



Confidential Minutes of the Ordinary Meeting of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg on 26 March 2024.

18. ITEMS IN CONFIDENCE

18.1 Procurement Policy Exemption (Report No: 88/24)

Motion - Exclusion of the Public – Section 90(3)(b&d) Order C260324/7717

- 1. That pursuant to section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 88/24 Procurement Policy Exemption in confidence.**
- 2. That in accordance with section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 88/24 Procurement Policy Exemption on the following grounds:**
 - b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business.**
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party.**

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- 3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.**

Moved Councillor Miller, Seconded Councillor Abley

Carried Unanimously

The report recommended to Council to provide an exemption from the Procurement Policy for a contract variation with our key ICT systems provider TechnologyOne to continue using the TechnologyOne SaaS platform subject to the review and endorsement of this approach by the Audit and Risk Committee.

The rationale for not going to tender and approving the contract variation is that the evidence from other councils that have undergone a tender or reviewed their TechnologyOne service, has demonstrated limited benefit as they have found TechnologyOne to be the preferred provider at this point in time. Costs for this tender and review process are between \$0.558M and up to \$1.744M for a two-year tender. Transitioning to a new (Enterprise Resource Planning or best-of-breed) system requires substantial costs, disruption and risk, incurring around \$9.0M in costs over a number of years to change systems. Accepting the contract variation, with the discounted offer with additional functionality of the new modules council requires, provides potential savings of \$2.6M over seven years.

Motion

C260324/7718

That Council, subject to review and endorsement by the Audit and Risk Committee:

- 1. approves the exemption to the procurement policy for a contract variation to continue utilising the TechnologyOne Software as a Service (SaaS) Enterprise Resource Planning (ERP) platform; and**
- 2. authorises the Chief Executive Officer to negotiate, execute, and administer the contract variation relating to the TechnologyOne SaaS platform including additional modules on terms acceptable to the City of Holdfast Bay (CHB) for a maximum seven-year contract variation; and**
- 3. notes the budget allocation for the TechnologyOne SaaS fee is included in the draft 2024-25 budget and subsequent future budgets will include the uplift in the significantly discounted SaaS fee.**

RETAIN IN CONFIDENCE – Section 91(7) Order

- 4. That having considered Agenda Item 18.1 Procurement Policy Exemption in confidence under section 90(2) and (3)(b and d) of the**



Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the report, attachment and minutes be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when the contract is signed and that this order be reviewed every 12 months.

Moved Councillor Miller, Seconded Councillor Snewin

Carried Unanimously

CONFIRMED 9 April 2024

MAYOR