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From: ██████████ on behalf of Upper Hutt City Council Official Information Team
Sent: Tuesday, 22 July 2025 1:30 pm
To: ██████████
Subject: RE: H2O procurement processes

Tēnā koe ██████████

We have decided to provide the requested information under the LGOIMA. Please find the answers to your questions below:

1. What criteria were used for selecting the initial four contractors?

Contractors were invited to participate based on previous experience with similar construction projects (criteria such as size of past construction projects and type of past construction projects). There was a very limited pool of suitable contractors available that had appropriate construction experience.

2. Why wasn't the procurement process restarted when two tenderers withdrew, and then price discrepancies emerged?

There were still two appropriate and experienced contractors competing for the tender.
We are not aware of any price discrepancies. As is common over the lifecycle of major projects, the project financial estimates evolved as the design work and construction planning continued and was refined. For this project it was exacerbated by scope changes between its initiation in 2017 and construction commencing in 2023.
Both cost and scope changes were brought back for Council decision-making and community consultation (i.e through both Long Term Plan 2021-2031 and Annual Plan 2022/23).
An independent Quantity Surveyor engaged by Council was reviewing the construction costs all the way through the procurement process and construction.

3. Was there a competitive tender for the full build contract following the ECI closed tender? If not, why not.

A key benefit of the ECI process is to work with a contractor, designer and other key suppliers early on and throughout the process to ensure cost effective construction planning, materials and methodologies were used. It was considered a different process would have caused major delays and additional costs, and was not in the best interests of the project, particularly given the post-COVID pandemic inflationary environment and supply chain impacts.
As per above the independent Quantity Surveyor was reviewing the construction costs throughout this process.

4. Has any of the procurement project team on the Council side done any procurement or business case training, such as Treasury's Better Business Case training, or similar (please state)?

The project staff involved had appropriate training and experience (including the team manager being qualified at the Better Business Case Foundation level) and utilised robust, specialist expertise as required (i.e an independent Quantity Surveyor).

5. Why was there no independent project management or procurement expertise brought in to assist with the process and provide assurance of such a significant sum of public money?

Appropriate expertise and experience was available via key suppliers (i.e HDT, Maycroft, an independent QS, Powell Fenwick) and the in-house project management staff, including undertaking value engineering throughout the project.

An Independent Project manager would have cost approximately another \$450k for the term of the contract. Also having an internal Engineer to Contract saved a further \$300k. This project was also subjected to an audit review (being a very significant capital investment item) for Council's Annual Report 2023/24, resulting in a positive assessment with no major issues identified.

6. Was a demolition and rebuild scoped and priced at any point?

In the original high level project options and feasibility study for the Long Term Plan 2018 – 2028 a rebuild option was mooted. This did not proceed based on Council direction and community feedback through Long Term Plan consultation.

Based on advice from specialist suppliers including the architects and independent Quantity Surveyor, there was sufficient residual value left in the building to upgrade and expand it. This was also considered a more environmentally friendly and sustainable option than demolishing the entire facility and rebuilding.

7. What post-construction analysis has been done on value for money, and if cost escalation could have been prevented?

No post-construction analysis on value for money has been done at this time. The contract is still in its maintenance period and contractors and subcontractors are still engaged with council. As per above the independent Quantity Surveyor was reviewing the construction costs including assisting with value engineering throughout the project.

8. What specific steps were taken to address the safety concerns (e.g., access, lifeguard visibility identified in the business case) in the final design, and why weren't these fully resolved?

The most significant safety concern addressed by the project, and a key driver for it overall, was creation of a separate and safer water space for under 8-year-olds with addition of the new junior leisure pool. The architects used (HDT) are highly regarded and have extensive experience as specialists in public swimming pool facilities and provided appropriate design expertise and advice on all safety related matters. Pool management staff were also involved as part of the project design and delivery team.

Accessibility

The new stairs added a better method of entry into the main pool and there is a hoist option as well, there is a ramp and hoist for the junior leisure and a hoist for the spa. The leisure pool is deemed accessible as you can enter it from the shallow end / or with a wheelchair. There has been some feedback regarding the removal of step access into the leisure pool, and that the sloping entry from the beach may be difficult for some people. This change was necessary to separate the leisure and lane pools to achieve a range of improvements such as independent temperature controls. We are currently looking into this feedback further.

