

ITEM 11. TENDER - SYDNEY NEW YEAR'S EVE - BARGE AND TUG HIRE / SERVICES

FILE NO: S063250

TENDER NO: 0909

SUMMARY

This report provides details of the tenders received for Sydney New Year's Eve – Barge and Tug Hire / Services.

The focus of the Sydney New Year's Eve celebrations is the pyrotechnic displays which require these barges and tugs. A tender has been advertised for the supply of barge and tug hire / services for Sydney New Year's Eve to be held on 31 December 2009, with the option to extend to 2010 and 2011.

This report recommends that Council reject all tender offers for Sydney New Year's Eve – Barge and Tug Hire / Services, as the tender submissions received are non-conforming, and delegate authority to the Chief Executive Officer to negotiate and enter into a contract with the parties named in confidential Attachment A.

RECOMMENDATION

It is resolved that:

- (A) Council reject all tender offers for Sydney New Year's Eve – Barge & Tug Hire / Services as they are non-conforming;
- (B) authority be delegated to the Chief Executive Officer to negotiate with the parties named in confidential Attachment A to perform the services, or a varied scope of the services of the tender for 2009 Sydney New Year's Eve, with an option to extend any agreement to 2010 and 2011 Sydney New Year's Eves;
- (C) authority be delegated to the Chief Executive Officer to enter into a contract following negotiations; and
- (D) Tender Evaluation Summary, Attachment A to the subject report, remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993.

ATTACHMENTS

Attachment A: Tender Evaluation Summary (Confidential)

BACKGROUND

1. Since 2000, the production of Sydney New Year's Eve has been controlled and managed within the City of Sydney.
2. The appointment of a barges and tugs supplier was last tendered for in 2006. Tenders were therefore invited for the supply of Barge and Tug Hire / Services for 2009 Sydney New Year's Eve, with the option to extend the contract (at the sole discretion of the Council) for a further one year on two occasions (that is, for 2010 and 2011 Sydney New Year's Eve).
3. There is a small number of providers of barges and tugs in Sydney, many of whom are not able to provide the full list of equipment and services required as part of this request for tender.

INVITATION TO TENDER

4. The tender was advertised in The Sydney Morning Herald and The Australian on Tuesday 17 February 2009 and closed on Tuesday 17 March 2009.

TENDER SUBMISSIONS

5. The tender submissions received for the services are disclosed in Confidential Attachment A.
6. No late submissions were received.

TENDER EVALUATION

7. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
8. All members of the Tender Evaluation Panel agreed that due to the points noted by the panel, as set out in Attachment A, that all tender offers be rejected as they do not conform to the tender request and negotiations with the parties named in Attachment A are entered into.

PERFORMANCE MEASUREMENT

9. Adherence to Milestone Dates (as set out in the request for tender) – managed by the Producer Sydney New Year's Eve.
10. Supply and operations of Barges and Tugs as set out in the request for tender and as negotiated.

FINANCIAL IMPLICATIONS

11. Funds have been allocated for this project within the draft 2009/10 budget.
12. Budgets for the 2010 and 2011 Sydney New Year's Eve events have not yet been set. Once the budgets for 2010 and 2011 have been approved, the City may elect, in its sole discretion, to extend the contract for a further one year on two occasions (for 2010 and 2011 Sydney New Year's Eve).

RELEVANT LEGISLATION

13. 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.
14. Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the Local Government Act 1993. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

CRITICAL DATES / TIME FRAMES

15. **Critical Dates:**

Date	Action
Friday 30 October 2009	Final barges and tugs schedule confirmed.
Tuesday 22 December 2009	Delivery and docking of barges.
Thursday 31 December 2009	Sydney New Year's Eve.
Sunday 3 January 2010	Removal of barges.

16. **Time Frames:**

Date	Action
Tuesday 12 May 2009	Negotiations begin with suitable suppliers.
Friday 12 June 2009	Negotiations are finalised and a draft barges and tugs schedule confirmed.
Monday 15 June 2009	Contract is awarded and the contract documentation is drafted.
Friday 3 July 2009	Contract execution is completed.

ALASTAIR WALTON
Director City Engagement

Brenton Kewley, Producer Sydney New Year's Eve