



Regional Council Agenda

NOTICE IS GIVEN that an EXTRAORDINARY meeting of the Regional Council will be held in Council Chambers, Regional House, 1 Elizabeth Street, Tauranga on:

Friday 5 April 2024 COMMENCING AT 2.00 PM

This meeting will be livestreamed and recorded.

The Public section of this meeting will be livestreamed and recorded and uploaded to Bay of Plenty Regional Council's website. Further details on this can be found after the Terms of Reference within the Agenda. [Bay of Plenty Regional Council - YouTube](#)

Fiona McTavish
Chief Executive, Bay of Plenty Regional Council Toi Moana
26 March 2024

Council

Membership

Chairperson	Chairman Doug Leeder
Deputy Chairperson	Cr Jane Nees
Members	All Councillors
Quorum	Seven members, consisting of half the number of members
Meeting frequency	Six weekly or as required for Annual Plan, Long Term Plan and other relevant legislative requirements

Purpose

- Enable democratic local decision-making and action by, and on behalf of, Bay of Plenty communities.
- Meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- Set the overarching strategic direction for Bay of Plenty Regional Council as an organisation.
- Hold ultimate responsibility for allocating financial resources across the Council.

Role

- Address Local Electoral Act matters and Local Government Rating Act matters.
- Oversee all matters relating to identifying and contributing to community outcomes.
- Consider and agree on matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provide regional leadership on key issues that require a collaborative approach between a number of parties.
- Review and decide the Council's electoral and representation arrangements.
- Consider issues of regional significance which are not the responsibility of any specific standing committee or that are of such regional significance/high public interest that the full Council needs to decide on them.
- Adopt Council's Policy on Significance and Engagement Policy.
- Develop, adopt and implement the Triennial Agreement, Code of Conduct and Standing Orders.

- Consider and agree on matters relating to elected members' remuneration.
- Appoint the Chief Executive, and review their contract, performance and remuneration at least annually.
- Approve all delegations to the Chief Executive, including the authority for further delegation to staff.
- Oversee the work of all committees and subcommittees.
- Receive and consider recommendations and matters referred to it by its committees, joint committees, subcommittees and working parties.
- Approve membership to external bodies and organisations, including Council Controlled Organisations.
- Develop, adopt and review policies for, and monitor the performance of, Council Controlled Organisations.
- Monitor and review the achievement of outcomes for the Bay of Plenty Community.
- Review and approve strategic matters relating to the sale, acquisition and development of property for the purposes of meeting Council's organisational requirements and implement Regional Council policy.
- Address strategic corporate matters including property and accommodation.
- Consider and agree on the process to develop the Long Term Plan, Annual Plan and Annual Report.
- Adopt the Long Term Plan, Annual Plan and budgets variations, and Annual Report.
- Adopt Council policies as required by statute (for example Regional Policy Statement and Regional Land Transport Strategy) to be decided by Council or outside of committee delegations (for example infrastructure policy).
- Develop, review and approve Council's Financial Strategy and funding and financial policies and frameworks.
- Institute any proceedings in the High Court that are not injunctive proceedings.
- Exercise the powers and duties conferred or imposed on Council by the Public Works Act 1981.

Delegations from Council to committees

- Council has a role to monitor the functioning of all committees.
- Council will consider matters not within the delegation of any one Council committee.
- Council may at any time, revoke or modify a delegation to a Council committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.
- The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

- It is accepted in making these delegations that:
- The committees, in performing their delegated functions, powers or duties, may, without confirmation by the Council, exercise or perform them in a like manner and with the same effect as the Council itself could have exercised or performed them.
- The delegated powers given shall at all times be subject to their current policies and principles or directions, as given by the Council from time to time.
- The chairperson of each committee shall have the authority to exercise their discretion, as to whether or not the delegated authority of the committee be used where, in the opinion of the chairperson, circumstances warrant it.

