu Peninsula Reserves.
- Henderson Creek Reserves.
- Waiatarua Reserves.
- Titirangi Reserves.

TENDERS RECEIVED

Tenders were publicly advertised with three sets of documents being uplifted. Only one tender was received by the closing date of Tuesday, 12 October 2004. The tender sum of \$187,500 (excl GST) received by Te Ngahere Limited exceeded the allocated budget of \$165,000 (excl GST) for this work. The scope of works was subsequently modified and Te Ngahere requested to submit a revised tender sum. Te Ngahere Limited agreed to a reduction in the scope of work by removing the following reserve groups:

- Karaka/Manukau Margin
- Sunline/Chorley Reserves
- Lowtherhurst Reserves
- Seibel Reserves
- Te Henga Reserves

The reserve groups removed have been programmed for extensive environmental weed control in 2005/2006.

The agreed reduction in the scope of work reduced the tender sum to \$160,000 (excl GST). This is summarised in Table 1 below:

TENDERER	REG OFFICE	TENDER PRICE (excl.GST)
Te Ngahere Limited	PO Box 68-407 Newton, Auckland	\$160,000.00
Pre-tender contract estimate		\$165,000.00

Table 1 - Summary of Tender Prices

TENDER EVALUATION

In accordance with the conditions of tendering, tenders were evaluated in line with the Weighted Attribute Method contained in Transfund New Zealand's "Competitive Pricing Procedures Manual".

Te Ngahere Limited were the only tenderer and submitted a conforming tender.

A summary of the evaluation results is shown in Table 2:

Tender Evaluation	Attributes	Exper.	Track Record	Tech. Skill	Resour.	Manag. Skill	Method.	Price	Contract No PK 04623C
									Total Weights
	Weights	10	10	15	10	10	10	35	100
Tenderer	Tender Sum	Grades							INDEX
Te Ngahere Limited	\$160,000.00	90	90	90	85	85	85	50	75
Med.n Tender Price	\$160,000.00								

Table 2 - Summary of Tender Evaluation

TAGS, ERRORS OR OMISSIONS

The tender received from Te Ngahere Limited had two tags attached concerning the control of specific environmental weed species. The tags were investigated and have been found to be acceptable as there is no impact on the tender sum or the outcomes of the contract.

CREDIT CHECK

A credit check on Te Ngahere Limited has been requested.

SUMMARY

The results of the tender evaluation as summarised in Table 2 shows that the tender submitted by Te Ngahere Limited achieved the highest index of 75. This tender is also the lowest priced tender.

Te Ngahere Limited successfully completed the PK 03623C Environmental Weed Control in Parks last year to an exemplary standard.

As part of Council’s vision “quality, health and safety are not negotiable” all contractors have had this focus clearly reinforced through the contract documents and this will be strongly reiterated at the subsequent pre-start meeting and imposed during the contract period.

JOB COSTS

EXCL. GST

Tender sum - Te Ngahere Limited	\$160,000.00
Contingency	\$ 0.00
Engineering and Supervision	\$ 0.00

Total Job Cost	\$160,000.00

There is no contingency sum in this contract as it is a fixed sum contract.

Engineering and supervision will be provided by Parks staff and an auditor through a separate contract therefore there is no external cost associated with this contract.

SOURCE OF FUNDING

Budget Description	Codes	Budget	Committed to Other Projects	Allocation to This Project	Unallocated Balance
Weed & Pest Management	46-7614-27110	\$442,000.00	\$292,245.90	\$149,754.10	Nil
Kay Road Revegetation	75-9819-31240	\$70,000.00	\$64,877.05	\$5,122.95	Nil
Waitakere Quarry Revegetation	30-4015-29570	\$78,800.00	\$73,677.05	\$5,122.95	Nil

RECOMMENDATIONS

1. That the Contract No. PK 04623C - Environmental Weed Control in Parks report be received.
2. That subject to a satisfactory credit check the tender from Te Ngahere Limited for Contract PK 04623C Environmental Weed Control in Parks in the sum of \$160,000 plus \$20,000 GST, totalling \$180,000 be accepted.
3. That authority to enter into Contract PK 04623C - Environmental Weed Control in Parks on behalf of Council be delegated to Group Manager: Asset Management.

Report prepared by: Debbie Chapman, Asset Manager: Environmental.

