

SOUTHERN GRAMPIANS SHIRE COUNCIL

**Council Meeting Agenda
Monday 16 September 2024**

To be held in Council Chambers
5 Market Place, Hamilton at 4:00pm



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1 Membership

Councillors

Cr David Robertson, Mayor
Cr Helen Henry, Deputy Mayor
Cr Mary-Ann Brown
Cr Albert Calvano
Cr Bruach Colliton
Cr Fran Malone
Cr Katrina Rainsford

Officers

Mr Tony Doyle, Chief Executive Officer
Mr Darren Barber, Director People and Performance
Mr Rory Neeson, Director Wellbeing, Planning and Regulation
Ms Marg Scanlon, Director Infrastructure and Sustainability
Lisa Grayland, Acting Governance Coordinator

2 Welcome and Acknowledgement of Country

The Mayor, Cr Robertson will read the acknowledgement of country:

“Our meeting is being held on the traditional lands of the Gunditjmarra, Djab Wurrung, Jardwadjali and Buandig people.

I would like to pay my respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.”

Please note: All Council meetings will be audio recorded, and may be livestreamed to Council’s social media platform, with the exception of matters identified as confidential items in the Agenda.

By participating in open Council meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

Other than an official Council recording, no video or audio recording of proceedings of Council Meetings will be allowed without the permission of Council.

3 Prayer

Cr Henry will lead the meeting in a prayer.

“Almighty God grant to this Council, wisdom, understanding and sincerity of purpose for the good governance of this Shire.”

4 Apologies

5 Declaration of Interest

6 Management Reports

6.1 Award of Contract 2024240 - New Hamilton Gallery - Stage 1 - Co-design and Concept Design

Directorate:	Chief Executive Office
Report	Tony Doyle (Chief Executive Officer)
Approver:	Joshua White, Gallery Director
Report Author:	
Attachment(s):	<ol style="list-style-type: none">1. CONFIDENTIAL - Contract 2024240 Confidential Tender Evaluation Report [6.1.1 - 16 pages]2. CONFIDENTIAL - Final Probity Advisor Report - SGSC [6.1.2 - 3 pages]3. CONFIDENTIAL - Tender Submission Documents [6.1.3 - 1 page]4. CONFIDENTIAL - New Hamilton Gallery Tender Pack [6.1.4 - 1 page]5. CONFIDENTIAL - Table Tenderers and De identified Tender Number [6.1.5 - 1 page]6. CONFIDENTIAL - Angelo Candalepas _ NHG Design Breakdown [6.1.6 - 2 pages]

Executive Summary

This report seeks to progress the design development for the New Hamilton Gallery to Stage 1 Co-design and Concept Design. After issuing a Request for Tender 2024240 (RFT) on Friday 29 July 141 companies registered with 28 tenders submitted on 19 August 2024. With strong interest in the project several of Australia's leading architects bidding for this tender.

Following the shortlisting process six tenders were invited to present their respective proposals to the Evaluation Panel. This resulted in the Panel concluding with the recommendation to award the tender to Angelo Candalepas and Associates (ACA) for the tender lump sum of \$492,850 (ex GST)

A detailed procurement report is attached, which was developed by an independent probity auditor.

Discussion

At the Ordinary Council Meeting on 10 July, Council endorsed the release of the New Hamilton Gallery Stage 1 design tender.

The tender documentation comprises:

1. Tender Pack – Architectural-Led (Co-Design and Concept Design Services)
2. Strategic Vision
3. Strategic Brief
4. Building Analysis

The development of the tender is a culmination of industry research into functional and spacial needs specifically to identify the changing trends in artists and creative needs to display and program their arts. Engagement with stakeholders and community has also been a key contributor to the development of the project brief to ensure the design development considers both the internal space but also the external and surrounding connections; broadening the

opportunities to showcase art to community and visitors who otherwise would not necessarily connect with the Gallery.

