

Resolution of Council

31 October 2022

Item 6.15

Cancellation of Tender - T-2022-802 and Exemption from Tender - Construction, Installation, and De-Installation of Lantern Toppers and Ground Based Lanterns for 2023 Sydney Lunar Festival

It is resolved that:

- (A) Council cancel the tender for the construction, installation and de-installation of Lantern Toppers and Ground Based Lanterns for 2023 Sydney Lunar Festival as no responses were received;
- (B) Council approve an exemption from tender to enter into agreement(s) of up to three-years (subject to the outcome of the negotiations) with suitable supplier(s) for the construction of Lantern Toppers and Ground Based Lanterns for the 2023 Sydney Lunar Festival together with the installation and de-installation for the 2024 and 2025 events;
- (C) Council approve an exemption from tender to enter into one-year agreement(s) with suitable supplier(s) for the repair, installation and de-installation of existing Zodiac Lanterns for the 2023 Sydney Lunar Festival;
- (D) Council approve an exemption from tender to enter into one-year agreement(s) with suitable supplier(s) for the supply, installation and de-installation of alternate decorations for 2023 Sydney Lunar Festival;
- (E) Council note that the maximum contract sum for all contracts that may be entered into under (B), (C) and (D) is outlined in Confidential Attachment B to the subject report;
- (F) Council note the reasons a satisfactory outcome would not be achieved by inviting fresh tenders is due to the following extenuating circumstances:
 - (i) there is insufficient time to undertake required scoping discussions and a tender process for these services, given the timing constraints for construction of the lanterns ahead of the festival in January 2023;

- (ii) the industry is currently experiencing unexpected demand and capacity issues and timing in the market is very difficult at the moment. As a result, the City needs to work with suppliers to determine the scope that can be delivered within the remaining timeframes; and
 - (iii) it is considered that inviting fresh tenders would not attract additional suitable suppliers to deliver the services;
- (G) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to these resolutions; and
- (H) Council be informed of the outcome of negotiations, including the final scope to be delivered, via the CEO Update.

Carried unanimously.

X087768.003