Lifeguarding

Staff had a pre-opening training session run by an external professional on blind spots, lifeguarding moving water and the risks of glare on the water / refraction. All policies and procedures (P&P) were updated and staff trained on the new P&Ps and equipment (such as additional mirrors and cameras). Staff train regularly on poolside for scenarios which might occur. We expanded our policy for children up to 10 years requiring supervision by an adult (from the previous under 8 requirement), due to the risk of moving water in the facility.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please feel free to contact us if you wish to discuss this decision or have any further questions about this request.

Ngā mihi

Upper Hutt City Council Official Information Team

Upper Hutt City Council Official Information Team



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From: Upper Hutt City Council Official Information Team <OIA.Requests@uhcc.govt.nz>

Sent: Friday, 27 June 2025 4:35 pm

To: [REDACTED]

Subject: RE: For draft info/responses: LGOIMA ID 1908 [REDACTED] H2O Xstream procurement plan

Tēnā koe [REDACTED]

I am writing to acknowledge receipt of your request dated 13 June 2025 for further information around the H2O project procurement process.

We appreciate the distinction between a request for official information and process questions. Your request will be responded to as soon as possible.

As always, if you have any queries or any additional factors come to light which are relevant to your request, please do not hesitate to contact us so that these can be taken into account.

Ngā mihi
[REDACTED]

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From: [REDACTED]

Sent: Friday, 13 June 2025 11:51 am

To: Geoff Swainson <Geoff.Swainson@uhcc.govt.nz>

Cc: Upper Hutt City Council Official Information Team <OIA.Requests@uhcc.govt.nz>

Subject: Re: LGOIMA ID 1908 [REDACTED] - H2O Xstream procurement plan

Kia ora,

I received the LGOIMA request 1908: [REDACTED] - H2O Xstream procurement plan. I appreciate the helpful response put together by your OIA team.

The information provided has raised further concerns about the pool procurement processes. I have some questions for you as the Chief Executive:

1. What criteria were used for selecting the initial four contractors?
2. Why wasn't the procurement process restarted when two tenderers withdrew, and then price discrepancies emerged?
3. Was there a competitive tender for the full build contract following the ECI closed tender? If not, why not.
4. Has any of the procurement project team on the Council side done any procurement or business case training, such as Treasury's Better Business Case training, or similar (please state)?
5. Why was there no independent project management or procurement expertise brought in to assist with the process and provide assurance of such a significant sum of public money?
6. Was a demolition and rebuild scoped and priced at any point?
7. What post-construction analysis has been done on value for money, and if cost escalation could have been prevented?
8. What specific steps were taken to address the safety concerns (e.g., access, lifeguard visibility identified in the business case) in the final design, and why weren't these fully resolved?

To my mind, these are not LGOIMA requests for information - these are process questions I am asking you as the Chief Executive. If this does have to go through the LGOIMA process, then I'd request that you provide me with your thoughts on the matter, even when there is no particular document or email to point to.

Noho ora mai,
[REDACTED]

On Wed, 21 May 2025 at 12:12, Upper Hutt City Council Official Information Team
<OIA.Requests@uhcc.govt.nz> wrote:

Tēnā koe [REDACTED]

Decision on your official information request

I refer to your official information request dated 23 April 2025 for a copy of the procurement plan for the H2O Xstream upgrade.

Unfortunately we need to decline this request under s17(e) of the Local Government Official Information and Meetings Act 1987 as we do not hold a procurement plan or similar document (based on the template example provided) for the H2O Xtream upgrade project.

However, please note the following information for context:

- The H2O Xtream upgrade project occurred over multiple stages of Council decision-making (including public consultations in 2018, 2021 and 2022), project development and procurement) as set out at a high level on the project website (see the dated sections covering the project's lifecycle and the updates section): <https://www.upperhutt.govt.nz/Projects-and-initiatives/Infrastructure/H2O-Xtream-Upgrade-Project>
- The attached documents set out:
 - *H2O Xtream upgrade business case Sept 2020* for the Long Term Plan 2021-2031: Outlines the high-level the procurement approach (see page 15-16).
 - *H2O Xtream upgrade ECI Contracts Committee Memo 20 May 2021*: A key feature of the procurement approach was the use of the Early Contractor Involvement (ECI) model in relation to the construction procurement. This document is provided as an example of the project procurement following Council's procurement processes including engagement with Council's Contracts panel.
- For reference, Council's Auditors conducted an in-depth review of the project including procurement for the 2023/24 Annual Report, and the findings are commented on in a recent audit report to Council's Risk and Assurance Committee (see pages 19-20): <https://www.upperhutt.govt.nz/files/assets/public/v/1/your-council/meetings/2025/cycle-3/agenda-risk-20250514.pdf>

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please feel free to contact us if you wish to discuss this decision or have any further questions about this request.