In summary, the timeline for Stage 1 Co-Design and Concept Design Services is;

- March 2023 – Partnership formalised with the University of Melbourne in relation to the architectural elements for the NHG.
- May 2023 – Consultation is undertaken to develop the Strategic Vision for NHG
 - Friends of the NHG
 - NHG Trust
 - Councillors
 - First Nations
 - General Public (Local, regional and National)
 - Youth workshops
 - Industry (Arts and Architectural)
 - Gallery Audience
- December 2023 – Strategic vision is finalised and complete.
- 26 June 2024 – Council budget endorsed which includes the design of the New Hamilton Gallery
- 10 July 2024 – Council endorsed the Design tender for the New Hamilton Gallery
- 29 July – Tender Released to the Public
- 19 August – Tender Closes
- 26 August – Shortlist notified
- 29/30 August – Shortlist interviews take place
- 2 September – Panel convenes to determine successful tender
- 11 September – Council considers approval of architectural firm

The tender comprised the following five evaluation criteria;

Price:30%

Experience: 20%

Capability and Capacity: 20%

Program: 20%

Sustainability: 10%

The evaluation panel is detailed within the attached confidential evaluation report and consisted of a skilled and diverse group of experts.

Two independent members were engaged to provide input to the design brief and the procurement process, both of which did not have voting rights. Ms Tranquillity Clinton from RMS, Director, Probity, Procurement and Integrity Service was engaged to guide the process and ensure best procurement practice. Ms Clinton's report is an attachment accompanying this report.

The process was also supported by Councils Procurement Officers Mrs Janelle Dahlenburg, and Ms Lily Wilson.

Following closing of the tender period, the Panel individually reviewed all tenders which resulted in 28 shortlisted tenders which were further assessed on the qualitative categories; Demonstrated Understanding and Experience, Capacity and Capability and Program.

This evaluation resulted in six tenders being shortlisted for further consideration. The selected tenders were invited to present their proposal to the Panel and provide responses to specific questions relating to their program, price inclusions and exclusions and resource allocations to respective program deliverables.

The average score, independent of each other by the panel members saw Angelo Candalepas and Associates (ACA) as the highest scoring tender based upon qualitative scoring.

ACA scored an average of 8.25 out of 10 across all six panel members and all four qualitative categories, with five of the six panel members scoring them the highest.

Tender 2 scored an average of 7.9 out of 10 across all six panel members and all four qualitative categories.

Tender 3 scored an average of 7.5 out of 10 across all six panel members and all four qualitative categories.

The following table represents the qualitative scoring of all tenders in order of ranking.

	Company Name	Qualitative Score (%)
1	ANGELO CANDALEPAS & ASSOCIATES	58.00%
2	Tender 2	55.71%
3	Tender 3	53.77%
4	Tender 4	52.99%
5	Tender 5	49.46%
6	Tender 6	48.84%
7	Tender 7	47.16%
8	Tender 8	46.85%
9	Tender 9	46.65%
10	Tender 10	46.50%
11	Tender 11	45.84%
12	Tender 12	45.66%
13	Tender 13	44.49%
14	Tender 14	44.34%
15	Tender 15	44.33%
16	Tender 16	43.01%
17	Tender 17	42.51%
18	Tender 18	42.17%
19	Tender 19	42.00%
20	Tender 20	41.65%
21	Tender 21	40.00%
22	Tender 22	39.99%
23	Tender 23	39.82%
24	Tender 24	39.01%
25	Tender 25	38.01%
26	Tender 26	33.33%
27	Tender 27	32.49%
28	Tender 28	25.20%

Attached to this report is a confidential table that identifies each tender submitter against the above reference numbers.

After the qualitative scoring was discussed and reviewed by the panel, the second stage of the evaluation process was undertaken being the quantitative score against the pricing.

This table below demonstrates the qualitative and quantitative scores combined to develop a total score, which changed the ranking.