Powers that cannot be delegated

Under Clause 32 Schedule 7 of the Local Government Act 2002, Council must make the following decisions:

- Make a rate.
- Make a bylaw.
- Borrow money or purchase or dispose of assets, other than in accordance with the long-term plan.
- Adopt the long-term plan, annual plan, or annual report.
- Appoint a chief executive.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
- Adopt a remuneration and employment policy.

Livestreaming and Recording of Meetings

Please note the Public section of this meeting is being recorded and streamed live on Bay of Plenty Regional Council's website in accordance with Council's Live Streaming and Recording of Meetings Protocols which can be viewed on Council's website. The recording will be archived and made publicly available on Council's website within two working days after the meeting on www.boprc.govt.nz for a period of three years (or as otherwise agreed to by Council).

All care is taken to maintain your privacy; however, as a visitor in the public gallery or as a participant at the meeting, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of the Bay of Plenty Regional Council. Council accepts no liability for any opinions or statements made during a meeting.

Bay of Plenty Regional Council - Toi Moana

Governance Commitment

**mō te taiao, mō ngā tāngata - our environment and our people
go hand-in-hand.**

We provide excellent governance when, individually and collectively, we:

- Trust and respect each other
- Stay strategic and focused
- Are courageous and challenge the status quo in all we do
- Listen to our stakeholders and value their input
- Listen to each other to understand various perspectives
- Act as a team who can challenge, change and add value
- Continually evaluate what we do

**TREAD LIGHTLY, THINK DEEPLY,
ACT WISELY, SPEAK KINDLY, JOURNEY TOGETHER.**

Recommendations in reports are not to be construed as Council policy until adopted by Council.

Agenda

E te Atua nui tonu, ko mātau ēnei e inoi atu nei ki a koe, kia tau mai te māramatanga ki a mātau whakarite mō tēnei rā, arahina hoki mātau, e eke ai te ōranga tonu ki ngā āhuatanga katoa a ngā tangata ki tō mātau rohe whānui tonu. Āmine.

“Almighty God we ask that you give us wisdom in the decisions we make here today and give us guidance in working with our regional communities to promote their social, economic, environmental and cultural well-being. Amen”.

- 1. Opening Karakia**
- 2. Apologies**
- 3. Public Forum**
- 4. Items not on the Agenda**
- 5. Order of Business**
- 6. Declaration of Conflicts of Interest**
- 7. Public Excluded Business to be Transferred into the Open**
- 8. Public Excluded Section**

Resolution to exclude the public

Excludes the public from the following parts of the proceedings of this meeting as set out below:

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:

Item No.	Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution	When the item can be released into the public
9.1	Priority One Update on Key Projects	Withholding the information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage,	48(1)(a)(i) Section 7 (2)(i).	On the Chief Executive's approval.

Item No.	Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution	When the item can be released into the public
		negotiations (including commercial and industrial negotiations).		

Public Excluded Section Commenses

Decisions Required

9. Reports (Public Excluded)

9.1 Priority One Update on Key Projects

Attachment 1 - WBPSR Foundation Agreement (draft)

Attachment 2 - WBPSR Structure and Framework

Attachment 3 - WBPSR Elevator Pitch

Attachment 4 - WBPSR Regional Deal Summary

10. Public Excluded Business to be Transferred into the Open

11. Readmit the Public

Public Section Re-Commenses

12. Reports (Public)

Decisions Required

12.1 Procurement Plan for Total Mobility Contracts 2024-27

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Attachment 1 - CON001240 Total Mobility Transport Operators 2024-2027
Procurement Plan signed

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13. Consideration of Items not on the Agenda

14. Closing Karakia



Report To: Regional Council

Meeting Date: 5 April 2024

Report Writer: Mary Norris, Transport Support (Total Mobility)

Report Authoriser: Mat Taylor, General Manager, Corporate

Purpose: For Council to approve the Procurement Plan for Total Mobility Contracts 2024-27

Procurement Plan for Total Mobility Contracts 2024-27

Executive Summary

This paper seeks approval for the Procurement Plan (Attachment 1) relating to Total Mobility contracts for 2024-27 in the Transport activity as budgeted in the Annual Plan 2023 – 2024 and the draft Long Term Plan 2024-2034.

