

By email

3 May 2018

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Dear Mr Randle

Request for information 2018-056

I refer to your request for information dated 19 March 2018, which was received by Greater Wellington Regional Council (GWRC) on 19 March 2018. On 5 April GWRC advised you that it was necessary for GWRC to extend the time available for GWRC to respond to your request to 3 May 2018. You have requested the following information:

"1) Can I please have a copy of the estimated "League table" all the PTOM PT "Units" including the commerciality ratio both bus and rail)?

2) Can I please have a copy of any spreadsheet, report or other information that outlines the calculation of the estimated Commerciality Ratio for all the PT "Units" contracted under PTOM (both bus and rail)?

The GWRC has also released some information about the PTOM tender process including the Bus Request for Tender (RFT) (<http://www.gw.govt.nz/assets/PTOM/A-02.01.01-Greater-Wellington-Bus-Services-Request-for-Tender.pdf>). This document outlines a range of information provided to tenderers via the "data room" Refer Section 6.2. The RFT specifically noted the following information was to be provided via the data room:

- * Full Bus Unit specifications (PTOM Service Specifications) including timetables*
- * Bus Unit Timetable information*
- * the 3 most recent years' patronage data on the Wellington region Bus Network*
- * Information Memorandum*
- * Supporting documentation*
- * Any other information added by GWRC from time to time.*
- * Questions raised by Tenderers and responding answers*

3) Can I please have a copy of the "Full Bus Unit specifications (PTOM Service Specifications)" provided to tenderers via the Data Room as part of the PTOM RFT



process ? For the sake of clarity I would expect this to include Patronage and revenue information for each unit (or only patronage is the unit is Commercial).

4) Can I please have a copy of the "Bus Unit Timetable information" provided to tenderers via the Data Room as part of the PTOM RFT process?

5) Can I please have a copy of "the 3 most recent years' patronage data on the Wellington region Bus Network" provided to tenderers via the Data Room as part of the PTOM RFT process?

6) Can I please have a copy of the "Information Memorandum" provided to tenderers via the Data Room as part of the PTOM RFT process?

7) Can I please have a copy of the "Supporting documentation" provided to tenderers via the Data Room as part of the PTOM RFT process?

8) Can I please have a copy of the "any other information added by GWRC from time to time" provided to tenderers via the Data Room as part of the PTOM RFT process?

9) Can I please have a copy of the Questions raised by Tenderers and responding answers provided to tenderers via the Data Room as part of the PTOM RFT process?

I also note that similar information would expect to have been created for the "seven direct appointed units with NZ Bus and Mana" that were not covered by the tender process.

10) Can I please have a copy of the "Full Bus Unit specifications (PTOM Service Specifications)" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded ? For the sake of clarity I would expect this to include Patronage and revenue information for each unit (or only patronage is the unit is Commercial).

11) Can I please have a copy of the "Bus Unit Timetable information" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded?

12) Can I please have a copy of "the 3 most recent years' patronage data on the Wellington region Bus Network" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded?

13) Can I please have a copy of the "Information Memorandum" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded?

GWRC's decision follows:

Subject to the information refused or withheld as set out below, GWRC will be releasing to you all of the information requested by you.

We note that it is your preference to receive in its complete and original electronic format and we have provided this on a USB data stick. You may collect the USB from GWRC reception, Level 2, 15 Walter Street, Te Aro, Wellington, during office hours. Alternatively, please provide a physical address, and we will arrange for the USB data stick to be couriered.

The information on the USB data stick is, where possible, structured and labelled in the same manner as it was in the Tender Data Room. Documents that contain redactions (as outlined in this letter) are indicated in the file name.

1) Can I please have a copy of the estimated "League table" all the PTOM PT "Units" including the commerciality ratio both bus and rail)?

2) Can I please have a copy of any spreadsheet, report or other information that outlines the calculation of the estimated Commerciality Ratio for all the PT "Units" contracted under PTOM (both bus and rail)?

In response to 1) and 2), the estimated "League table" and supporting information of the estimated Commerciality Ratio for all the PT "Units" contracted under PTOM, such League Table and the commerciality ratios for the PT units, do not exist. The bus contracts have not yet commenced providing services, so there is nothing yet to measure. Measurement will occur after the first full year of operation. Note that the commerciality ratio and proposed League Table only apply to bus services. They are not applied to rail services.

This part of your request has been refused in accordance with section 17(e) of the Local Government Official Information and Meetings Act 1987 (the Act) for the reason that the information does not exist.

3) Can I please have a copy of the "Full Bus Unit specifications (PTOM Service Specifications)" provided to tenderers via the Data Room as part of the PTOM RFT process ? For the sake of clarity I would expect this to include Patronage and revenue information for each unit (or only patronage if the unit is Commercial).

The bus unit specifications provided to tenderers via the Data Room is provided to you on the USB data stick.

Please note that patronage data was provided to tenderers in the Information Memorandum and not in the bus unit specifications. Due to limitations of existing ticketing information and the differences between current bus route configuration and future bus route configuration

under PTOM, patronage was provided to tenderers at a sub-regional level and not at a unit level.

Revenue information was not provided to tenderers on the basis that the contracts for the bus units under PTOM are 'gross cost contracts' in which GWRC receives all fare revenue, and therefore historical fare revenue was not of relevance to the tender process.

4) Can I please have a copy of the "Bus Unit Timetable information" provided to tenderers via the Data Room as part of the PTOM RFT process?