Company Name	Qualitative Score(%)	Moderated Total Price	Quantitative Score(%)	Total Score
Tender 23	39.82%	\$160,000.00	30.00%	69.82%
Tender 21	40.00%	\$165,880.00	28.94%	68.94%
Tender 14	44.34%	\$196,280.00	24.45%	68.79%
Tender 4	52.99%	\$377,105.00	12.73%	65.72%
Tender 2	55.71%	\$532,536.00	9.01%	64.72%
ANGELO CANDALEPAS AND ASSOCIATES	58.00%	\$749,780.00	6.40%	64.40%
Tender 5	49.46%	\$374,850.00	12.81%	62.27%
Tender 11	45.84%	\$298,710.00	16.07%	61.91%
Tender 19	42.00%	\$247,580.00	19.39%	61.39%
Tender 22	39.99%	\$225,600.00	21.28%	61.27%
Tender 3	53.77%	\$876,156.00	5.48%	59.25%
Tender 24	39.01%	\$240,000.00	20.00%	59.01%
Tender 26	33.33%	\$190,205.00	25.24%	58.57%
Tender 7	47.16%	\$447,615.00	10.72%	57.88%
Tender 16	43.01%	\$340,000.00	14.12%	57.13%
Tender 9	46.65%	\$476,585.00	10.07%	56.72%
Tender 10	46.50%	\$476,870.00	10.07%	56.57%
Tender 8	46.85%	\$523,133.00	9.18%	56.03%
Tender 13	44.49%	\$420,050.00	11.43%	55.92%
Tender 17	42.51%	\$371,780.00	12.91%	55.42%
Tender 6	48.84%	\$904,710.00	5.31%	54.15%
Tender 15	44.33%	\$524,310.00	9.15%	53.48%
Tender 12	45.66%	\$665,510.00	7.21%	52.87%
Tender 18	42.17%	\$458,403.00	10.47%	52.64%
Tender 20	41.65%	\$714,150.00	6.72%	48.37%
Tender 25	38.01%	\$678,945.00	7.07%	45.08%
Tender 28	25.20%	\$259,000.00	18.53%	43.73%

Tender 27	32.49%	\$454,477.00	10.56%	43.05%
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The Panel discussed the competencies and ranking of the top three and concerns relating to technical capabilities were identified. The panel was not satisfied that tenders originally ranked 23, 21 and 14 within the qualitative scoring, would meet the requirements of the tender. This was determined to be a very high risk to the delivery of the outcomes as defined within the project brief.

The panel decided to shortlist six applicants for interview, excluding the top three determined from the qualitative and quantitative scoring, who had moved from significantly lower in the ranking due to pricing. The top five from the qualitative scoring were chosen due to their ranking and Tender 3, was also selected due to their unique local connection.

The panel requested responses to the design principles and co-design element as a key outcome, however there was disparity in the pricing from each applicant shortlisted due to differencing in sub-consultant's fees placed within the bids for the co-design phase, the panel members agreed to seek clarification.

Prior to the shortlist interviews, with guidance from the probity auditor, the panel developed questions for the shortlisted tenderers for response. This question enabled the panel to compare tenders specifically in relation to the co-design phase including subcontractors and pricing.

The question is as follows:

A full consultant team is not required for stage 1. Please consider the composition of your team to deliver co-design and concept design stages only.

Please reflect in your written response of one paragraph and attached spreadsheet how this change impacts your current price and program.

If you believe you have addressed this in your submission and no change is to occur, please respond with, no change required.

The following table below demonstrates the differentiation of pricing following tenders answering the question and associated spreadsheet.

The revised pricing section (refer to table below, pricing highlighted in blue), clarified the pricing against deliverables and/or subcontractors. Tender 3 did not change their price. The cost difference between the five tenders, excluding Tender 3, was \$194,140.

	Original Price	Revised Price	Price Variance
Angelo Candalepas and Associates	\$749,780	\$492,850	-\$256,930
Tender 2	\$532,536	\$460,658	-\$71,878
Tender 5	\$374,850	\$374,350	-\$500
Tender 3	\$876,156	\$876,156	\$0
Tender 11	\$298,710	\$298,710	\$0
Tender 4	\$377,105	\$434,876	\$57,771

The table below outlines the scoring after the interviews phase by the panel, with the consideration of the pricing revision.