The Council's procurement approach is based on good practice guidance for the public sector, including social procurement consideration. The approach seeks approval for the proposed method of procurement before going to the market. The proposed outcome of the procurement process is to tender then engage the most appropriate contactors to undertake the Total Mobility scheme.

Recommendations

That the Regional Council:

- 1 Receives the report, Procurement Plan for Total Mobility Contracts 2024-27;**
- 2 Approves the attached Procurement Plan for Total Mobility Contracts 2024-27;**
- 3 Delegates to the Chief Executive the authority to accept tenders and approve contracts, supplier selections, and payments, including contract variations and renewals for Total Mobility providing that the total value of all contracts are within the approved budget provided for in the Annual Plan 2023-2024 or an approved Long Term Plan 2024-2034.**

1. Introduction

It is recommended good practice in New Zealand for organisations to gain approval on their method of procurement before going to the market. The Council's

procurement framework is based on this good practice guidance for the public sector. This paper reflects a very similar approach taken for the previous awarding of Total Mobility contracts in 2021.

More detailed and contract specific procurement planning supported by the council procurement and legal team will be developed and approved as part of the contract delivery.

The Accessible Transport Team, in collaboration with the Legal Team, has prepared a new contract. This contract is scheduled to start on 1 June 2024, with a three-year term structured for annual renewal (1x1x1) based on satisfactory performance evaluations. These evaluations will consider factors such as pricing, delivery, and fulfillment of other milestones detailed within the contract.

1.1 Legislative Framework

Regional Council is responsible for funding public transport services under Part 5 of the Land Management Act 2003 (LTMA).

The overall purpose of the LTMA is to contribute to an effective, efficient, and safe land transport system in the public interest. Section 115 of the LTMA includes a set of principles that are intended to guide the actions of regional councils in undertaking their public transport functions.

The New Zealand Disability Strategy (NZDS) is designed to guide the work of government agencies on disability issues from 2016 to 2026. It is also intended to be used by any individual or organisation that wants to learn more about, and make the best decisions on, things that are important to disabled people.

Local authorities and other organisations are encouraged to incorporate the NZDS into their work programmes.

1.2 Alignment with Strategic Framework

A Healthy Environment	
Freshwater for Life	
Safe and Resilient Communities	
A Vibrant Region	We lead regional transport strategy and system planning, working with others to deliver a safe and reliable public transport system.
The Way We Work	We deliver value to our ratepayers and our customers.

1.2.1 Community Well-beings Assessment

Dominant Well-Beings Affected			
<input type="checkbox"/> Environmental	<input checked="" type="checkbox"/> Cultural Medium - Positive	<input checked="" type="checkbox"/> Social Medium - Positive	<input type="checkbox"/> Economic

The Total Mobility scheme creates opportunities for members of our community to participate in activities where otherwise they may not have the support and travel

options to do so. This includes accessing employment (economic) social and cultural opportunities. It is a national scheme which is co-funded by NZTA.

2. **Total Mobility**

2.1 **What is Total Mobility**

The Total Mobility scheme is one of the mechanisms by which Waka Kotahi fulfils its responsibilities towards assisting the transport disadvantaged. Its origins date back to 1981. Funded in partnership by local and central government, the Total Mobility Scheme is intended to complement public transport services and ensure people with impairments can meet their daily needs in a safe and dignified manner. It is open to people with a permanent, temporary, or fluctuating disability that prevents them from travelling on buses, trains, or ferries, or getting to or from where the public transport starts or ends. It also provides funding assistance to purchase and install wheelchair hoists in taxi vans. The scheme has no minimum fare threshold. Currently a 75% discount applies until a maximum subsidy is reached.

