

MINUTES OF A MEETING OF THE TENDERS SUBCOMMITTEE HELD IN THE MANUKAU ROOM AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON FRIDAY, 26 JUNE 2009, COMMENCING AT 9.03 AM

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PRESENT: Councillor JM Clews, QSO, JP (Deputy Chairman) (Presiding)
Director: Corporate and Business Services
Director: Public Affairs (from 9.06 am)
Director: Finance

IN ATTENDANCE: Group Manager: Asset Management
Technical Infrastructure Manager
Parks Operations and Contracts Manager
Social Programme Coordinator: Project Twin Streams
Committee Secretary: C Fernandes

1 APOLOGIES

1107/2009

MOVED by Cr Clews, seconded Director: Finance:

That apologies from Crs Clow and Flaunty, Chief Executive Officer, Director: City Services, Director: Community Wellbeing and Director: Strategic Planning for absence, be received and sustained.

CARRIED

2 URGENT BUSINESS

There was no Urgent Business.

3 CONFLICTS OF INTEREST

Elected Members were reminded via the agenda, of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have.

4 CONFIRMATION OF MINUTES

1108/2009

MOVED by Cr Clews, seconded Director: Finance:

The Tenders Subcommittee resolved to:

Receive the minutes of the meetings of the Tenders Subcommittee held on Friday, 22 May 2009 and Friday, 12 June 2009, as circulated, and that they be taken as read and now be confirmed.

CARRIED

5 **CONTRACT NO. EW05061A - WATER SUPPLY, WASTEWATER AND STORMWATER DRAINAGE TERM MAINTENANCE CONTRACT: VARIATION FOR WATER SUPPLY PROGRAMMES**

1109/2009

MOVED by Director: Finance, seconded Director: Corporate and Business Services:

The Tenders Subcommittee resolved to:

1. **Receive** the Contract No. EW05061A - Water Supply, Wastewater and Stormwater Drainage Term Maintenance Contract: Variation For Water Supply Programmes report.
2. **Approve** a variation to Contract No. EW05061A - Water Supply, Wastewater and Stormwater Drainage Term Maintenance Contract for water supply programme works comprising Water Supply Asset Assessment and Repair and Water Quality Improvement Work for \$956,400 excluding GST covering work during the period 1 July 2009 to 30 June 2010.
3. **Approve** that authority to issue the Variation Orders to Contract No. EW05061A - Water Supply, Wastewater and Stormwater Drainage Term Maintenance Contract for water supply programme works comprising Water Supply Asset Assessment and Repair and Water Quality Improvement Work be delegated to the Deputy Director: City Services.

CARRIED

9.06 am Director: Public Affairs entered the meeting.

6 **CONTRACT NO. EW09012D - PROJECT TWIN STREAMS COMMUNITY CONTRACT - GLEN EDEN 2009 - 2012**

1110/2009

MOVED by Director: Corporate and Business Services, seconded Director: Public Affairs:

The Tenders Subcommittee resolved to:

1. **Receive** the Contract No. EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012 report.
2. **Approve** subject to resolution 8 below, that the tender from Ecomatters Environment Trust for Contract No. EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012 in the sum of \$610,000.00 plus \$76,250.00 GST, totalling \$686,250.00 be accepted.
3. **Approve** subject to resolution 8 below, the commitment of \$250,000 excluding GST as provided in the draft Annual Plan 2009/2010 for Contract No. EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012.
4. **Approve** subject to resolution 8 below, the commitment of \$180,000 excluding GST for the 2010/2011 financial year for Contract No. EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012.
5. **Approve** subject to resolution 8 below, the commitment of \$180,000 excluding GST for the 2011/2012 financial year for Contract No. EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012.

6. **Approve** subject to resolution 8 below, that authority to enter into Contract No. EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012 for the period 1 July 2009 to 30 June 2012 on behalf of Council be delegated to the Deputy Director: City Services.
7. **Agree** subject to resolution 8 below, that future renewals of Contract No. EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012 under the 2 + 1 right of renewal provision be reported back to the Council for approval.
8. **Agree** that the resolutions 2-7 above for Contract No EW09012D - Project Twin Streams Community Contract - Glen Eden 2009 - 2012 be subject to final confirmation by the Auckland Transition Agency.

CARRIED

DECLARATION OF INTEREST

9.08 am Director: Corporate and Business Services declared an interest and withdrew from the table, taking no part in the discussion or decision on Item 7: Contract No. IM06174A - Preferred Supplier Agreement For Council's Microsoft G2006 Licensing - Approval to Extend and Item 8: Contract No. IM08330A - Enterprise Backup Solution.

7 CONTRACT NO. IM06174A - PREFERRED SUPPLIER AGREEMENT FOR COUNCIL'S MICROSOFT G2006 LICENSING - APPROVAL TO EXTEND

1111/2009

MOVED by Director: Finance, seconded Director: Public Affairs:

The Tenders Subcommittee resolved to:

1. **Receive** the Contract No. IM06174A - Preferred Supplier Agreement For Council's Microsoft G2006 Licensing - Approval To Extend report.
2. **Approve** that the Contract No. IM06174A - Preferred Supplier Agreement for Council's Microsoft G2006 Licensing as awarded to Fujitsu NZ Limited be extended in the sum of \$586,000 excluding GST for the period 1 July 2009 to 31 October 2010.
3. **Approve** the commitment of \$430,000 excluding GST as provided in the draft Annual Plan 2009/2010 for Contract No. IM06174A - Preferred Supplier Agreement for Council's Microsoft G2006 Licensing.
4. **Approve** the commitment of \$156,000 excluding GST to the 2010/2011 financial year for Contract No. IM06174A - Preferred Supplier Agreement for Council's Microsoft G2006 Licensing.
5. **Approve** that authority to extend Contract No. IM06174A - Preferred Supplier Agreement for Council's Microsoft G2006 Licensing for the period 1 July 2009 to 31 October 2010 on behalf of the Council be delegated to the Director: Corporate and Business Services.

CARRIED

PUBLIC EXCLUDED MATTER

8 CONTRACT NO. IM08330A - ENTERPRISE BACKUP SOLUTION

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

1112/2009

MOVED by Cr Clews, seconded Director: Finance:

That the public be excluded from the following part of the proceedings of this meeting, Contract No. IM08330A - Enterprise Backup Solution.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the 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 are as follows:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
Contract No. IM08330A - Enterprise Backup Solution	The withholding of information is necessary in order to: <ul style="list-style-type: none"> • enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

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 7(2)(i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- *This report contains information which if released could affect Council's negotiations.*

CARRIED

9.12 pm The public were excluded.

Minute Number 1113/2009 is recorded in the Confidential Section of these Minutes.

9.14 pm The public were readmitted and Director: Corporate and Business Services returned to the table.

RESTATEMENT

The Tenders Subcommittee resolved while the public were excluded:

Contract No. IM08330A - Enterprise Backup Solution

(Moved by Director: Public Affairs, seconded Director: Finance) (resolution 1113/2009 no. 6) ***“Agree that Contract No. IM08330A - Enterprise Backup Solution Agenda report and associated resolutions remain confidential until such time as the reasons for continuing confidentiality be provided and reported back to the Tenders Subcommittee.”***

9.15 am

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

CONFIRMED AT A MEETING OF THE TENDERS
SUBCOMMITTEE HELD ON

DATE:.....

CHAIRMAN:.....