



Compiled Date	26/01/2021
File Number	20.21.42

LGOIMA

When releasing responses to previous LGOIMA requests, names and contact details of individual requestors will be withheld to protect their privacy.

Information requested by the media, lobby groups, public sector organisations and MPs will always be published, while information specific to an individual or their property will not generally be published.

Request from:	Claudia Cooper – NZ Taxpayers’ Union
Information requested:	Contracts awarded without tender
Response from:	Simon Bastion, Chief Executive

Claudia Cooper
Taxpayers' Union

Via Email: requests@taxpayers.org.nz

Dear Claudia

Official information request for Contracts awarded without tender in 2020

I refer to your official information request dated 07 December 2020 for contracts awarded without tender 2020.

You have asked for the following information, this does not include any CCO's information:

Request A:

- 1. The nominal amount (excluding GST) contained in your Council's procurement policy at which point a competitive and open tender is required by default.**

Please refer to the procurement policy on the Council's website.
<https://www.westlanddc.govt.nz/sites/default/files/Procurement%20Policy%202018%20--%20Adopted%20by%20Council%2023.08.18%20-%20Amended%2024.08.18.pdf>

- 2. The reasons listed in your procurement policy for exceptions and any process it lays out.**

Please refer to the procurement policy on the Council's website.
<https://www.westlanddc.govt.nz/sites/default/files/Procurement%20Policy%202018%20--%20Adopted%20by%20Council%2023.08.18%20-%20Amended%2024.08.18.pdf>

- 3. The number of contracts awarded in the 2020 calendar year over that amount but were not tendered (i.e. the number of exceptions).**

1. Fox River Clean up.
2. Franz Josef pump supply and installation.

- 4. For each of those exceptions:**

- a. A description of the contract (services/products)**
- b. The vendor**
- c. The total value and timeframe of the contract**
- d. Any conflicts of interest disclose and recorded as part of the decision making process**
- e. The reasons the contract was not tendered**
- f. The decision maker**

- g. All advice provided to the decision maker in relation to the contract as it relates to the decision not to tender**
- h. Whether elected officials were made aware of the exception. If so, precisely how and when? Please provide us with the relevant communication (such as the relevant email or council report).**

4.a	Franz Josef Sewer Pump & holding tank install.	Fox River basin clean-up.
4.b	Truline Contracting.	Fox Glacier Guides.
4.c	\$190,000.	\$180,000.
4.c	August 2020 to February 2021.	November 2020 to March 2021.
4.d	Nil.	Nil.
4.e	Limited timeframe and specialist contractor required.	Limited specialist suppliers. Local contract needed. Health & Safety requirements.
4.f	Group Manager: District Assets, Louis Sparks	Group Manager: District Assets, Louis Sparks
4.g	Advice was provided to the Chief Executive who was advised not to Tender based on the fact that this is a local specialised contractor with the required equipment and experience and it was not practical or cost effective to conduct an open tender. A purchase order for the works was approved by the Chief Executive.	Advice was provided to the Chief Executive who was advised not to Tender based on the fact that this is a local specialised contractor with the required equipment and experience and it was not practical or cost effective to conduct an open tender. A purchase order for the works was approved by the Chief Executive.
4.h	Elected officials were made aware as a verbal report presented at the Capital Projects and Tenders Committee meeting on the basis that the contracts were direct award as the goods or services are only available from a single supplier and the services required are specialist technical services. That it was not practical or cost-effective to conduct an open tender.	Elected officials were made aware as a verbal report presented at the Capital Projects and Tenders Committee meeting on the basis that the contracts were direct award as the goods or services are only available from a single supplier and the services required are specialist technical services. That it was not practical or cost-effective to conduct an open tender.

Request B:

A copy of the Council's procurement policy.

Please refer to the procurement policy on the Council's website. <https://www.westlanddc.govt.nz/sites/default/files/Procurement%20Policy%202018%20--%20Adopted%20by%20Council%2023.08.18%20-%20Amended%2024.08.18.pdf>

There is no charge in supplying this information to you.

Council has adopted a Proactive Release Policy and accordingly may publish LGOIMA responses on the Council Website at <https://www.westlanddc.govt.nz/lgoima-responses>. The collection and use of personal information by the Westland District Council is regulated by the Privacy Act 2020. Westland District Council's Privacy Statement is available on our website [here](#)

If you wish to discuss this decision with us, please feel free to contact Mary-anne Bell, Senior Administration Assistant at LGOIMA@westlanddc.govt.nz, 03 756 9091.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Simon Bastion | Chief Executive

SB/MB