This assistance is provided in the form of subsidised door-to-door transport services wherever scheme transport providers operate. The Total Mobility scheme is intended to compliment the provision of public transport services, which are expected to be as accessible as possible to meet different mobility needs.

It is important to note the roles and responsibilities of central and local governments within the Total Mobility scheme: The Ministry of Transport is responsible for setting the Total Mobility policy, including its funding source. The last review of the Total Mobility scheme was undertaken in 2003. NZTA are currently drafting up the criteria for a review in 2024. The Accessible Transport team provided feedback on the scope of the review to MRCagney in December 2023.

Waka Kotahi is responsible for the operational administration of the Total Mobility scheme, working with regional councils to administer and fund the scheme within their total provision of public transport services.

Role of local authorities; as a co-investor of the Total Mobility scheme, Waka Kotahi has expectations of regional councils to administer the Total Mobility scheme effectively. Regional councils must ensure the scheme's central principle is delivered and policies are applied. It must be done by using systems and processes and managing the third-party relationships effectively and efficiently.

2.1.1 **How does the Total Mobility scheme work?**

The scheme provides a subsidy per trip of 75 percent, up to a maximum fare, to assist eligible people, with long term impairments to access appropriate transport to meet their daily needs and enhance their community participation. In the Bay of Plenty the maximum fare is \$50 therefore the maximum discount is \$37.50 per trip.

The scheme is founded on the central principle that people with impairments who are unable to use buses, trains, or ferries because of their disability, should be assisted with a subsidised alternative by local and central government. This reflects the legislative requirement under the Land Transport Management Act 2003 for local and central government to consider the needs of people who are transport disadvantaged.

The scheme is primarily a transport service, and is no more a social, health or disability service than any other type of transport service. Anybody would be at risk of social isolation and adverse health outcomes if they did not have adequate access

to appropriate transport. The scheme provides its members with access to transport and the means to participate in their communities in whatever way they choose.

Eligibility

The Total Mobility scheme is subject to nationally consistent eligibility criteria. An eligible person must have an impairment that prevents them from undertaking any one or more of the following five components of a journey unaccompanied, on a bus, train, or ferry in a safe and dignified manner:

- Getting to the place from where the transport departs.
- Getting onto the transport.
- Riding securely.
- Getting off the transport.
- Getting to the destination.

These journey components are consistent with the approach outlined by the Human Rights Commission, which describes an accessible journey as follows: ‘for a person to get from their home to a destination and then home again requires a number of linked steps. All these steps are of equal importance. If one link is broken or inadequate, the whole journey becomes impractical’ (Human Rights Commission, 2005). An impairment may be psychological, psychiatric, physical, neurological, intellectual, sensory, or other. It is not the impairment itself that determines eligibility for Total Mobility – rather, it is the effect that the impairment has on the individual’s ability to undertake the components of the journey.

Applying the eligibility criteria by Assessors

A key role for the Total Mobility assessor is to work with the prospective Total Mobility client to determine whether that person meets the eligibility criteria for the Total Mobility scheme. The role is one of guiding, assisting, and confirming that the information given by the prospective scheme user is accurate. The role of the assessor helps to ensure that people who meet the eligibility criteria for Total Mobility get access to Total Mobility trips appropriate to their needs.

The Accessible Transport team holds contracts with 45 assessing agencies that cover the Bay of Plenty. Under those contracts there are 118 individual assessors. We undertake training for all assessors to ensure they understand the eligibility criteria and can determine if a client meets those criteria. They must complete our training schedule and have signed an appendix to their employers’ contract before they can start to assess clients. We monitor assessments and provide guidance where needed to individual assessors.

Entitlement

The fare subsidy for the Total Mobility scheme is set at 75 percent of the standard fare charged by the transport operators. In the Bay of Plenty the 75 percent discount applies to each Total Mobility transaction (fare) until a maximum subsidy of \$37.50 is reached on a \$50.00 fare. Any amount after that is 100% paid by the client. There is no minimum fare threshold as any minimum fare would penalise clients who only make short trips.

