

**ITEM 12. TENDER – THOMAS STREET, HAYMARKET, CATENARY ART  
WORK**

**FILE NO: S100837**

**TENDER NO: 1559**

**SUMMARY**

This report provides details of the tenders received for Thomas Street Haymarket, catenary art installation.

The catenary art installation in Thomas Street is the next phase of the Chinatown Public Domain Improvements, as identified in the City 2014-2017 Delivery Program.

The streetscape upgrade works on Thomas Street (between Hay Street and Quay Street) reached practical completion in October 2015. These works include the widening of footpaths, new granite paving, a new shared zone between Ultimo Road and Thomas Lane, new Smartpoles with LED lighting, and new street trees. Work scheduled for completion in December includes concentric circle paving, bronze inlay pavers and bronze 'fire stones'.

The final stage of the Thomas Street upgrade will be installation of catenary art work, between Hay Street and Ultimo Road.

This report recommends that Council accept the tender offer of Tenderer 'A' for the installation of Catenary Art in Thomas Street, Haymarket.

**RECOMMENDATION**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for Thomas Street, Haymarket, catenary art Work; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

**ATTACHMENTS**

**Attachment A:** Artist's impression

**Attachment B:** Tender Evaluation Summary (Confidential)

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

**BACKGROUND**

1. On 16 August 2010, Council adopted the Chinatown Public Domain Plan. The plan recognises Chinatown's unique character and its historical links with Chinese culture and the Chinese community. It proposed a series of projects to be implemented over 10 years, creating more public spaces and improving pedestrian 'life' and connections along key streets.
2. On 1 December 2014, Council endorsed the construction tender for the Thomas Street upgrade (between Hay Street and Quay Street).
3. Construction work for the Thomas Street upgrade civil works commenced in January 2015, and reached practical completion in October 2015.
4. Development Consent for the installation of catenary art in Thomas Street was granted on 28 May 2015.

**INVITATION TO TENDER**

5. The tender for Thomas Street, Catenary Art Works was advertised in The Sydney Morning Herald, The Daily Telegraph and Council's Etender website on 6 October 2015. The tender closed on 27 October 2015.

**TENDER SUBMISSIONS**

6. Submissions were received from the following organisations (listed alphabetically):
  - CA & I Pty Ltd
  - Urban Art Projects
  - Wardrope & Carroll Engineering
7. No late submissions were received.

**TENDER EVALUATION**

8. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
9. The relative ranking of tenders as determined from the total weighted score is provided in the confidential Tender Evaluation Summary – Attachment B.
10. All submissions were assessed in accordance with the approved evaluation criteria being:
  - (a) demonstrated experience of the organisation to carry out the work under contract;
  - (b) demonstrated experience, technical ability of key personnel allocated to the project to carry out the work under contract;
  - (c) proposed program identifying key elements, such as hold points and long lead items;

- (d) proposed methodology, including working with project artist, understanding of site constraints, including environmental management plan;
- (e) evidence of compliance with current work, health and safety legislation; and
- (f) financial and commercial trading integrity including insurances.

### **PERFORMANCE MEASUREMENT**

11. The City will ensure that performance standards are achieved during the construction period through regular assessment of the following Key Performance Indicators:
- (a) safety and environment – works are carried out in a safe manner, to not only avoid incidents, but to have no non-conformances. All means will be used reduce the undue impact on environment;
  - (b) communication - day-to-day liaison (including weekly site meetings) and inspections with contractor;
  - (c) planning - works are carried out in a planned manner and with proactive rather than reactive approach to reduce technical and community issues;
  - (d) quality assurance inspections undertaken by head consultant; and
  - (e) cost variations - all efforts made to reduce the number and value of variations. Variation amounts and options provided in a timely manner to give the City the opportunity to mitigate the impact of variations.

### **FINANCIAL IMPLICATIONS**

12. There are sufficient funds allocated for this project within the current year's capital works budget and future years' forward estimate. Current estimates indicate that funding may be required to be brought forward from future financial years. Approval will be sought in the next quarterly update.

### **RELEVANT LEGISLATION**

13. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and the City's Contracts Policy.
14. Attachment B contains confidential commercial information of the tenderers and details of Council's tender evaluation 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.
15. 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**

16. The proposed time frame is as follows:

- |     |                                           |                        |
|-----|-------------------------------------------|------------------------|
| (a) | Letter of Acceptance of approved Tenderer | December 2015          |
| (b) | Commencement of construction              | January/ February 2016 |
| (c) | Completion of work                        | mid to late 2016       |

**PUBLIC CONSULTATION**

17. The following public consultation has taken place for the Thomas Street Upgrade:

- (a) October 2011 – 4A Art Gallery and the City Of Sydney hosted a New Century Garden: Talking about Public Art in Chinatown symposium to gather inspiration and ideas for public space and public art in Chinatown;
- (b) December 2011 – around 50 community members attended a drop-in session at Holiday Inn Hotel Darling Harbour to view the initial ideas for Thomas Street;
- (c) the Development proposal for the catenary art was on public exhibition from 5 March until 20 March 2015; and
- (d) 548 properties were notified. No submissions were received expressing support or objection for the proposal.

**AMIT CHANAN**

Director City Projects and Property

Gabriella Monagle, Project Manager