

Auckland Light Rail Advisory Group Meeting Minutes

Chairperson	Peter Mersi, Ministry of Transport
Date/Time	Friday 15 November 2019 from 11am – 12pm
Location	Kauri Room, Auckland Policy Office, Level 6, 45 Queen St, Auckland
Present:	<p>Mark Lambert – Auckland Transport (AT) Stephen Town – Auckland Council (AC) Lewis Holden – State Services Commission (SSC) Amanda Moran – (for Vicky Robertson) Ministry for the Environment (MfE) Andy Hagan – (for Jon Grayson) Treasury Richard Leverington – NZTA (by phone) Bryn Gandy (Senior Responsible Owner, SRO) – Ministry of Transport (the Ministry) David Gordon – (for Greg Miller) KiwiRail Brad Ward – MHUD</p>
In attendance	<p>Amelia East, Siobhan Routledge, [REDACTED] – Ministry of Transport [REDACTED] – Audit NZ (Probity Adviser) Withheld to protect the privacy of natural persons</p>
Apologies	<p>Vicky Robertson – Ministry for the Environment Jon Grayson – Treasury Greg Miller – KiwiRail Shane Ellison – Auckland Transport</p>

Minutes

1. Conflicts of interest declarations	<p>David Gordon declared that he has yet to sign a Conflict of Interest Declaration and would do so after the meeting. Action: David Gordon to send through COI declaration</p>
2. Draft minutes of 14 August 2019 meeting	Accepted.
3. Actions from 14 August meeting	All closed.
4. Project update from the Chair	<p>Interactive Engagement Process (IEP):</p> <ul style="list-style-type: none"> • Controlled engagement is underway with both Respondents through the Lead Team. • Submissions are being prepared by Respondents to the Response Requirements Document including the Key Outcomes as agreed with the Advisory Group.

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- Submissions are due 29th November 2019.

Public leak of information:

- The public leak of information around the NZInfra solution has caused tension within the industry and with Respondents.
- In order to ensure the process concludes, the Ministry of Transport has put greater focus on ensuring the process is in line with that laid out in the Response Requirements Document.
- The Ministry of Transport appreciates that this is causing frustration within the Advisory Group who feel they don't know what is happening. However the Chair gave confidence to the Advisory Group that he had complete trust in the process being run.

Preferred Deliver Partner:

- The Chair reminded the Advisory Group that Cabinet is selecting a Preferred Delivery Partner to work with to deliver Light Rail in Auckland. Cabinet is not selecting a particular proposal. There is a distinction between these two outcomes. A DPMC meeting has occurred to confirm this approach.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Actions:

- **OET to ensure this risk is considered during the final evaluation and recommendation of Preferred Delivery Partner.**
- **Memorandum of Understanding for negotiation phase needs to include for the ability to walk away if a negotiations are unsuccessful.**

Role of Advisory Group:

- AE circulated a 2 page document of the Evaluation structure for use during the meeting. Copies were collected at the end of the meeting.
- Inform Bids:
 - The current stage is about informing the bids to get good outcomes.
 - Respondents have access to the Advisory Group and other stakeholders as they choose.
 - Policy implications are being considered, with the Ministry of Transport working through key issues with agencies prior to submissions being received.
- Evaluation – quantitative:
 - 5 SMETs, of around 5 people each, will undertake parallel quantified evaluation of the evaluation criteria (commercial, technical, service delivery, stakeholder, Key Outcomes).

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- The makeup of the SMETs will be skill based and certain agency staff have been invited to join the SMETs.
- The SMETs are to be supported by Experts. Again certain agency staff have been invited to provide this support.
- The Evaluation Plan is being prepared. Input will be provided by SMET members, including agencies, on the characteristics of a good answer.
- Any agency staff involvement is for the project not for the agency. Strict protocols are in place for this involvement.
- Evaluation – qualitative:
 - Policy Due Diligence Report is being prepared. Agency input into the key issues here is anticipated prior to bids being submitted.
- Evaluation – financial & Due Diligence:
 - Financial Advisor is preparing a factual report on the pricing submission.
 - Legal and Probity Due Diligence reports are also being prepared.
- OET Evaluation:
 - Approx. 10 reports will be issued to the OET for final evaluation.
 - OET will have 6 to 7 members made up from the Lead Team with an Auckland Representative, a Technical / Engineering industry expert and potentially an independent observer.
 - OET will then prepare final report recommending a Preferred Delivery Partner.
 - OET Report allows Secretary for Transport to prepare the Ministry report and Cabinet Paper for Agency engagement on Policy and Ministerial input.
- Confidentiality:
 - Information will need to be tightly controlled during this process all the way to Cabinet review.
 - In response to a Respondent request, the Ministry of Transport is currently preparing security protocols to document the flow of all information from submission of bids. This will be included within Evaluation Plan.
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	<p>■ [REDACTED] ■ [REDACTED]</p> <p>Action: Consideration to be given to Auckland representation on the OET and whether AT should be on the OET.</p>
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Proactively released by
the Ministry of Transport