



## **NOTICE OF MEETING**

### **PUBLIC ART COMMITTEE**

Members of the Public Art Committee are advised that a meeting will be held in Council Chambers, Civic Building, 83 Mandurah Terrace, Mandurah on:

**Monday 18 February 2019  
at 5.30pm**

#### **MARK R NEWMAN**

Chief Executive Officer

13 February 2019

#### **COMMITTEE MEMBERS**

Mayor Williams

Deputy Mayor Councillor Knight

Councillor Lee

Councillor Lynn Rodgers

Councillor Matt Rogers

## **AGENDA:**

**1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS**

**2 ATTENDANCE AND APOLOGIES**

**3 IMPORTANT NOTE:**

Members of the public are advised that the decisions of this Committee are referred to Council Meetings for consideration and cannot be implemented until approval by Council. Therefore, members of the public should not rely on any decisions of this Committee until Council has formally considered the resolutions agreed at this meeting.

**4 ANSWERS TO QUESTIONS TAKEN ON NOTICE**

Nil.

**5 PUBLIC QUESTION TIME**

*Public Question Time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time, please telephone 9550 3706 or visit the City's website [www.mandurah.wa.gov.au](http://www.mandurah.wa.gov.au).*

**6 PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN****7 DEPUTATIONS**

*Any person or group wishing to make a 5-minute Deputation to the Committee meeting regarding a matter listed on this agenda for consideration must first complete an application form. For more information about making a deputation, or to obtain an application form, please telephone 9550 3706 or visit the City's website [www.mandurah.wa.gov.au](http://www.mandurah.wa.gov.au).*

*NB: Persons making a deputation to this Committee meeting will not be permitted to make a further deputation on the same matter at the successive Council meeting, unless it is demonstrated there is new, relevant material which may impact upon the Council's understanding of the facts of the matter.*

**8 CONFIRMATION OF MINUTES: 17 SEPTEMBER 2019**

*(NB: It is the Elected Members' responsibility to bring copies of the previous Minutes to the meeting if required).*

**9 DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS****10 QUESTIONS FROM ELECTED MEMBERS WITHOUT DISCUSSION**

10.1 Questions of which due notice has been given

10.2 Questions of which notice has not been given

**11 BUSINESS LEFT OVER FROM PREVIOUS MEETING**

**12 REPORTS:**

- 1 Tender T17-2018 Mandurah Bridge Public Artwork 1 - 3

**13 LATE AND URGENT BUSINESS ITEMS**

**14 CONFIDENTIAL ITEMS**

**15 CLOSE OF MEETING**

*Please note a light meal will be served in the Councillor's Meeting Room following the Public Art Committee meeting*

**1**            **SUBJECT:**                      Tender T17-2018 Mandurah Bride Public Artwork  
**CONTACT OFFICER/S:**      David Prattent / Emily Arnold  
**AUTHOR:**                        Emily Arnold / Vicki Lawrence  
**FILE NO:**                        F0000177031

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### Summary

Stage three evaluation of the three stage procurement process for the Mandurah Bridge Public Artwork is now complete.

As a result of the evaluation of tendered submissions, Council is requested to accept Chris Nixon as the preferred tenderer.

### Disclosure of Interest

Nil.

### Previous Relevant Documentation

- G.27/8/17            22 August 2017            Mandurah Bridge Public Artwork- Acknowledgement of the Procurement Process to be Undertaken.
- SP.4/10/17           31 October 2017           Selection of Members to the Public Arts Committee and Terms of Reference.
- G.3/2/18             27 February 2018        Selection Criteria and Weightings for Stage Two of the Mandurah Bridge Public Artwork Procurement Process.
- G.19/9/18           25 September 2018       Procurement – Mandurah Bridge Public Artwork.

### Background

With the completion of the replacement of the Mandurah Bridge, a rare opportunity exists to create a public artwork that celebrates Mandurah's identity and attracts visitors. \$500,000 has been allocated to the commissioned work.

The procurement brief was heavily influenced by community feedback from the *Bridging Culture* workshop held in May 2017, and community priorities outlined in the Strategic Community Plan 2017-2037.

The artist will partner with the City and engage in community consultation to develop their final artistic concept.

A three stage Expression of Interest procurement process was approved to select proponents to supply public art for the Mandurah Bridge. Stage one had forty-one proponents apply with seven deemed acceptable to proceed through to stage two. Stage two required the artists to further develop their concepts presented during stage one, and respond to further compliance and qualitative selection criteria. Three artists were deemed acceptable to proceed to Stage 3 tender.

### Stage 3

Stage 3 required artists to further develop their artistic concepts and respond to criteria, detailed on page 2 of this report.

The tender closed at 2:00pm on 7 January 2019. Submissions were received from the following:

1.	Chris Nixon	Melville WA
2.	Susan Milne	Avalon NSW

The following qualitative criteria were used to assess and rank each tender submission:

- a) A final artistic concept and Preliminary Design including a detailed project management plan for fabrication and installation, as negotiated through the tender process;
- b) A detailed budget to create and install the Artwork totalling the lump sum price of \$500,000 excl GST, outlining inclusions and exclusions (such as artist's fee, artist's travel and accommodation, cost of fabrication, site preparation, foundations/ fixings for the artwork, structural certification and approvals (if required), installation, artwork transportation);
- c) Details of their commitment to community engagement;
- d) Provide details of the artists connection to Mandurah; and
- e) A detailed project management and communications plan and proposed detailed timeline for project delivery.

An evaluation panel, comprising of officers from Finance and Governance and Arts and Culture, consensus scored the submissions, then prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the tender which represented best overall value for money for the City.

As a result, the tendered submission from Chris Nixon was considered to be the most advantageous tender and is therefore recommended as the preferred tenderer.

A member of the City's Governance and Tenders section coordinated and observed the tender evaluation process and is satisfied that the probity and procedural aspects relating to the evaluation were compliant.

### **Consultation**

A financial assessment was undertaken by Financial Services where no issues were identified.

Reference checks have been undertaken with nominated referees who reported that the preferred tenderer is considered to be capable of carrying out the Contract.

Upon award of the Tender, all tenderers will be offered the opportunity to attend debriefs. Tenderers are also offered the opportunity to provide feedback to improve the way the City manages procurement processes.

### **Statutory Environment**

Part 4 of the *Local Government (Functions & General) Regulations 1996*.

### **Policy Implications**

Policy POL-CPM 02 – *Purchasing of Goods or Services*.

### **Risk Analysis**

The risk to the City is considered low as the artists are local and payments will be staged, based on milestones reached.

### **Economic Implications**

The amount of \$500,000 is available through the contract to deliver the bridge artwork.

### **Strategic Implications**

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

Organisational Excellence:

- Deliver excellent governance and financial management.

**Conclusion**

Tenders for the Mandurah Bridge Public Artwork were recently invited. Two were received and assessed against both qualitative criteria and price. The result was that the submission from Chris Nixon represented overall best value for money for the City and it is therefore recommended that Council selects Chris Nixon as the preferred tenderer.

NOTE:

- Refer ***Confidential Attachment***.

*Subject to Committee's consent, officers will make a confidential presentation on this item at the meeting.*

**RECOMMENDATION**

**That Council accepts Chris Nixon as the preferred tenderer for Tender T17-2018 for the Mandurah Bridge Public Artwork.**