

**ITEM 18. TENDER - PUBLIC ART COLLECTION - BASIC MAINTENANCE SERVICES**

**FILE NO: X005582**

**TENDER NO: 1626**

**SUMMARY**

This report provides details of the tenders received for the public art collection - basic maintenance services.

The tender specification recognises the significance of the City of Sydney public art collection to Sydney's heritage and character, and requires the tenderer to implement sustainable maintenance technologies.

This report recommends that Council accepts the tender offer of Tenderer 'A' for the public art collection - basic maintenance services.

**RECOMMENDATION**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the public art collection - basic maintenance services for a period of three years, with the option of two one-year extensions at the Council's discretion;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly;

**ATTACHMENTS**

**Attachment A:** City Public Art Collection

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

**Attachment C:** Recommended Tenderer Schedule of Rates (Confidential)

**(As Attachments B and C are confidential, they will be circulated separately from the agenda paper and to Councillors and relevant senior staff only).**

## **BACKGROUND**

1. The City's public art collection can be found in streetscapes, parks and City-owned properties.
2. There are 172 public art items across the City to be maintained under this contract.
3. The basic maintenance services include scheduled removal of litter, dry brushing and washing of artworks, as well as regular monitoring and reporting on issues such as vandalism and graffiti. The tender does not include any specialist conservation or artist repair work.
4. The previous contract for public art cleaning and basic maintenance serviced 105 items of public art in streetscapes and City-owned properties. The contract will expire on 30 November 2016 after a five year period.
5. This contract includes the cleaning of items in parks which was previously managed by a separate contract. It also includes provision for known future public art items that the City will be maintaining over the term of the contract.
6. The contract is based on a lump sum price with a schedule or rates for minor repairs for three years, with two optional one-year extensions.

## **INVITATION TO TENDER**

7. The tender was advertised in The Sydney Morning Herald, The Daily Telegraph and the City's TenderLink website on 6 September 2016 and closed on 4 October 2016.

## **TENDER SUBMISSIONS**

8. The City received submissions from the following five organisations (listed alphabetically):
  - Calcorp Services Pty Ltd
  - Prompcorp Pty Ltd
  - TechniClean Australia Pty Ltd
  - Traditional Restoration Company Pty Ltd
  - Urban Maintenance System Pty Ltd
9. No late submissions were received.

## **TENDER EVALUATION**

10. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
11. The relative ranking of tenders as determined from the total weighted score is provided in the confidential Tender Evaluation Summary – Attachment B.
12. All submissions were assessed in accordance with the approved evaluation criteria being:

- (a) experience in works/services of similar nature;
- (b) resources including company profile, personnel, subcontractors, plant and equipment;
- (c) methodology including administration of maintenance, inspection schedule and reporting;
- (d) environmental management;
- (e) pedestrian and traffic management plan;
- (f) Work Health and Safety;
- (g) financial and commercial trading integrity including insurances; and
- (h) lump sum price and schedule of prices.

### **PERFORMANCE MEASUREMENT**

- 13. The City will monitor key performance indicators to measure the performance level of the successful tenderer during the works. Performance results will be used to determine the suitability of the contractor for future works.
- 14. In entering into the contract, the City will ensure that performance standards are met and monitored during the works by:
  - (a) carrying out regular inspections to ensure the contractor remains on track with regard to the program and quality of work; and
  - (b) ensuring the contractor completes the works as specified in the tender documents.

### **FINANCIAL IMPLICATIONS**

- 15. There are sufficient funds allocated for this project within the current year's operating budget and future years' forward estimates.
- 16. The submitted rates of the recommended tenderer for corrective maintenance is provided in the confidential Recommended Tenderer Schedule of Rates – Attachment C.

### **RELEVANT LEGISLATION**

- 17. 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.
- 18. Attachments B and C contain 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.

19. 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**

20. The City's basic maintenance services – public art collection tender expires on 30 November 2016.
21. The proposed contract is for a period of three years, with two one-year extensions, subject to the performance of the contract.

**PUBLIC CONSULTATION**

22. No public consultation is required, however, the works will include:
- (a) appropriate site management, site signage, preparation and implementation of traffic management plans in accordance with specific job requirements; and
  - (b) notification will be provided to residents and commercial businesses of affected nearby properties of the basic maintenance work, outlining duration of works and contact details.

**DAVID RIORDAN**

Director City Operations

George Angelis, Manager City Infrastructure and Traffic Operations