

## **Tender - Build and Delivery of the 2019 Sydney Chinese New Year Zodiac Lanterns**

**Tender No: 1865**

### **Summary**

This report provides details of the tenders received for the Build and Delivery of the 2019 Sydney Chinese New Year Zodiac Lanterns.

The City invited tenders from suitably qualified and experienced outdoor scenic builders and lighting suppliers to collaborate with the Festival Creative Team, and appointed engineers to build and install/disassemble on site, a nominated or multiple lanterns for exhibition.

The tender called for the build and installation of the following lanterns:

- Lantern 1: Hero Pig by artist Justin Hua;
- Lantern 2: Monkey by artist Louise Zhang;
- Lantern 3: Sheep: by artist Pamela See; and
- Lantern 4: Pig Chandelier by artist McDermott Baxter.

Tenderers were invited to submit for one or more lanterns. Additionally, tenderers were invited to submit a schedule of rates for the possible re-staging of lanterns for two years to cover the 2020 and 2021 events.

This report recommends that Council accept the tender offer of Tenderer A for the build, delivery and future year re-staging of Lantern 1: Hero Pig by artist Justin Hua, for a period of three years to cover the 2019, 2020 and 2021 events.

This report recommends that Council accept the tender offer of Tenderer A for the build, delivery and future year re-staging of Lantern 2: Monkey by artist Louise Zhang, for a period of three years to cover the 2019, 2020 and 2021 events.

This report recommends that Council accept the tender offer of Tenderer B for the build, delivery and future year re-staging of Lantern 4: Pig Chandelier by artist McDermott Baxter, for a period of three years to cover the 2019, 2020 and 2021 events.

This report recommends that no tenders be accepted for the build, delivery and future year re-staging of Lantern 3: Sheep by artist Pamela See, and that the City enter into negotiations with suitably qualified companies accordingly.

## Recommendation

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for the build, delivery and future year re-staging of Lantern 1: Hero Pig by artist Justin Hua, for a period of three years to cover the 2019, 2020 and 2021 events;
- (B) Council accept the tender offer of Tenderer A for the build, delivery and future year re-staging of Lantern 2: Monkey by artist Louise Zhang, for a period of three years to cover the 2019, 2020 and 2021 events;
- (C) Council accept the tender offer of Tenderer B for the build, delivery and future year re-staging of Lantern 4: Pig Chandelier by artist McDermott Baxter for a period of three years to cover the 2019, 2020 and 2021 events;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the build, delivery and future year re-staging of Lantern 1: Hero Pig by artist Justin Hua, Lantern 2: Monkey by artist Louise Zhang and Lantern 4: Pig Chandelier by artist McDermott Baxter;
- (E) Council reject all tenders received for the build, delivery and future year re-staging of Lantern 3: Sheep by artist Pamela See, for the reasons set out in the confidential Tender Evaluation Summary, Attachment B to the subject report;
- (F) Council does not invite fresh tenders for the build, delivery and future year re-staging of Lantern 3: Sheep by artist Pamela See, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (G) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the build, delivery and future year re-staging of Lantern 3: Sheep by artist Pamela See; and
- (H) authority be delegated to the Chief Executive Officer to enter into and administer a contract with a suitable vendor(s) following completion of negotiations for the build, delivery and future year re-staging of Lantern 3: Sheep by artist Pamela See.

## Attachments

- Attachment A.** 2019 Sydney Chinese New Year Zodiac Lanterns - Images
- Attachment B.** Tender Evaluation Summary (Confidential)
- Attachment C.** Recommended Tenderer Schedule of Rates (Confidential)

## Background

1. The City of Sydney, in partnership with Sydney's Chinese community, produces the annual Sydney Chinese New Year in celebration of the Lunar New Year. The Festival represents the City's ongoing commitment to diversity, community celebration and producing events that have an international reputation. 2019 celebrates the Year of the Pig.
2. This is the fourth year the City has presented the Lantern Festival. The strategic plan for the event includes creating the twelve animals of the Zodiac Lanterns over an initial three year period and then replacing the primary Zodiac Lanterns and/or other key lanterns annually.
3. Each Zodiac Lantern was initially a concept drawing provided to the City by a prominent Australian Chinese artist. These concepts were developed further in consultation with that artist and the Chinese New Year Curator into renders and drawings prior to being issued for tender. Images of the Zodiac Lanterns are included in Attachment A.
4. The build and delivery of the 2019 Sydney Chinese New Year Zodiac Lanterns tender included:
  - Lantern 1: Hero Pig by artist Justin Hua;
  - Lantern 2: Monkey by artist Louise Zhang;
  - Lantern 3: Sheep by artist Pamela See; and
  - Lantern 4: Pig Chandelier by artist McDermott Baxter.

## Invitation to Tender

5. The tender was released to market on Tuesday 21 August, 2018, and closed at 11.00am on Tuesday, 11 September 2018. The tender was advertised for a period of three weeks and was advertised in The Sydney Morning Herald, The Daily Telegraph and on the City's eTender platform, Tenderlink.

## Tender Submissions

6. Five submissions were received from the following organisations:
  - Gorilla Constructions Pty Ltd;
  - Pink Cactus;
  - Rosemonts Co Pty Ltd;
  - Staging Rentals Pty Ltd; and
  - Yippee KiYay Pty Ltd.
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 previous experience on similar projects;
  - (b) demonstrated company resources including company structure, key personnel working on the project, scenic workshop facilities and technical abilities to fulfil brief;
  - (c) proposed methodology of construction including sketches and illustrations to demonstrate the approach;
  - (d) demonstrated effective communication methods to meet construction deadlines and inspection milestones;
  - (e) demonstrated commitment to Work, Health and Safety (WHS);
  - (f) financial and commercial trading integrity, including insurances; and
  - (g) lump sum price and schedule of rates.

## Performance Measurement

11. The City will use the following General Key Performance Indicators to evaluate performance of suppliers.
  - (a) key objectives/deliverables;
  - (b) quality of work;
  - (c) time;
  - (d) reporting;
  - (e) communication; and
  - (f) WHS compliance.
12. Performance will be evaluated regularly, at least annually, and always upon completion of the contract. Each assessment will form the basis of the performance review.

### Financial Implications

13. There are sufficient funds allocated for this project within the current year's capital works/operating budget and future years' forward estimates.

### Relevant Legislation

14. 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.
15. 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.
16. 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

17. Critical dates and timeframes:
  - 1 November 2018 - Pre-build meeting with creative team.
  - 26 November 2018 - First formal inspection by the City.
  - 17 December 2018 - Second formal inspection by the City.
  - 14 January 2019 - Third and final formal inspection by the City.
  - 27 January 2019 - Installation period.
  - 1 February 2019 to 10 February 2019 – Exhibition.
  - 10 February to 13 February 2019 - De-installation.

### **Options**

18. With regard to Lantern 3: Sheep by artist Pamela See, Council has the following options to consider in regard to this tender requirement:
  - (a) reject the responses received and re-advertise, which is not recommended as it is considered this will not attract additional submissions; or
  - (b) reject all responses and negotiate with suitable suppliers.
19. This report recommends option (b) above to enter into negotiations with selected suppliers for Lantern 3: Sheep by artist Pamela See only.

### **Public Consultation**

20. No public consultation required.

**ANN HOBAN**

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