

A Meeting of the Tenders Subcommittee Meeting will be held as follows:

Date: Thursday 22 September 2022
Time: 4:00 pm
Venue: Council Chambers, 105 Tainui Street, Greymouth

Paul Morris
Chief Executive

AGENDA

Members:

Chair: Councillor Peter Haddock
Deputy Chair: Councillor Anton Becker Councillor Allan Gibson
Members: Her Worship the Mayor Tania Gibson

(Quorum 2 members)

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The information in this document is provided to facilitate good competent decisions by Council and does in no way reflect the views of Council. Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

TERMS OF REFERENCE

Reporting to	Council
Status	Council created
Constitution	Chair: Transport Councillor Deputy Chair: Finance and Risk Councillor Member: Three Waters Councillor Her Worship the Mayor
Meeting frequency	Fortnightly and as and when required.
Mandate	<p>To determine all tenders with a value in excess of the limit set by Council from time to time. This includes a decision on reasonable grounds to not accept any tender and to re-tender the contract.</p> <p>To, extend existing contracts for no longer than 12 months where the subcommittee is of the opinion that:</p> <ul style="list-style-type: none"> - it is in Council's best interest to do so - The performance of the Contractor warrants such extension - The extension will not cause controversy or - The extension will not have legal implications for Council <p>To recommend measures to Council and the associated portfolio holder on how to improve Council's oversight over the Chief Executive and Administration's performance in managing contractors and contracts</p>
Limitation parameters.	<p>Tenders must be awarded within available budgets.</p> <p>Council's Procurement Policy must be adhered to</p> <p>Where any tender award (or otherwise) may have legal implications or where a non-conforming tender is accepted, the reasons for decisions must be recorded.</p>
Power to Act.	Full delegation
Referral to Council	The subcommittee can, by decision defer a tender to Council.
Management responsibility	The Departmental Manager who lets the contract.

SUB-COMMITTEE IN OPEN MEETING

GENERAL BUSINESS AND TABLED ITEMS

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas, agenda format and content.

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Sub-Committee members are reminded that if he/she has a direct or indirect interest in any item on the agenda be it pecuniary or on grounds of bias and predetermination, then he/she must declare this interest and refrain from discussing or voting on this item.

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1 APOLOGIES AND DECLARATIONS OF INTEREST

1.1 APOLOGIES

Nil

1.2 UPDATES TO THE INTERESTS REGISTER

Sub-Committee members to please advise if there are any changes to be made to the current Interests Register.

1.3 IDENTIFY ANY CONFLICTS OF INTERESTS IN THE AGENDA

Notification from committee members of:

- 1.3.1 Any interests that may create a conflict with their role as a committee member relating to the items of business for this meeting (prior to taking part in the deliberation of a particular item); and
- 1.3.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968.

1.4 NOTIFICATION OF LATE ITEMS

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if:

- 1.4.1 The Committee by resolution so decides; and
- 1.4.2 The Chairperson explains at the meeting at a time when it is open to the public the reason why the item is not on the agenda, and the reason why the discussion of the item cannot be delayed until a subsequent meeting.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 CONFIRMATION OF THE TENDERS SUBCOMMITTEE MEETING HELD ON 9 SEPTEMBER 2022

SUGGESTED RECOMMENDATION

That the minutes of the Tenders Subcommittee Meeting held on 9 September 2022 be confirmed as true and correct.

MINUTES OF THE TENDERS SUBCOMMITTEE MEETING OF THE GREY DISTRICT COUNCIL**Held in Council Chambers, 105 Tainui Street, Greymouth****on Friday 9 September 2022 commencing at 10:30 am**

PRESENT: Her Worship the Mayor Tania Gibson, Councillor Allan Gibson, Cr Peter Haddock (Chair)

IN ATTENDANCE: Paul Morris (Chief Executive), Dinesh Budhathoki (Acting Group Manager Operations), Kurtis Perrin-Smith (Utilities and Infrastructure Manager), David Cross (Senior Project Manager), Franco Horridge (Port Team Leader), Trish Jellyman (Democracy Advisor)

1 APOLOGIES AND DECLARATIONS OF INTEREST

1.1 APOLOGIES

Moved: Cr Peter Haddock

Seconded: Her Worship

That the apology received from Cr Becker be accepted and leave of absence granted.

