

**Tender - T-2022-715 - Sydney Christmas Infrastructure Services 2023-2027**

**File No: 2022/564137**

**Tender No: T-2022-715**

**Summary**

This report provides details of the tenders received for T-2022-755 - Sydney Christmas Infrastructure Services 2023-2027.

Each year the City celebrates Christmas with the installation of Christmas trees and decorations throughout the local government area (LGA).

The City requires the services of a qualified organisation to deliver a comprehensive suite of Christmas trees, decorations and lighting installations across the Sydney central business district (CBD) and other locations throughout the City's local government area.

The installation period for all infrastructure commences in November each year and ends in early January of the following year, comprising a public display period of approximately six weeks each Christmas.

The existing contract ended at the completion of the Christmas 2022 season. The City now seeks a service provider to manufacture, install, dismantle, maintain and store the City's suite of Sydney Christmas infrastructure for Christmas 2023-2027.

This report recommends that Council accept the tender of Tenderer A for Sydney Christmas Infrastructure Services 2023-2027.

## **Recommendation**

It is resolved that:

- (A) Council accept the tender of Tenderer A for Sydney Christmas Infrastructure Services 2023-2027 for the price and contingency outlined in Confidential Attachments A and B to the subject report for a period of five years;
- (B) Council note that the total contract sum and contingency for Sydney Christmas Infrastructure Services 2023-2027 is outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender.

## **Attachments**

**Attachment A.** Tender Evaluation Summary (Confidential)

**Attachment B.** Price and Schedule of Rates (Confidential)

## Background

1. Each year the City celebrates Christmas with the installation of Christmas trees and decorations throughout the local government area (LGA).
2. The installation period for all infrastructure commences in November each year and ends in early January of the following year, comprising a public display period of approximately six weeks each Christmas.
3. At its meeting on 27 February 2017, Council resolved that tenders for Sydney Christmas 2017-2021 be rejected, and that authority be delegated to the Chief Executive Officer to negotiate with suitable suppliers. As a result, the existing contract was approved on 6 June 2018 by the Chief Executive Officer. The contract was for a five-year term, covering Christmas 2018-2022.
4. With the existing contract ending at the completion of the Christmas 2022 season, the City is seeking a service provider to manufacture, install, dismantle, maintain and store the City's suite of Sydney Christmas infrastructure.
5. Sustainable Sydney 2030-2050 Continuing the Vision sets out clear directions for a more sustainable future. Sustainable Sydney 2030-2050 Continuing the Vision positions our city as a regional leader for just and sustainable growth, creativity and innovation. It expresses the City's aim for a thriving 24-hour economy with opportunities for all – a more equal and inclusive city.
6. The vision for Sydney Christmas is to be a celebration of summer in the city. It is a reflection of innovation and unique expressions of high-quality creativity and celebrates and promotes our local makers, creators and artists. It aims for best practice programming and delivery to promote a more sustainable future.

## Invitation to Tender

7. A Request for Tender was issued on 27 April 2023 via the City's e-tendering portal, Tenderlink. Submissions closed on 25 May 2023.

## Tender Submissions

8. Submissions were received from the following organisations:
  - Displaycraft Pty Ltd (ACN: 001 405 965) as trustee for The Clarkson Trust (ABN 91 668 478 292)
  - Visual Empire Pty Ltd (ABN: 17 627 073 956)
  - Visual Inspirations Australia Pty Ltd (ABN: 27 099 661 515)
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 A.
12. All submissions were assessed in accordance with the approved evaluation criteria being:
  - (a) Detailed methodology and program of deliverables to achieve the required project outcomes on-time and to budget
  - (b) Demonstrated experience in carrying out services of a similar size and nature, including sourcing reliable and high-quality manufacturing, and installation and dismantle of a large-scale suite of infrastructure
  - (c) Personnel allocation, qualifications, experience and capacity, including sub-contractors and fair work requirements
  - (d) Demonstrated commitment to environmental management, risk management, Indigenous engagement and modern slavery
  - (e) Value for money

## Performance Measurement

13. Key Objectives /Deliverables
  - (a) Timely completion of the services as outlined in the Key Dates and Deliverables
  - (b) Quality of work
  - (c) Time
    - (i) Comply with the timeline as per the Key Dates and Deliverables.
    - (ii) Promptly advising the City of any foreseeable time delays.
  - (d) Reporting
    - (i) Timely submission of any reporting requirements outlined in the Contract.
    - (ii) On-going commitment to compliance of Modern Slavery practices
  - (e) Communication
    - (i) Timely response to emails and phone calls.
    - (ii) Professional, courtesy and regular communication with the City and service providers.
    - (iii) Work collaboratively with the City, stakeholders and other Contractors.

- (f) WH&S compliance
  - (i) The Contractor manages the project effectively, meets the City's WHS requirements and complies with the relevant WHS legislation to ensure that the Contractor, the City, nor their workers or others in the workplace are placed at risk of injury, illness or prosecution.
- (g) Timely submission of WHS documentation as outlined in the Key Dates and Deliverables

### **Financial Implications**

14. There are sufficient funds allocated for this project in the draft 2023/24 operating and plant and asset budget and future year forward estimates, which is the subject of a Council report in the current reporting cycle.
15. The total contract sum and contingency for Sydney Christmas Infrastructure Services 2023- 2027 is detailed in Confidential Attachment A.

### **Relevant Legislation**

16. The tender has been conducted in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.
17. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
18. Attachments A and B 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. To provide time for the Service Provider to deliver the services for the 2023 Christmas Season, a contract needs to be signed by both parties by 14 July 2023.

<b>Deliverable</b>	<b>Date</b>
Initial meeting with Service Provider	14 July 2023
Commence manufacture of new and replacement elements required, in accordance with Attachment A - Master Schedule - Christmas Infrastructure	17 July 2023
Pre-Season Maintenance commences	August 2023
Installation of Infrastructure commences (in accordance with the Installation Schedule)	6 November 2023
Installation of Infrastructure complete	24 November 2023
Display period	25 November 2023 – 2 January 2024

**Options**

21. Not to proceed with engaging these services. This is not recommended as it would result in not having Christmas Infrastructure installed for Christmas 2023.

**EMMA RIGNEY**

Director City Life

Stephen Gilby, Producer, Major Events and Festivals

Troy Stevens, Program Manager, Major Events and Festivals