

RIDGEWALK LAND ART - CENTRE PIECE ART, TRAILS AND ASSOCIATED INFRASTRUCTURE

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Responsible Officer: Director Built Environment & Infrastructure
Ward(s) affected: Chandler; Lyster; Streeton;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public. The item has been included in the public agenda to facilitate openness and transparency in Council's decision making.

Confidential information is contained in Attachment 1. This information relates to contractual matters and contains commercially sensitive information including, but not limited to, the name of tendering parties, the evaluation panel members, the tendered prices, and the evaluation of the tenders received against the published evaluation criteria.

Any disclosure of the information included within the confidential attachment to this report could be prejudicial to the interests of the Council or other parties. If discussion of this information is required, the Council is recommended to resolve that the item be deferred to the confidential section of the agenda when the meeting is closed to members of the public in accordance with Section 3(1)(g)(i)(g)(ii) of the Local Government Act 2020.

SUMMARY

This report summarises the evaluation process and seeks Council approval for the award of the contract **EOI7330 7453 Land Art Trail Construction works** located at Kalorama Park Picnic Ground, Kalorama VIC 3766.

This contract will deliver part of the ngurrak barring | RidgeWalk project, an art and cultural walking experience, which occurs across 39km of walking track throughout the Dandenong Ranges.

Through community engagements and pop-ups to date, the ngurrak barring team have received feedback highlighting the strong need for access and inclusive connections and pathways throughout the hills. This has led to the focus of using the centrepiece "*Regeneration*" as a trail that can be experienced by all.

The proposed centre piece will include works such as new trails, seating areas, civil infrastructure and landscaping which all combine as part of the 'Regeneration' Land Art designed by TARRMAC Studio, FOOKS Studio and Aspect Studio. The

works have been well-considered with the complex sloping site accommodating a 40m drop over the total length of 750m walking path. The Land Art trail is the key public artwork piece for ngurrak barring, providing connection for the trail from Montrose to Karwarra Australian Plant Garden and Nursery (Experience 01). The top section of the park incorporates a DDA path allowing for all-abilities access to the new Listening and Harmonic sculptures, slowly transforming into a gravel trail meandering down towards the lower picnic area. The project provides vital connections and amenities as part of ngurrak barring.

The Evaluation panel recommend the tender from R & J Kent & CO PTY LTD to be accepted for a lump sum contract amount of \$1,755,081.00 Excl. GST.

RECOMMENDATION

That

- 1. Council awards the tender from R & J Kent & CO PTY LTD for EO17330 7453 Land Art Trail Construction for a total lump sum of \$1,755,081.00 Excl. GST.***
- 2. The Director Built Environment & Infrastructure be delegated the authority to sign the contract documents.***
- 3. The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section 3(1)(g)(i)(g)(ii) of the Local Government Act 2020.***

RELATED COUNCIL DECISIONS

There are no related council decisions relevant to this item.

DISCUSSION

Purpose and Background

The Land Art, 'Regeneration' works intricately with the site. Responding to the topography, it will be located in the foreground of an iconic viewpoint for the Dandenong Ranges and is the centre piece for ngurrak barring. The project will deliver part of the 'RidgeWalk (ngurrak barring) Master Plan' that will see use of this unique site providing new and engaging social areas for people to gather and connect in a safe and natural environment.

The Land Art Trail Construction is to commence in the 2023/2024 financial year.

To support efficient procurement processes, Council sought Expression of Interest from contractors to establish a panel of sixteen (16) pre-qualified Landscape Construction and Associated Works contractors to EO17330. From this list Council now seek quotations for Landscape Construction and associated works, as and when funding allows.

Under the terms and conditions of the panel arrangement, any contracts valued over \$1 million require a formal declaration report indicating the estimated cost and budget be accepted by Council before the project can proceed to construction.

On 29/02/2024, Council invited the pre-qualified suppliers from the Landscape Construction and Associated Works Panel to submit their pricing for the Land Art Trail Construction.

The tender process remained open for 15-days business working days, which included a 5-day extension for the clarifications period closing on 05/04/2024, and four (4) Submissions were received.

Options considered

This tender process has been carried out in accordance with the requirements of Council's Procurement Policy.

Tenderer's submissions were assessed for conformity with the tender documents and no tenders were eliminated from further evaluation as a result of any non-conformances.

The Evaluation Panel scored tenders against pre-established evaluation criteria. A summary of the evaluation criteria follows.

Evaluation Criteria	Weighting
Price	40%
Methodology and experience	20%
Timeframes with detailed program and availability	40%
Total	100%

A summary of the evaluation and results are contained within Confidential Attachment 1.

Recommended option and justification

Following a detailed evaluation process, as outlined in Confidential Attachment 1. The evaluation panel are unanimous in their decision to recommend R & J Kent & CO PTY LTD for the construction of EO17330 7453. R & J Kent & CO PTY LTD offer the best value outcome for council. The evaluation panel request that Council adopts the recommendations within this report.

FINANCIAL ANALYSIS

The entire ngurrak barring art, culture and trail project is jointly funded to \$10 million through the Federal Government's Regional Growth Fund and Community

Development Grant Programs, the State Government's Growing Suburbs Fund and Yarra Ranges Council.

The recommended tender award amount is \$1,755,081.00 Excl. GST is within the allocated project budget which includes funding as noted above. Council funds have been allocated to this project as part of Yarra Ranges Council 2023/2024 and 2024/2025 Capital Expenditure Program.

