

Item 9.

Tender - Reject and Negotiate - Hyde Park Master Plan Lighting Project

File No: X000251

Tender No: 1887

Summary

This report provides details of the tenders received for the design consultancy services to develop the design and document the Hyde Park Master Plan Lighting Project.

The Hyde Park Master Plan Lighting Project comprises a major lighting and power upgrade to both Hyde Park north and south. The project scope includes updated lighting to all major and secondary paths, special feature lighting for art works, sculptures and special areas, the introduction of mast lighting to lawns, and the provision of updated event related power infrastructure.

This report recommends that Council reject all tender offers received and enter into negotiations with suitably qualified companies for the provision of these services.

Recommendation

It is resolved that:

- (A) Council reject the tenders received for the design consultancy services for the Hyde Park Master Plan Lighting works, for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) 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 tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the successful company by CEO Update prior to executing and administering the contracts relating to the tender.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. Hyde Park is Australia's oldest park and culturally significant heritage landscape. Hyde Park is Crown Land with the City having custodial responsibility. Throughout the year, the park is intensely used by some 3 million local, interstate and international visitors and is the location for a number of significant events. It is the jewel in the crown for Sydney's network of parks.
2. The 2006 Plan of Management and Master Plan adopted by Council identified a range of works to replace aging infrastructure and provide improvements to address the impacts on the park caused by its increasing use and popularity. The recommended works included central avenue tree replacement, an upgrade of secondary paths, upgrade of key entries into the park, restoration of historic walls, installation of permanent infrastructure for events, improved access for people with disabilities, and improved signage.
3. The 2007 Refined Masterplan and 2013 Scoping Strategy identified a coordinated suite of complimentary improvement works for the park. These works included improving safety, security and aging infrastructure within the park.
4. Since the adoption of the Hyde Park Plan of Management and Refined Master Plan, the City has embarked on a series of capital improvement works to gradually implement the Master Plan recommendations. These works include:
 - (a) tree replacement around the Archibald Fountain in Hyde Park North;
 - (b) refurbishment of the Pool of Reflection and surrounds in Hyde Park South; and
 - (c) path rationalisation within Hyde Park North.
5. In 2015, consultants were engaged to assess the existing lighting, power and CCTV in Hyde Park and prepare a comprehensive plan that would simplify the ad hoc infrastructure in the park.
6. A comprehensive suite of lighting, power, electrical and CCTV fixtures were designed and developed. The design considers the history, layout, paths, hierarchy, uses, safety and events that frequent Hyde Park.
7. This report recommended that the City proceed with a lighting upgrade to the park. Detailed scope includes:
 - (a) the design and documentation of new light posts and lighting fixtures to all pathways within the park;
 - (b) the provision of custom designed mast type lighting poles to provide lighting to lawn areas, and art work /monuments;
 - (c) lighting to special area such as Nagoya and Sandringham gardens;
 - (d) an upgrade of existing switchboards, as well as an update of event related power infrastructure and review of CCTV requirements; and
 - (e) rationalisation of redundant lighting and electrical infrastructure.

8. Tenders were sought from suitably qualified experienced vendors for the design consultancy services for the Hyde Park Master Plan Lighting works in accordance with the Request for Tender. For the reasons set out in Confidential Attachment A, this report recommends that no Tender be accepted and Council enter into negotiations with suitably qualified companies for the provision of these services.

Invitation to Tender

9. The Request for Tender was released via Tenderlink on Tuesday 13 November 2018 and closed Tuesday 11 December 2018. The tender was advertised in The Sydney Morning Herald, The Daily Telegraph and on the City of Sydney's website on 13 November 2018.

Tender Submissions

10. Two submissions were received from the following organisations:
 - (a) AECOM Australia Pty Ltd; and
 - (b) A Billion Suns Pty Ltd.
11. No late submissions were received.

Tender Evaluation

12. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
13. All submissions were assessed in accordance with the approved evaluation criteria being:
 - (a) the lump sum price and schedule of prices;
 - (b) proposed approach and methodology;
 - (c) demonstrated experience in carrying out works of a similar size and nature;
 - (d) personnel allocation, qualifications, experience and capacity, including sub-contractors;
 - (e) proposed program; and
 - (f) Work, Health and Safety.

Financial Implications

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

Relevant Legislation

15. 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.
16. Attachment A 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.
17. 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

18. Program key milestones:
 - (a) Reject and Negotiate March 2019
 - (b) Contract Award April 2019
 - (c) Commence Design Development May 2019

Options

19. Council has the following options in regards to the Tenders:
 - (a) reject all tenders and re-advertise, which is not recommended as it is considered this will not attract additional submissions; or
 - (b) reject and negotiate with suitably qualified companies with the capacity to undertake the services. This option is recommended.

Public Consultation

20. The Plan of Management was exhibited in 2006 with extensive consultation carried out, including stakeholder and park user surveys and questionnaires.
21. The proposed plan was exhibited in the One Stop Shop, Neighbourhood Service Centres and on notice boards in the park (north and south). The exhibition of this documentation was advertised in local and daily papers, as well as on the City's website. The exhibition was on display for 28 days.
22. Consultation for the recently completed Hyde Park North path improvements and upgrade works were carried out over two weeks in October 2015. Notification included Sydney your Say, notification signs placed in the park and the design displayed in the One Stop Shop.

23. The Hyde Park Lighting concept design was developed with City staff and the Design Advisory Panel.
24. Further consultation with the Anzac Memorial Trust will be undertaken during the detailed design stage.
25. The community will be consulted and informed of the implementation of the Hyde Park Lighting project through Sydney Your Say and notification signs within the park.

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