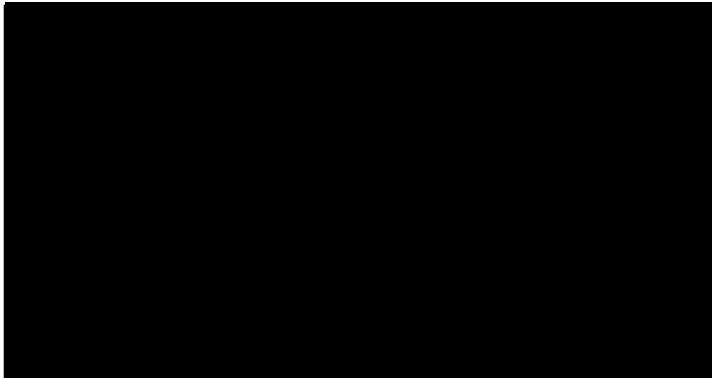


3 June 2020

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Re Official Information Request – Tenders for ARISU and Short Stay Unit

I refer to your official information request dated 12 May 2020 requesting on behalf of your client Rauland NZ Limited certain information pursuant to the Official Information Act 1982 (OIA). That request and Auckland DHB's (ADHB) response is set out below:

1. Details relating to the award of tender for the Auckland DHB's Auckland Starship Hospital Short Stay Unit (Short Stay Unit) construction project, limited only to the Nurse Call System Scope of Works aspect of the project, including:

1.1 Confirmation that Opine (an agent for Hills Health Solutions) was successful in being granted the tender for the Scope of Works – Nurse Call System aspect of the project, for installation of their Merlon Nurse Call System:

Response: Yes.

1.2 Which staff (whether individuals/employees/contractors) associated with Opine and/or Hills Health Solutions were involved in the tender process for the Scope of Works – Nurse Call System aspect of the project;

Response: Carlo Norris, Technical Manager for OPINE PCS Ltd.

1.3 Copies of the tender documents submitted by Opine and/or Hills Health Solutions for the Scope of Works – Nurse Call System aspect of the project;

- 1.4 Any and all correspondence to and from Opine and/or Hills Health Solutions and any and all of their staff to the Auckland DHB relating to this aspect of the project; and**
- 1.5 Any and all correspondence to and from Conrad Delvo relating to the tender process.**

It is implicit in a tender process that information provided by a respondent will be held in confidence to ensure that commercially sensitive information is protected. This is confirmed by Rauland NZ Limited including "Commercial in Confidence" as the footer of its proposal; Auckland DHB considers this as a statement that your client would not expect Auckland DHB to providing their information to competitors.

Auckland DHB is withholding the information detailed in 1.3-1.5: to protect information where the making available of the information would disclose a trade secret or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (s9(2)(b) OIA); to protect information which is subject to an obligation of confidence and where the making available of the information would be likely to prejudice the supply of similar information within other RFP processes and it is in the public interest that such information should continue to be supplied (s9(2)(ba) OIA); and to enable Auckland DHB to carry out, without prejudice or disadvantage, commercial activities (s9(2)(i) OIA).

- 2. Details relating to the award of tender for the Auckland DHB's Auckland Hospital Adult Rehabilitation and Integrated Stroke Unit (ARISU) construction project, limited only to the Nurse Call System Scope of Works aspect of the project, including:**

- 2.1 Confirmation that Hills Health Solutions was successful in being granted the tender for the Scope of Works – Nurse Call System aspect of the project, for installation of their Merlon Nurse Call System;**

Response: Hills Health Solutions will be installing the Merlon Nurse Call System in ARISU.

- 2.2 Which staff (whether individuals/employees/contractors) associated with Hills Health Solutions were involved in the tender process for the Scope of Works – Nurse Call System aspect of the project;**
- 2.3 Copies of the tender documents submitted by Hills Health Solutions for the Scope of Works – Nurse Call System aspect of the project;**
- 2.4 Any and all correspondence to and from the successful company/organisation/entity and any and all of its staff to the Auckland DHB relating to this aspect of the project; and**
- 2.5 Any and all correspondence to and from Conrad Delvo relating to the tender process.**

Auckland DHB's tender was for a lead construction contractor for ARISU, included in the tender was a requirement for a compliant nurse call system. That is, unlike for Starship there was no separate tender for the nurse call system. Accordingly, the information you have requested in questions 2.2-2.5 is not held by Auckland DHB and section 18(g) of the OIA applies.

3. Any and all correspondence to and from Conrad Delvo, whether by email, phone, letter or otherwise, with any staff member/department/unit within the Auckland DHB since 31 August 2018.

Auckland DHB has determined to decline your request because the information requested cannot be made available without substantial collusion (s18(f) OIA) and also for the reasons cited under Auckland DHB's response to request 1.5 above.

You are entitled to seek a review of the response by the Ombudsman under section 28(3) of the Official Information Act. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this response, or an edited version of this response, may be published on the Auckland DHB website.

Yours faithfully



Ailsa Claire, OBE
Chief Executive

