

**ITEM 5. EXEMPTION FROM TENDER - SYDNEY CHRISTMAS - PITT STREET  
MALL CATENARY LIGHTING INSTALLATION**

**FILE NO: S126404.007**

**SUMMARY**

This report seeks exemption from tender to increase the existing contract to install the proposed Sydney Christmas Pitt Street Mall catenary lighting to include rigging and boom lift hire.

The City sought quotes to create and develop a catenary lighting installation for Pitt Street Mall on 20 October 2015 for Sydney Christmas 2015. Four companies were contacted and two submissions were received. The contractor was engaged based on their prior experience and an extensive knowledge and understanding of the catenary system, with the use of additional anchor points that exist on buildings within Pitt Street Mall.

On further investigation for the works associated with the rigging and installation requirements for the canopy lighting system, additional works were required which increased the total cost above the tendering limit.

This report requests approval to appoint the existing contractor, due to extenuating circumstances, to carry out the additional works required for rigging and installation of the Christmas lighting system. It is considered that a satisfactory result would not be achieved by inviting tenders, as the current contractor has detailed knowledge of the site and the additional works required, with minimal disruption to the project and due to tight time restraints as completion of the project must be prior to the official launch of Sydney Christmas on Thursday 26 November 2015. The current provider has an in-depth knowledge of the anchor points existing on buildings within Pitt Street Mall and has a good understanding of the works required.

**RECOMMENDATION**

It is resolved that Council:

- (A) approve exemption from tender for the additional works associated with the installation of the canopy lighting system in Pitt Street Mall in accordance with section 55, Chapter 6, Part 3 of the Local Government Act 1993, as a result of the extenuating circumstances set out in the subject report;
- (B) approve the current contract extension to include the additional works required for the installation of the canopy lighting system, as detailed in confidential Attachment A to the subject report; and
- (C) note the financial implications detailed in confidential Attachment A to the subject report.

**ATTACHMENTS**

**Attachment A:** Financial Implications (Confidential)

**(As Attachment A is confidential, it will be circulated separately from the agenda paper and to Councillors and relevant senior staff only.)**

## **BACKGROUND**

1. Christmas is an important festive season for the visitors, residents and businesses of Sydney. The City supports these seasonal celebrations by producing Christmas concerts, decorating City streets, projections on iconic buildings and activations within significant precincts, providing grants to community groups and coordinating marketing initiatives on behalf of retailers.
2. Ensuring a cohesive narrative through all our Christmas elements, the City's theme for Christmas decorations, projections and activations for 2015 will be the Christmas Tree, the evergreen symbol of celebration and life. This timeless, international symbol of giving will be the centrepiece of Sydney Christmas 2015.
3. The Pitt Street Mall installation is a key attraction in the overall program and the City's busiest retailer area. The proposal for Christmas 2015 is to supply and install a canopy of lights suspended across Pitt Street Mall for the full length, utilising the existing catenary system and existing anchor points located on buildings along Pitt Street Mall. The aim of the proposal was to achieve the lighting without the requirement of infrastructure within the Mall.
4. The City embarked on a process to seek quotations from experienced lighting companies on 20 October 2015. Four companies were approached. Two submissions were received.
5. The current contractor was engaged for the supply and installation of the canopy lighting system. The proposal includes a 150 metre installation of lights along Pitt Street Mall including 250 strings, 62,000 lights, at 0.6m spacing suspended from the existing catenary system.
6. On further investigation for the works associated with the rigging and installation requirements for the canopy lighting system, additional works, such as provision of additional anchor points, extra boom lift and necessary certification, were required which increased the total cost above the tendering limit.
7. Due to the current contractor being already established on the project, with in-depth knowledge of the catenary system and prior use of the nominated anchor points located on buildings in Pitt Street Mall, it is recommended to extend the scope of the current contract.

## **BUDGET IMPLICATIONS**

8. There are sufficient funds available within the 2015/16 Operational budget for the delivery of the proposed Pitt Street Mall Christmas activation.

## **RELEVANT LEGISLATION**

9. Attachment A contains confidential commercial information of the quotations and details of evaluations and contingencies which, if disclosed, would:
  - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.

10. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

**CRITICAL DATES / TIME FRAMES**

11. Timing is deemed critical to achieve the installation of the proposed lighting system prior to the official launch date for Christmas of 26 November 2015, when all Christmas infrastructure is installed.

12. The Key program dates are:

(a) Extension of services	23 November 2015
(b) Installation of Pitt Street Mall lighting system	23 - 25 November 2015
(c) Christmas launch (Martin Place Concert)	26 November 2015

**AMIT CHANAN**

Director City Projects and Property

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