



# Hastings District Council

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## OPEN AGENDA

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### TENDERS SUBCOMMITTEE MEETING

Meeting Date: **Thursday, 23 August 2018**

Time: **9.00am**

Venue: **Guilin Room  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings**

<b>Subcommittee Members</b>	Chair: Councillor Travers <i>Ex Officio: Mayor Hazlehurst</i> Councillors Lawson, Nixon, Redstone and Watkins (Deputy Chair) Acting Chief Executive Group Manager: Asset Management
<b>Officer Responsible</b>	Group Manager: Economic Growth & Organisation Improvement – Craig Cameron <i>(Quorum = 4)</i>
<b>Committee Secretary</b>	Christine Hilton (Extn 5633)

## Tenders Subcommittee – Terms of Reference

A Subcommittee of the Works and Services Committee

### **Fields of Activity**

The Tenders Subcommittee is responsible for assisting council in its general overview of procurement and tender activity by accepting tenders which exceed the Chief Executive's delegated authority to approve, for projects previously approved by Council or a Standing Committee within the delegated authority or for which funds are allocated to the Council by the Provincial Growth Fund (and related parties).

### **Membership**

Chairman appointed by the Council  
4 members appointed by the Council  
Chief Executive  
Group Manager: Asset Management

For the avoidance of doubt the references in this delegation to the 'Chief Executive' and 'Group Manager: Asset Management' extends to include any persons from time to time appointed in writing to those roles in an acting capacity.

**Quorum** – Any four members.

### **Delegated Powers**

Authority to accept tenders for individual projects previously approved by the Council or a Standing Committee of the Council up to a value of \$10,000,000

Responsibility to provide oversight and direction on tendering processes in general and/or specific issues relating to a particular project

The Committee reports to the Works and Services Committee

**HASTINGS DISTRICT COUNCIL**  
**TENDERS SUBCOMMITTEE MEETING**

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Lyndon Road East  
Hastings

**TIME:** 9.00am

**A G E N D A**

**1. Apologies**

At the close of the agenda no apologies had been received.

Leave of Absence had previously been granted to Councillor Lawson

**2. Conflict of Interest**

Members 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. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Democratic Support Manager (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

**3. Confirmation of Minutes**

Minutes of the Tenders Subcommittee Meeting held Thursday 26 July 2018, including minutes while the public were excluded.  
*(Previously circulated)*

4. **Additional Business Items**
5. **Extraordinary Business Items**
6. **Recommendation to Exclude the Public from Items 7, 8 and 9** **5**
7. **Procurement Plan for Clifton Revetment**
8. **Professional Services to conduct a Feasibility Study into a Hawke's Bay Food Innovation Hub**
9. **Microsoft Enterprise Agreement - Contract Renewal**

**HASTINGS DISTRICT COUNCIL  
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**RECOMMENDATION TO EXCLUDE THE PUBLIC**

**SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

THAT the public now be excluded from the following part of the meeting, namely:

- 7. Procurement Plan for Clifton Revetment**
- 8. Professional Services to conduct a Feasibility Study into a Hawke's Bay Food Innovation Hub**
- 9. Microsoft Enterprise Agreement - Contract Renewal**

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

<b><i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i></b>	<b><i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i></b>	<b><i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i></b>
<b>7. Procurement Plan for Clifton Revetment</b>	<b>Section 7 (2) (i)</b> 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). 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).	<b>Section 48(1)(a)(i)</b> Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

**8. Professional Services to conduct a Feasibility Study into a Hawke's Bay Food Innovation Hub**

**Section 7 (2) (b) (ii)**

The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

**Section 7 (2) (h)**

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.  
Contains commercially sensitive and confidential information.

**Section 48(1)(a)(i)**

Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

**9. Microsoft Enterprise Agreement - Contract Renewal**

**Section 7 (2) (b) (ii)**

The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

**Section 7 (2) (h)**

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.  
Pricing provided through the supplier's submissions is confidential.

**Section 48(1)(a)(i)**

Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.