Ranking	
Angelo Candalepas and Associates	1
Tender 4	2
Tender 2	3
Tender 5	4
Tender 11	5
Tender 3	6

Weightings	30%	20%	20%	20%	10%	
Evaluation Criteria	Revised Price (ex GST)	Demonstrated Understanding and Experience	Capacity and Capability	Program	Sustainable Procurement - Environmental	TOTAL
Angelo Candalepas and Associates	6.06					
	\$492,850	8.25	8.58	8.08	8	7.60
Associates P/L	1.82	1.62	1.72	1.62	0.80	
Comments						
Tender 5	7.98					
	\$374,350	7.33	7.17	6.67	6.67	7.29
	2.39	1.47	1.43	1.33	0.67	
Comments						
Tender 2	6.48					
	\$460,658	7.5	8.17	8.17	7.67	7.48
	1.95	1.50	1.63	1.63	0.77	
Comments						
Tender 3	3.41					
	\$876,156	7	7	6.67	6.67	5.82
	1.02	1.40	1.40	1.33	0.67	
Comments						
Tender 4	6.87					
	\$434,876	8.33	8.17	7.5	7.17	7.58
	2.06	1.67	1.63	1.50	0.72	
Comments						
Tender 11	10.00					
	\$298,710	5.67	5.5	6.33	5.83	7.08
	3.00	1.13	1.10	1.27	0.58	

Noting the scoring difference between Angelo Candalepas and Associates and Tender 4, the Panel requested both tenders to confirm the Principal Architects allocated time commitment to the co-design and concept design phases of the project, which would significantly impact the quality and authorship of the designs. It was determined by the panel that Tender 2, third position and all other Tenderers below would not be approached for this further clarification.

The questions sent through to the nominated two tenders were;

Question 1.

Can you clarify who on your team will be involved in the co-design and concept phases, what elements they are involved in, and how many hours will be dedicated per team member, and what are the outcomes.

Question 2.

Can you clarify who on your team and how many hours during the co-design and concept phase will be onsite within Hamilton.

Question 3.

Does your pricing reflect all the required visits to Hamilton, minimum of 5 workshops.

Question 4.

Define the role of the principal (insert Directors/owners name) during the co-design and concept phase, and how many visits to Hamilton they will undertake.

Both tenderers replied and outlined the hours and commitment by their team. The following basic table outlines the relevant data from their responses.

	Tender 4	ACA
Total Hours	2208	1998
Principal's Hours	172	288
Principals Visits to Hamilton	5	5

The Panel met to review the final responses concluding that ACA's committed hours by the Principal Architect to the project (288 hours) as compared to Tender 4 (172 hours) together with the total hours and number of visits to Hamilton was an important factor to the success of the project. The comparison of hours results in a difference of 116hrs committed by the lead author of the designs.

Subsequently, the Panel concluded that ACA as the preferred tender with a total weighted score of 7.89. The average score for ACA across all categories and all panel members was 8.09. Tender 4 total weighted score of 7.44 and with an average score of 7.47 across all categories and all panel members.

A final meeting was held with the Panel who unanimously agreed to recommend ACA. During this meeting the Panel provided comments to the tender strengths, weaknesses and risks, as summarised below.

Weightings	30%	20%	20%	20%	10%	TOTAL
Evaluation Criteria	Revised Price (ex GST)	Demonstrated Understanding and Experience	Capacity and Capability	Program	Sustainable Procurement - Environmental	
Angelo Candalepas and Associates	6.06					
	\$492,850	8.92	8.92	8.42	8.17	7.89
	1.82	1.78	1.78	1.68	0.82	
Tender 4	6.87					
	\$434,876	8.17	7.83	7.33	7.17	7.44
	2.06	1.63	1.57	1.47	0.72	

Tender 4, ranked second, scored strongly across the evaluation however was not as strong for the *Program and Sustainability criteria*. Tender 4 had a strong commitment to the concept of the civic gallery and co-design process. Tender 4 has public sector design project experience specifically hospitals and other government buildings, with a lack of experience in the public galleries, particularly the nominated team for the NHG project. The nominated team demonstrated their experience in a small number of private gallery design projects with no demonstration of project experience across design and construction of a gallery project to this scale and scope.

In conclusion, the Panel determined ACA demonstrated their understanding of the project brief and the overall NHG vision. ACA had closely considered the NHG in the context of the Hamilton CBD and the linkages with the immediate and broader surrounds. ACA identified the benefits of the NHG being positioned between the Grampians, Budj Bim, Adelaide and Melbourne. ACA demonstrated their consideration of the design principles, articulating the relationship between these principles, local heritage and community opportunities. ACA demonstrated their established record of delivering projects on time and within budget. Sustainability and specifically the re-use of materials, structures and surrounds were identified by ACA as an opportunity to retain elements not only for cost saving purposes but also connection with the local heritage.

