



4 March 2021

██████████
Sent via email to ██████████

Dear ██████████

REQUEST FOR OFFICIAL INFORMATION – PARTIAL RESPONSE AND DECISION TO DECLINE PART OF THE REQUEST DUE TO SUBSTANTIAL COLLATION AND RESEARCH

Thank you for your request for official information dated 7 December 2020. You requested the following information from the Queenstown Lakes District Council (QLDC):

Request A:

For your Council group (ie. including CCOs):

1. The nominal amount (exclusive GST) contained in your Council's procurement policy at which point a competitive and open tender is required by default.
2. The reasons listed in your procurement policy for exceptions and any process it lays out.
3. The number of contracts awarded in the 2020 calendar year over that amount but were not tendered (i.e. the number of exceptions).
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 disclosed 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).

Request B:

We also request a copy (PDF or URL) of the Council's procurement policy.

QLDC response

Request A:

For your Council group (ie. including CCOs):

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

• Please refer to the following procurement policy documents:

- [Procurement Guidelines document](#)
- [QLDC's Procurement Policy](#)

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

See our Procurement Policy document shared in question one. In addition, here is an extract from our new request form that is now used for exceptions:

- [Procurement Departure Request form](#)

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

• Unfortunately we haven't been capturing data to date on the number of exceptions to our rules. We have recently identified that we need to make improvements in the space, so we now have a process in place that will document exceptions and enable us to provide this type of data in the future (see the extract from our new Procurement Departure Request form, shared in question two).

• Despite not having the data readily available, we did meet with Finance and Procurement staff to discuss whether it is possible to source data that answers this question. QLDC generally procures in excess of 1,000 suppliers annually, and if we were to identify where contracts were awarded, as an exception to our rules, a manual task would need to be undertaken to match procurement plans with financial lists of contractors / suppliers. This would be an administrative burden for all involved and may still not fully provide the information you're seeking. We therefore need to decline this part of your request in accordance with section 17(f) of the LGOIMA; the information requested cannot be made available without substantial collation or research.

• We must consider consulting with requesters, if we decide to decline a request, or part of a request, under section 17(f) of the LGOIMA. We are conscious that because this request was misplaced in our system, we have been unable to meet statutory timeframes for this request, and have not been able to adequately consult with you, within those timeframes. We do apologise for this inconvenience.

• In my phone conversation with you on Monday, 1 March 2021, I suggested that you be more specific in your request, by perhaps suggesting some specific contracts that we could check for exceptions. We are still happy to respond in this way, as promptly as we can, if you would like to put in such a revised response.

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 disclosed 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).*

- We are unable to answer these questions because we are unable to answer question three.

Request B:

We also request a copy (PDF or URL) of the Council's procurement policy.

- See the link provided in question one.

Right to review the above decision

Note that you have the right to seek an investigation and review by the Ombudsman of this decision. Information about this process is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this decision with us, please contact Naell.Crosby-Roe@qldc.govt.nz (Governance, Engagement & Communications Manager).

We trust this response satisfactorily answers your request.

Regards,



Maddy Patterson
Senior Governance and Official Information Advisor