Carried Unanimously

There were no late items or declarations of interest.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 CONFIRMATION OF THE TENDERS SUBCOMMITTEE MEETING HELD ON 26 MAY 2022

Moved: Her Worship

Seconded: Cr Allan Gibson

That the minutes of the Tenders Subcommittee Meeting held on 26 May 2022 be confirmed as true and correct.

Carried Unanimously

2.2 CONFIRMATION OF THE EXTRAORDINARY TENDERS SUBCOMMITTEE MEETING HELD ON 29 AUGUST 2022

Moved: Her Worship

Seconded: Cr Allan Gibson

That the minutes of the Extraordinary Tenders Subcommittee Meeting held on 29 August 2022 be confirmed as true and correct.

Carried Unanimously

3 IN COMMITTEE ITEMS

Moved: Cr Peter Haddock

Seconded: Her Worship

That

The Tenders Subcommittee Meeting the Tenders Subcommittee Meeting resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
3.1 - CONFIRMATION OF IN COMMITTEE MINUTES OF TENDERS SUBCOMMITTEE MEETING HELD ON 26 MAY 2022	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	s48(1)(a)(i) - 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 under section 6 or section 7
3.2 - CONFIRMATION OF IN COMMITTEE MINUTES OF EXTRAORDINARY TENDERS SUBCOMMITTEE MEETING HELD ON 29 AUGUST 2022	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - 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 under section 6 or section 7
3.3 - ANZAC TOILETS REPLACEMENT	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 s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - 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 under section 6 or section 7
3.4 - GREYMOUTH WATER RESERVOIRS - ARNOTT HEIGHTS CIVIL WORKS - 2020-21-09	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for

	<p>disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>which good reason for withholding would exist under section 6 or section 7</p>
3.5 - PORT VEHICLE RENEWAL TENDER	<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)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - 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 under section 6 or section 7</p>
3.6 - COAL CREEK WATER TREATMENT PLANT BORE INSTALLATION DRILLING INVESTIGATION - 2021-22-26A	<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)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - 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 under section 6 or section 7</p>

Carried Unanimously

COUNCIL IN OPEN**CONFIRMATION OF DECISIONS IN COMMITTEE**

Moved: Her Worship

Seconded: Cr Allan Gibson

That the below decisions taken in-committee be reconfirmed in open.

Carried Unanimously

3.3 ANZAC Toilets Replacement

Moved: Cr Peter Haddock

Seconded: Her Worship

That

1. The decision arrived at in committee be confirmed and made publicly available once the contractor has been advised.

Carried Unanimously

3.4 GREYMOUTH WATER RESERVOIRS - ARNOTT HEIGHTS CIVIL WORKS - 2020-21-09

Moved: Cr Allan Gibson

Seconded: Cr Peter Haddock

That

1. The decision arrived at in committee be confirmed and made publicly available once the contractor has been advised.

Carried Unanimously

3.5 PORT VEHICLE RENEWAL TENDER

Moved: Cr Peter Haddock

Seconded: Her Worship

That

1. The decision arrived at in committee be confirmed and made publicly available once the contractor has been advised.

Carried Unanimously

3.6 COAL CREEK WATER TREATMENT PLANT BORE INSTALLATION DRILLING INVESTIGATION - 2021-22-26A

Moved: Cr Peter Haddock

Seconded: Cr Allan Gibson

That

1. The decision arrived at in committee be confirmed and made publicly available once the contractor has been advised.

Carried Unanimously

The meeting concluded at 11.01 am

Confirmed

P Haddock

Chairperson

____/____/____
Date

3 IN COMMITTEE ITEMS

COUNCIL IN-COMMITTEE

1. Exclusion of the Public
2. 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 are as follows:

OFFICER RECOMMENDATION

That resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
3.1 - ROADING ASSET MANAGEMENT SERVICE CONTRACT	<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 Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - 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 under section 6 or section 7
3.2 - BRIDGE & STRUCTURES ASSET MANAGEMENT SERVICES CONTRACT 2022	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	s48(1)(a)(i) - 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 under section 6 or section 7

	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	
<p>3.3 - CONFIRMATION OF IN COMMITTEE MINUTES OF TENDERS SUBCOMMITTEE MEETING HELD ON 9 SEPTEMBER 2022</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 Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - 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 under section 6 or section 7</p>

4 SUB-COMMITTEE RESUME IN OPEN MEETING

CLOSURE OR RATIFICATION OF DECISIONS IN OPEN MEETING