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From [REDACTED]
Sent: Friday, 2 May 2025 12:11 pm
To: Upper Hutt City Council Official Information Team <OIA.Requests@uhcc.govt.nz>
Subject: Re: Decision by council not to hire procurement officers

Thanks for the update [REDACTED]

On Fri, 2 May 2025 at 09:08, Upper Hutt City Council Official Information Team <OIA.Requests@uhcc.govt.nz> wrote:

Tēnā koe [REDACTED]

I am writing to acknowledge receipt of your official information request dated 23 April 2025. Due to the disparate nature of each request, we have set them up individually:

1910	City Centre Strategy engagement report & summary
1909	Potential bike network plans
1908	H2O Xtream procurement plan

This will allow us to respond to each request in turn, as the information is ready. We will endeavour to respond to your requests as soon as possible and in any event no later than 22 May 2025, being 20 working days after the day your request was received. If we are unable to respond to your request by then, we will notify you of an extension of that timeframe.

If you have any queries or any additional factors come to light which are relevant to your request, please do not hesitate to contact us so that these can be taken into account.

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From: [REDACTED]

Sent: Wednesday, 23 April 2025 11:14 am

To: Upper Hutt City Council Official Information Team <OIA.Requests@uhcc.govt.nz>

Subject: Re: Decision by council not to hire procurement officers

Kia ora,

Could I please make the following OIA requests:

1. The procurement plan for the H2O Xtream upgrade. I've attached an All of Government Procurement Template example to show specifically what I'm after. I'd like the document even if the sections that are commercially sensitive need to be omitted.
2. Any plan, map or hand-drawn image of a potential bike network for Upper Hutt by any officer
4. The engagement report/summary for the discontinued City Centre Strategy and any interim reports/assessments from the urban designers

Apologies for the number of requests! I'm sure you are getting quite a few at the moment.

Thanks,

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On Tue, 8 Apr 2025 at 08:55, Upper Hutt City Council Official Information Team
<OIA.Requests@uhcc.govt.nz> wrote:

Tēnā koe ██████████

Decision on your official information request

I refer to your official information request dated 19 March 2025 for the decision made by Council in a committee to not hire procurement officers for the H2O project.

We need to decline your request under section 17(e) of the Local Government Official Information and Meetings Act 1987 as we do not have this information.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please feel free to contact us if you wish to discuss this decision or have any further questions about this request.

Ngā mihi

██████████

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From: Upper Hutt City Council Official Information Team <OIA.Requests@uhcc.govt.nz>

Sent: Monday, 24 March 2025 1:44 pm

To: [REDACTED]

Subject: RE: Decision by council not to hire procurement officers

Tēnā koe [REDACTED]

I am writing to acknowledge receipt of your official information request dated 19 March 2025 for information about a decision to not hire procurement officers for the H2O project.

Our reference for your request is 1887

We will endeavour to respond to your request as soon as possible and in any event no later than 16 April 2025, being 20 working days after the day your request was received. If we are unable to respond to your request by then, we will notify you of an extension of that timeframe.

If you have any queries or any additional factors come to light which are relevant to your request, please do not hesitate to contact us so that these can be taken into account.

Ngā mihi

[REDACTED]

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From [REDACTED]

Sent: Wednesday, 19 March 2025 11:58 am

To: Upper Hutt City Council Official Information Team <OIA.Requests@uhcc.govt.nz>

Subject: Decision by council not to hire procurement officers

Kia ora,

Could you please point me to the decision made by Council in a committee to not hire procurement officers before/during the pool rebuild project (which was a proposal put up by staff)?

I am unsure of when this took place but I understand it was in the last few years.

Thanks,

[REDACTED]

[REDACTED]