The bus unit timetable information as provided to tenderers via the Data Room is provided to you on the USB data stick.

5) Can I please have a copy of "the 3 most recent years' patronage data on the Wellington region Bus Network" provided to tenderers via the Data Room as part of the PTOM RFT process?

The 3 most recent years' patronage data on the Wellington Region Bus Network was provided to tenderers in the Information Memorandum, available on the [Greater Wellington Regional Council website bus contracts page](#). This part of your request has been refused in accordance with section 17(d) of the Act for the reason that the information is publicly available.

6) Can I please have a copy of the "Information Memorandum" provided to tenderers via the Data Room as part of the PTOM RFT process?

The Information Memorandum is available on the [Greater Wellington Regional Council website bus contracts page](#). This part of your request has been refused in accordance with section 17(d) of the Act for the reason that the information is publicly available.

7) Can I please have a copy of the "Supporting documentation" provided to tenderers via the Data Room as part of the PTOM RFT process?

8) Can I please have a copy of the "any other information added by GWRC from time to time" provided to tenderers via the Data Room as part of the PTOM RFT process?

In response to 7) and 8), the information requested is provided to you on the USB data stick, with the following exceptions:

- a. NZ Bus depot information (includes lease deeds renewal and variation documents, photos and maps and Novation Deed) referenced as Addendum in Notice to Tenderers (NTT) – 24, 27, 29 and 35.

- Note that we are releasing the NTTs that reference this information. However, the Addendums referenced in these NTTs include information about other parties.
 - We have consulted with NZ Bus on release of this information, but would need to undertake additional consultation with several landlords to fully consider if we can release the Addendum.
 - If the NZ Bus depot information outlined in the NTTs is of particular interest to you, please advise and we will undertake additional consultation.
- b. The Financial Incentive Mechanism (FIM) worked example contains information that divulges the value of financial reward mechanisms in the contract. We have elected to withhold certain information that relates to values in the FIM worked example. This information has been withheld in accordance with section 7(2)(b)(ii) of the Act, as we consider that releasing the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- c. Tender Participation and Transition Deeds – redactions of witness residential address. This information has been withheld in accordance with section 7(2)(a) of the Act as we consider that withholding the information is necessary to protect the privacy of the person who is the subject of the information.
- d. The PTOM Partnering Contract, including the Vehicle Quality Standards and Brand Guidelines, will be made available on GWRC's website once contracts are executed with NZ Bus for the Direct Appointed Units. This is expected to occur within the next month. This part of your request has been refused in accordance with section 17(d) of the Act, for the reason that the information will soon be publicly available.
- e. The Vehicle Quality Standards and Brand Guidelines will be available in full. However, certain information in the PTOM Partnering Contract will be withheld from the document released. Information in the PTOM Partnering Contract which could harm the commercial position of the person who supplied or who is the subject of the information will be withheld in accordance with section 7(2)(b)(ii) of the Act.

9) Can I please have a copy of the Questions raised by Tenderers and responding answers provided to tenderers via the Data Room as part of the PTOM RFT process?

The questions raised by Tenderers and responding answers provided to tenderers via the Data Room are provided to you on the USB data stick.

Please note that the identities of Tenderers who asked each question and any information in the questions or answers that could identify a Tenderer have been redacted from the

information provided to you. The identities of tenderers who had asked questions were not provided to other tenderers via the Data Room. This information has been withheld in accordance with section 7(2)(c)(i) of the Act on the basis that the making available of that information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.

10) Can I please have a copy of the "Full Bus Unit specifications (PTOM Service Specifications)" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded ? For the sake of clarity I would expect this to include Patronage and revenue information for each unit (or only patronage if the unit is Commercial).

The bus unit specifications, as provided to NZ Bus and Mana for the seven direct appointed units, is provided to you on the USB data stick.

Please note that patronage data was not included in the bus unit specifications as it was provided in the Information Memorandum applicable to the tender process.

Revenue information was not provided to NZ Bus and Mana for the seven direct appointed units, on the basis that the contracts for the bus units under PTOM are 'gross cost contracts' in which GWRC receives all fare revenue. Therefore, historical fare revenue was not of relevance to the tender or direct appointed unit process.

11) Can I please have a copy of the "Bus Unit Timetable information" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded?

The bus unit timetable information as provided to NZ Bus and Mana for the seven direct appointed units is provided to you on the USB data stick.

12) Can I please have a copy of "the 3 most recent years' patronage data on the Wellington region Bus Network" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded?

The 3 most recent years' patronage data on the Wellington region Bus Network was provided to tenderers, including NZ Bus and Mana in the Information Memorandum, is available on the [Greater Wellington Regional Council website bus contracts page](#). This part of your request has been refused in accordance with section 17(d) of the Act for the reason that the information is publicly available.

13) Can I please have a copy of the "Information Memorandum" provided to NZ Bus and Mana for the "seven direct appointed units with NZ Bus and Mana" that have now been awarded?

A separate Information Memorandum was not created for the seven direct appointed units. Therefore, this part of your request has been refused in accordance with section 17(e) of the Act for the reason that the information does not exist.

We have considered whether the public interest in the requested information outweighs GWRC's need to withhold certain aspects of the requested information. As a result, we do not consider that the public interest outweighs GWRC's reason for withholding parts of the information under the grounds identified above.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Act.

Yours sincerely



Wayne Hastie
General Manager, Public Transport