The table below shows the cost structure of a Total Mobility trip, with two example fares.

Table 1.1

	User Pays	CERF CCE Funding	Waka Kotahi NLTF	
	25%	25%	50%	
			BOPRC 40%	NLTF 60%
Fare Paid:				
\$50.00	\$12.50	\$12.50	\$10.00	\$15.00
\$35.00	\$8.75	\$8.75	\$7.00	\$10.50

3. Considerations

3.1 Risks and Mitigations

Risk: This contract is scheduled to commence on the 1st June 2024, If council does not approve a procurement plan at this meeting then this could impact Councils ability to deliver Total Mobility services.

Mitigation: There is no mitigation available if the procurement plan is not accepted.

3.2 Climate Change

The matters addressed in this report are of a procedural nature and there is no need to consider climate change impacts.

3.3 Implications for Māori

The Total Mobility scheme has the ability to deliver further positive effects for Māori around accessibility and provision of transport options providing better access to essential services, including employment and education opportunities and health care services. Our community focussed engagement plan clearly identifies key groups or audiences (e.g., iwi/hapu groups, isolated communities) and we are engaging with them. We are actively seeking more operators in our Eastern regions with this new round of contracts.

3.4 Community Engagement



Engagement with the community is not required as the recommended proposal / decision relates to internal Council matters only.

3.5 Financial Implications

There are no material unbudgeted financial implications and this fits within the allocated budget.

The cost of Total Mobility Transport Operators 2024-2027 is provided for in the Annual Plan 2023/24 and the draft Long-Term Plan 2024-2034. There are no further budget implications associated with the adoption of the attached Procurement Plan – Total Mobility Transport Operators 2024-2027.

Procurement Item	Estimated work commencement	FAR (Funding Assistance Rate)	Annual Plan 2023/24 \$000	Draft Budgeted 2024/25 \$000	Draft Budgeted 2025/26 \$000	Draft Budgeted 2026/27 \$000
Total Mobility	June 2024	60%	1,393	1,497	1,520	1,549
Wheelchair	June 2024	60%	62	63	64	65
Mobility wheelchair hoist use payment	June 2024	100%	264	281	284	311
External Funding	External funding provided by NZTA will be applied for as noted above.					

Table 1 – Procurement Plan items 2024-2027

4. Next Steps

The approval of the attached Procurement Plan will allow for efficiencies in approaching the market, timely award, and contract delivery commencement, provided budget requirements are met.

Attachments

Attachment 1 - CON001240 Total Mobility Transport Operators 2024-2027 Procurement Plan signed [↓](#)



PROCUREMENT PLAN

1. Overview of procurement	
Project name (if applicable)	Total Mobility Transport Operators 2024-2027
Procurement project contact (who completed this form and endorses procurement approach):	Mary Norris
Commercial Advisor who has given advice and endorsed approach:	Debbie Cooper
Date of Procurement Plan	18/03/2024
Cost Code:	Total Mobility 10.4124.50.741.2500 Hoist grants 10.4124.50.363.2500 Mobility Hoist payments 10.4121.50.760.2500
Proposed supply arrangement	Multiple suppliers across BOP Region

2. Summary of requirements	
The requirements	The various contracts with our Total Mobility transport providers have either already expired or expire shortly. Key deliverables that need to be met are for all transport providers to deliver a consistently high level of service that is value for money to scheme members and Council.
Short description of goods/services:	Transport Operators are to supply a service to total Mobility clients 24/7.
Users	Accessible Transport Team as part of the wider Transport Operations team.

Contract Information - We need to ensure we cover all special risks in the contract.