Confidential attachment 1 provides further details of the budget breakdown and anticipated expenditure for the project.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan:

Yarra Ranges Council Plan: 2021-2025

- Quality Infrastructure and Liveable Places: Quality facilities and infrastructure meets current and future needs. Places are well planned hubs of activity that foster wellbeing, creativity and innovation.
- Vibrant Economy, Agriculture and Tourism: Ensure tourism, agriculture, health and other industries are leading, dynamic and thriving, with strong investment and attraction to underpin sustainable economic growth.

Creative Communities strategy

- 'Create a community active in shaping extraordinary cultural experiences and 'putting culture and creativity at the heart of our places'.
- 'Regeneration' Land Art meets the curatorial principles developed for ngurrak barring in that it is transformational, environmental, inclusive and dynamic.

RELEVANT LAW

This report seeks council approval to award a contract that complies with section 108 of the local government act 2020.

SUSTAINABILITY IMPLICATIONS

Economic Implications

This has been considered as part of the project specification and evaluation process. The recommended tenderer has committed to source goods, services and materials proposed for this contract from within Yarra Ranges Shire as well as employing locally.

Social Implications

This has been considered as part of the project specification and evaluation process. The design team and recommended tenderer have committed to provide a high-quality landscaped area for the community to enjoy. The recommended tenderer is seeking to purchase and utilise major materials items and recycled fallen trees where required within the Yarra Ranges Shire for the construction of the project as well as employing locally.

Environmental Implications

The Land Art is installed in an open space within Kalorama Park where no native vegetation will be removed, lopped or destroyed during its construction.

The ngurrak barring team has worked with internal and external ecologists and the Friends of Kalorama in the development of the native plantings which are all endemic to the site. This native vegetation aims to improve the biodiversity of the area whilst also adhering to fire management recommendations from Forest Fire Management Victoria.

This has been considered as part of the project specification and evaluation process as the works will be constructed on Parks Victoria managed land (Dandenong Ranges National Park). As part of the contract, the successful tenderer will be required to adhere to a construction environmental management plan for the duration of the project.

The recommended tenderer has an Environmental Management System and Quality Management System in place and seeks to follow the Parks Victoria Environmental Guidelines and Cultural Heritage Management Plan.

COMMUNITY ENGAGEMENT

Consultation for this artwork began through the extensive engagement with the community to develop the 'RidgeWalk (ngurrak barring) Master Plan'. This engagement included collaboration with Traditional owners and local history groups and helped outline curatorial guidelines with recommendations for design parameters and the thematic foundation for the project.

The curatorial framework was then finalised for the project providing detail around decision making and curatorial principles to be applied to creative aspects of ngurrak barring. From this, the RidgeWalk Creative Advisory Panel (RWCAP) and more recently, the Public Art Working Group (PAWG) were formed to provide expert guidance and advice ensuring that creative components are consistent with project objectives. The PAWG is a knowledge-based group made up of internal and external experts who participated in assessing and shortlisting submissions for the Land Art (awarded mid 2023).

ngurrak barring is guided by and regularly consults with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, a subgroup, the Wurundjeri Indigenous Project Advisory Network, and an Indigenous Project Advisory Network made up of Indigenous people living locally.

Parks Victoria, as Land Manager for Kalorama Park, have been closely consulted for the length of the project and at every stage of development for the Land Art. As too, have Forest Fire Management Victoria. To date, they are satisfied that the artwork complements the character of the site, is not damaging to the environment and are supportive of its positive outcomes for community and visitors.

The 'Friends of Kalorama Park' have been involved on a number of occasions during design development of the Land Art. They have been engaged in relation to the selection of Native Vegetation for the artwork and are excited with this opportunity to improve the local ecosystem.

As both the Land Art site and the Five Ways Intersection are within the planning Heritage Overlays, internal and external reviews were undertaken. Extent Heritage provided external heritage advice including materials and finishes recommendations to ensure the proposed works do not cause any detrimental effects to the heritage protected sites.

There was feedback from early community engagements identifying the need to have aspects of the trail more accessible for those with disability where possible. Through consulting with the artists and designers, we were able to include the DDA path to allow the Land Art to be more accessible and therefore inclusive – a rarity to the Dandenong Ranges.

The Planning team did not request an advertising period for the Land Art application, acknowledging and confirming the extensive community engagement had satisfactorily met the statutory requirements.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

The design of the Land Art has been through an extensive consultation process with multiple approval gateways prior to tender. Stakeholder consultation has included both external and internal stakeholders throughout the process.

The specification and tender documentation have been prepared in collaboration with an external consultant team, Planning & Building team, Design & Place team, Biodiversity team, Infrastructure Services team, Recreation Parks & Facilities team and has been developed in consultation with Council's Procurement team.

RISK ASSESSMENT

This has been considered as part of project design, contract terms and conditions and within the evaluation process. A project risk register has been developed, maintained, and monitored for this project.

The recommended contractor is considered an expert in their field and highly qualified to deliver a successful result. They are also registered within the Rapid Global system and meet councils' compliance requirements for this size and type of contract.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Confidential Attachment - EOI 7330 7453 Land art trail construction tender evaluation
2. Land Art Cultural Framework and Guidance
3. Land Art scope of works and connections