ACA has significant experience in public galleries and working with stakeholders of unique and diverse demographics and cultural backgrounds to inform the design and delivery of civic galleries. ACA are currently designing the National Gallery of Victoria Contemporary and have worked on multiple projects for the National Gallery of Australia. Their sub-consultants, Arup (ACA's partner) worked on Sydney Modern - Art Gallery of NSW, the new National Aboriginal Art Gallery, the Powerhouse Museum, Museum of Contemporary Art, Sydney.

Financial and Resource Implications

The contractor will be responsible for carrying out the works under specified conditions in technical and general specification of the contract documents and has priced the project accordingly.

Council's annual 2024/25 budget and Long-Term Financial Plan has allocated funding for the design process, with stage 1 at an amount of \$875,000.

The recommended supplier is under the allocated Council budget and has shown to be a competitive market price.

Council Plan, Community Vision, Strategies and Policies

Support Our Community

1.1 An empowered and connected community

1.1.1 Facilitate opportunities for people to participate in community life, through volunteering, civic leadership, social programs, to enable inclusion, social connection and wellbeing.

Support Our Community

1.2 Support and promote a healthy community

1.2.2 Support and encourage participation in arts and culture, education, leisure, recreation and sporting opportunities.

1.2.4 Advocate for and work with external services that support our community and deliver outcomes.

Support Our Community

1.3 Grow a diverse and inclusive community

1.3.2 Encourage, support and celebrate a diverse, multicultural community, including celebrating, recognising and respecting our cultural heritage and engaging our Indigenous communities.

1.3.3 Support the increase of social, economic and digital connectedness.

1.3.4 Provide, promote and support appropriate and accessible services, facilities and activities for younger residents.

Support Our Community

1.4 A safe community

1.4.2 Demonstrate leadership in gender equality, cultural diversity and inclusiveness for all.

Grow Our Regional Economy

2.4 Support local business and industry

2.4.2 Support and facilitate business development and growth initiatives.

Legislation

The NHG Stage 1 phase will be managed in accordance with the Local Government Act 2020.

Gender Equality Act 2020

Our Gallery programs specifically target all demographics. In the last 18 months this has included exhibitions to showcase local female artists, programming specifically targeting all demographics, and *Emerging from Darkness* which featured three female baroque artists.

A Gender Impact Assessment will be completed early in the design process.

Risk Management

An independent probity auditor was engaged to oversee the procurement evaluation phase ensuring this process was in accordance with Council and state government policy and legislation.

This project will face risks associated with major capital projects such as funding, cost overruns, and program timelines. These risks are mitigated through the established agreements, project program and governance.

Project Management will be outsourced to ensure dedicated, suitably qualified and experienced resources are allocated to the project.

Climate Change, Environmental and Sustainability Considerations

The NHG will be built to environmental standards and the National Gallery of Victoria has offered support to help limit carbon emissions as they are willing to share their studies and work for their new build in this area.

Community Engagement, Communication and Consultation

Council has undertaken significant engagement already with the development of our Arts and Culture Precinct Plan, and the development of the Hamilton Gallery Strategic Vision Document. Other than targeted engagement with a defined group of stakeholders during the co-design period, we will not undertake further consultation until conceptual plans are available.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no general or material interests need to be declared in relation to any matters in this Report.

Tony Doyle, CEO

Marg Scanlon, Director Infrastructure & Sustainability

Joshua White, Hamilton Gallery Director

Also attached is the Tender evaluation report that has all panel members associated to the recommendation and their conflict-of-interest declarations.

RECOMMENDATION

That Council:

1. Award Contract 2024240 to Angelo Candalepas and Associates to undertake stage one (Co-Design and Concept) of the New Hamilton Gallery Design Process for the tendered lump sum price of \$492,850.00 excluding GST.
2. Authorise the Chief Executive Officer to execute Contract 2024240. and any other documents required by or to give effect to the terms of the contract on behalf of Council.

6.2 Community Hub Grant Application

Report to be distributed separately.

7 Urgent Business

There is no Urgent Business listed on tonight's agenda.

8 Close of Meeting

This concludes the business of the meeting.