3. Risks	Provide details if applicable
Will BOPRC provide equipment, systems access, or intellectual property to the supplier?	No
What KPIs or special conditions should we add to contract?	<p>Clear KPI's will be developed with Legal including but limited to the list below;</p> <p>Mandatory public liability insurance, Vehicle insurance</p> <p>Current service specific accreditation held.</p> <p>Vehicle maintenance schedules</p> <p>Driver certification in relevant NZQA standards and first aid and evidence of ongoing driver training programme</p> <p>Evidence of Code of conduct, fraud, disciplinary and complaints policy documents.</p> <p>Evidence of provision for replacement vehicles (cars, vans, and wheelchair accessible vehicles).</p> <p>EFTPOS terminal and SmartPay (or equivalent) electronic transaction management compatible with the Ridewise programme (all vehicles).</p> <p>Must be a fit and proper person as per NZTA policy.</p>
Will the services involve any ground disturbance?	No
What are the H&S issues related this purchase and/or this supplier?	<p>Transport operators will need to provide evidence of their Health and Safety plans and implementation documents.</p> <p>Council staff will work with operators on an ongoing basis to continue to identify and eliminate specific risks related to transporting passengers especially those who are disabled and/or elderly.</p> <p>SHE Prequal is not required as deemed Low H&S Risk.</p>
Are there any conflicts of interest?	None expected. Refer COI forms lined on last page.
Are there any biosecurity risks associated with this contract?	No

4. Estimate of total cost							
Estimated total cost of the supply arrangement	\$3,700,000.00						
	Procurement Item	Estimated work commencement	FAR (Funding Assistance Rate)	Annual Plan 2023/24 cost of procurement (000)	Budgeted 2025 cost of procurement (000)	Budgeted 2026 cost of procurement (000)	Budgeted 2027 cost of procurement (000)
	Total Mobility	June 2024	60%	\$1,393	\$1,497	\$1,520	\$1,549
	Wheelchair	June 2024	60%	\$62	\$63	\$64	\$65
	Hoist use payment	June 2024	100%	\$264	\$281	\$284	\$311
	External Funding	External funding provided by NZTA will be applied for as noted above.					
Dates:	Contract start date: 01 06 2024. Contract end date: 31 05 2025/26/27 Contract renewals: Initial one year term with Council to have 2 rights of renewal of one year each. (1x1x1)						
External funding	Yes NZTA FAR funding & CERF funding. *There is currently no funding cap. A current TM review may address this. If caps are set, we will include them in the annual contract renewal or as and when directed by NZTA.						
Contract Type	Bespoke contract in development, incorporating content from Auckland Transport and Horizons Regional Council contract formats, along with elements of our own previous TM contracts. With input from TM team and Ben Easte (Legal Counsel).						

5. Overview of sourcing approach	
What do we already know about the pricing for the goods/services:	Fare schedules are reviewed annually before contract renewal. Costs to services that could change are include fuel/labour charges.
Who will be involved in making decisions about this procurement (e.g., tender evaluation team):	<ul style="list-style-type: none"> • Mary Norris (Evaluation Chair) - voting <p>Evaluation Team</p> <ul style="list-style-type: none"> • Mary McLaren - voting • Stuart Nightingale Transport Operations Manager - voting • Debbie Cooper, Polly Jones-Morris (Commercial/Probity) – nonvoting. • Jamie Hall Programme Manager Transport- voting <p>Other</p> <ul style="list-style-type: none"> • Mike Seabourne Director of Transport (Project Sponsor) • Karlo Keogh Finance (Budget advice and endorsement)

<p>What risks are posed by this purchase and approach to the market, and how are these mitigated:</p>	<p>Risk of no operators for the Total Mobility scheme if not completed. We are actively engaging with potential operators through the procurement process and ensuring clear communication about the opportunity.</p> <p>H&S: Clear safety standards to prevent vehicle accidents or injury to customers/drivers. H&S plans are to be provided as part of RFQ. These will be evaluated annually.</p> <p>Reputational damage: Unethical behaviour, mismanagement of funds, safety instances could affect community trust. Complaint register policy implemented, will be provided 6 monthly to BOPRC by operators. Evaluation of suppliers' past performance with Toi Moana and/or other providers during the RFQ evaluation, also helps manage this risk.</p> <p>Value for money: Fare schedules are agreed with BOPRC one month before renewal of contract annually.</p> <p>Funding Uncertainty: There is a clause in the contract regarding loss of funding and ramifications.</p> <p>Implied renewal of existing contracts: Risk that existing suppliers may argue implied renewal of existing contracts if services are passively rolled over past expiry. Council has sent a letter to all operators explaining Council's plan for the upcoming procurement.</p> <p>Contingency /dependency: Reliance on limited taxi operators (in Whakatāne?) risks limiting access or monopoly. Actively promoting Total Mobility to all taxi and shuttles services in the Eastern Bay.</p> <p>Fraud / misuse of subsidies by customer or suppliers: Any abnormalities in charging are investigating and dealt with by the Accessible Transport team. Rigorous attention is paid to all details in our RideWise monitoring system.</p> <p>Legal: The New Zealand Disability Strategy (NZDS) is designed to guide the work of government agencies on disability issues from 2016 to 2026. It is also intended to be used by any individual or organisation that wants to learn more about, and make the best decisions on, things that are important to disabled people. Local authorities and other organisations are encouraged to incorporate the NZDS into their work programmes.</p> <p>Customer Service: Poor customer service from drivers could lead to dissatisfaction and potentially reduce use of the TM service. The Accessible Transport team addresses all complaints that come to us. There are specific levers we can use within the applicable NZTA Policy ("fit and proper person") to remove drivers who provide substandard</p>
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Item 12.1, Attachment 1

	<p>service. Annual evaluations will provide a robust process for discussion with operators.</p> <p>Third-party invoicing service: Most suppliers depend on a third party for invoice management and payment dispute communication channels. There are potential conflicts of interest between one supplier and this service provider that may raise concerns about transparency and accountability. Conflict management processes will be put in place for known and emerging conflicts.</p>
What opportunities are posed by this purchase and approach to the market and how are these maximised:	<p>Climate change – Electric vehicles are not feasible for all taxis at this stage. Cost prohibitive and distance an issue.</p> <p>Māori partnerships – Wana drivers in Whakatane is a Māori owned company.</p> <p>We are not aware of any sign-language fluent drivers. All taxis have printed materials available for clients with hearing difficulties.</p> <p>Commercial fluency: Efforts will be made to write contracts and RFQ documents in plain, concise, and easily comprehensible English, to ensure our approach addresses the capabilities of the diverse market.</p>
How will we ensure that the supplier contributes to BOPRC maximizing strategic impact, particularly considering our key impact areas of Māori partnerships, Community participation and Climate Change:	<p>BOPRC is responsible for funding public transport services under part 5 of the Land Transport Management Act 2003 (LTMA) This aligns with our strategic framework:</p> <p>A vibrant region: We lead regional transport strategy and system planning, working with others to deliver a safe and reliable public transport system.</p> <p>The way we work: We continually seek opportunities to innovate and improve.</p> <p>Community Wellbeings affected are Cultural and Social.</p> <p>Total Mobility creates opportunities for members of our community to participate in activities where otherwise they may not have the support and travel options to do so. This includes accessing employment (economic) social and cultural opportunities.</p> <p>We are delivering against policy 2.5, 2.7, 3.6,5.1 and 6.4 of our Regional Public Transport Plan 2022 (PRPTP)</p> <p>Total Mobility provides a valuable service to the 25% of our community that are transport disadvantaged.</p>
How will we approach the market:	<p>Open, Request for Quotes (RFQ)</p> <p>(While typically a high-value contract might warrant a comprehensive Request for Proposals (RFP), the high proportion of mandatory requirements in this assessment, combined with a market less familiar with commercial matters, suggests a simpler approach through RFQs.)</p> <p>We expect all current operators will respond for the new contract term. We are actively seeking more operators in the Eastern Bay so the RFQ will be listed be on GETS as well as directly addressing known suppliers.</p>

<ul style="list-style-type: none">• How will we select a supplier:	<p>Mandatory Requirements (Pass/fail)</p> <ol style="list-style-type: none">1. Insurance minimums pass/fail.2. Health and Safety plans / documents provided.3. At least one vehicle in fleet must be fitted with a hoist or ramp suitable to transport a wheelchair passenger (or evidence of plan to install hoist within next 6m – monitored by additional contract KPI)4. Operator must operate 24/7.5. Driver certification evidence provided for all named drivers.6. Commitment to ongoing driver training.7. Fleet vehicle ages and mileage comply with NZTA standards.8. Current service specific accreditation held.9. Evidence of provision for replacement vehicles.10. EFTPOS terminal and SmartPay.11. Code of Conduct Code, fraud, disciplinary and complaints policy documents provided – all in line with contract requirements.12. Completed table stating vehicle numbers, vehicle types, drivers, and location. Vehicle age/type must adhere to contract requirements.13. Suppliers must provide evidence of their experience in the Passenger Transport industry. (While not mandatory, it is preferable that the experience will be with Total Mobility, ACC or similar schemes. In the absence of specific industry experience, suppliers must demonstrate a clear willingness to adhere to strict Council expectations while establishing their mobility capabilities.) <p>Selection Process:</p> <p>Suppliers must meet all Mandatory Requirements and achieve a score.</p> <p>Price - Not weighted.</p> <p>The Mandatory Requirements will serve as a screening tool to qualify suppliers for contract negotiation, including Price negotiation. Though price won't be a weighted criterion, suppliers are still required to provide their price in the RFQ response.</p> <p>Prices are expected to fall within reasonable market rates, however following the "Selection Process", Council will retain the right to assess the fairness of quoted prices and may negotiate as needed.</p> <p>If a rate is still deemed unreasonable after negotiation, we reserve the right to reject it and cease negotiations.</p> <p>Any due diligence required.</p>
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	<ul style="list-style-type: none"> - Referee checks from within the Passenger Transport service industry. - Financial viability i.e., letter from accountant attesting to the supplier's financial stability, liquidity, solvency, and overall business health.
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6. Key milestones for procurement	
Seek Council approval	5 th April
Approach market by:	Week of 8 th April
Submissions closing date:	Early May
Supplier selected by:	Mid may
Contract commencement by:	1 June

7. Procurement process approvals	
Invitation is fit for release	Contract Manager
Selection / shortlisting recommendation is approved	Staff member with Delegated Financial Authority
Draft contract is appropriate	Contract Manager
Award of contract (offer acceptance)	Staff member with Delegated Financial Authority

8. Probity

Probity in this procurement will be managed by:

- acting fairly, impartially and with integrity, acting lawfully, and being accountable and transparent.
- ensuring compliance with the Council's code of conduct is complied with.
- ensuring that financial authority for the procurement is approved before proceeding to tender.
- identifying and effectively managing all conflicts of interest.
- protecting the supplier's commercially sensitive and confidential information.
- offering each supplier, a comprehensive debrief at the end of the tender process.

9. Procurement Plan (this document) endorsements and approvals			
Description	Name / Position	Signature	Date
Prepared:	Mary Norris Accessible Team Lead (acting)		21 March 2024
Endorsed	Stuart Nightingale Manager Transport Operations		24 March 2024
Endorsed	Mike Seabourne Director of Public Transport		24 March 2024
Endorsed	Karlo Keogh Senior Management Accountant	KHJ Keogh	24 March 2024
Endorsed	Debbie Cooper Commercial Advisor		22 March 2024
Endorsed	Mat Taylor General Manager Corporate		
Approved (DFA)	Council	Council Meeting Resolution	5 April 2024

Attachments

- 1. Council minutes evidencing delegated financial authority
- 2. Conflict of Interest Declarations (all Procurement Project Team members)