

# Community Centre on Uhrig Rd Public Art Commission EOI Form

## Form Preview

### Information Applicants

#### Stage One: Expressions of Interest (EOI) for Community Centre on Uhrig Rd Public Art Commission

Thank you for your interest in submitting an Expressions of Interest for Uhrig Rd Community Centre Public Art commission.

This commission is valued at \$60,000 ex GST all inclusive.

Before you submit your application, please ensure you have read all **EOI documentation**.

**Applications Open** Thursday 5 December 2024 [10:00am time/AEST]

**Applications Close** Sunday 19 January 2025 [11:59pm time/ AEST]

*Please note, City of Parramatta Christmas shutdown period between 23.12.24 - 05.01.25. The team will not be in the office to respond to queries during this period.*

#### Project Information

##### **COMMUNITY CENTRE ON UHRIG RD PUBLIC ART COMMISSION EOI**

##### **Location**

Ground Floor of Meriton's Atrium development at 4-8 Uhrig Road, Lidcombe.

##### **Project Context**

The Community Centre on Uhrig Rd Project has identified the need for wall based public artwork on a primary bulkhead above the entry ramp. Interested Artists are invited to submit an Expression of Interest for a 2D or shallow profile 3D public artwork. This artwork commission has a clearly defined scope of works in relation to the fit-out program, artwork typology and working to the all-inclusive commissioning budget of \$60,000 ex GST.

Council will contract the Artist for design, fabrication, installation and 12-months maintenance of the artwork. The Artist will be responsible for delivery, insurance, WHS, with Safety in Design and engineering certification (as required). Artwork lifespan is a minimum period of 10-years.

##### **Budget**

This commission has an all-inclusive budget of \$60,000 (ex GST). The public art budget is inclusive of all costs including artist fees, design development, design documentation, fabrication, installation, maintenance manual, 12-months maintenance period, and all approval stages therein.

##### **Program**

This project has a tight timeframe with the Community Centre due to open in September 2025.

**Project Start:** March 2025

Stage 1: Design Development Stage 2: Detailed Design Stage 3: Fabrication Stage 4: Installation Stage 5: Practical Completion Stage 6: 12-months Maintenance Period/Defects Liability Period

**Project Complete:** August 2025

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### Procurement Process

The City of Parramatta invites artists residing in Australia to submit an EOI application for one (1) Public Art commission for the Uhrig Rd Community Centre Project.

#### STAGE ONE: EXPRESSION OF INTEREST

The City of Parramatta invites artists residing in Australia to submit an Expression of Interest (EOI) for the Community Centre on Uhrig Rd Public Art Commission. All submissions are assessed against the EOI Selection Criteria from which a short list of suitably qualified Artists will be established.

#### STAGE TWO: CONCEPT DESIGN

A shortlist of up to three (3) artists will be invited to develop a conceptual proposal in response to the Stage Two Selection Criteria. An Artist Selection Panel will review the conceptual proposals to select the Artist for commission. Shortlisted Artists will be paid an honorarium fee of \$2,000.00 for their concept proposal.

### Background

This Community Centre is located on the Ground Floor of Meriton's Atrium development at 4-8 Uhrig Road, Lidcombe. From the processing of resources to the active regeneration of a former industrial site, this location has experienced intense re-development with a change in identity, character and purpose. The cold shell will be delivered by Meriton with the interior fit-out delivered by the City of Parramatta. This community hub is for the new high-density community of Meriton's Atrium development and will deliver a place-based and people-centred space of connection. It will feature a purpose-built intergenerational community space with activity-based spaces, bookable rooms, and library access; a 'common ground' for everyone.

### Curatorial Vision

The relationship between a structure and its inhabitants is formed by social activity. The curatorial theme of *Common Ground* invites Artists to explore ideas of commonality, unity and transformation in this newly evolved environment on the border of Sydney Olympic Park.

*Common Ground* invites artists to explore how the expression or function of something is converted into another, through reinvention and shared experience. Cohesion, curiosity and connection are central themes and key to the activation of the community hub as a place of knowledge exchange, shared interests, ideas and activities essential for successful communication between people. The centre aims to foster a sense of belonging, promote health and wellness and facilitate recreational activities. It will be a place where local people can come together, share resources, and work towards a common goal of building a stronger and more vibrant community.

### Commission Overview

This opportunity is for one (1) permanent (minimum lifespan of 10-years) wall-based Public Artwork to be designed, fabricated and installed by the commissioned Artist. Based on detailed analysis, the Artist Brief articulates the opportunity for public art in the community centre. It includes benchmark projects that demonstrate similar themes, materials, budget, and fabrication methodologies. The project overview will include the scope of works, materiality, design life, safety in design, maintenance, and the artist engagement process. It is imperative that the design be considered within the interior fit-out construction program and involve coordination with Council, community and the Principal Contractor.

Public artwork in this context to consider:

- Vertical and horizontal plane

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- Patina/colour/porosity/patterning
- Project timeline - fabrication and installation lead times
- Environment and ecology of the location
- Performance specification
- Significance of this artwork as a welcome to the community centre
- Materials palette

### Dimensions + Weight:

The artwork design:

- must fit within the dimensions of the bulkhead (11030mm x 1730mm x <125mm)
- cannot extend outside the bulkhead dimensions, especially below the bulkhead
- must not exceed a maximum weight of 150kgs

### Insurances

The following insurances are required for the duration of the Contract:

- Public Liability: \$20 million
- Professional Indemnity Insurance: \$5 million and \$5M in the aggregate
- Workers Compensation as required by law

### Download Guidelines

Visit the City of Parramatta's Public Art Expression of Interest page for details and Download the project guidelines which contain the Artist Brief and Sample Contact. <https://www.cityofparramatta.nsw.gov.au/visiting/the-arts/public-art-applications>

## Applicant's Details

\* indicates a required field

### Applicant's Details

#### Applicant's Entity Name

\*

Title

First Name

Last Name

#### Applicant's Authorised Contact Name \*

Title

First Name

Last Name

#### Applicant's Entity ABN

The ABN provided will be used to look up the following information. Click Lookup above to check that you have entered the ABN correctly.

Information from the Australian Business Register	
ABN	
Entity name	

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ABN status  
Entity type  
Goods & Services Tax (GST)  
DGR Endorsed  
ATO Charity Type  
ACNC Registration  
Tax Concessions  
Main business location

[More information](#)

Must be an ABN.

**Applicant's Contact  
Email**

Must be an email address.

**Applicant's Contact  
Mobile or Phone Number**

Must be an Australian phone number.

**Applicant's Postal  
Address \***

Address

  

Suburb/Town State/Province Postcode Country

Must be Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required..

**Applicant's Website**

## Compliance Criteria (mandatory)

\* indicates a required field

### Insurance

**Do you hold and are able to maintain the following insurance? 1. Public Liability: \$20M 2. Professional Indemnity Insurance: \$5M and \$5M in the aggregate 3. Workers Compensation as required by law \***

- ☐ Yes  
☐ No

If you have employees in NSW, you probably need a workers compensation insurance policy. Workers insurance is compulsory for all NSW employers unless you are considered an 'exempt employer'.

**Please upload your insurance Certificates**

Attach a file:

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If no insurance

**Are you committed to and able to obtain the required insurance? \***

- ☐ Yes  
☐ No

An Applicants inability to obtain the required insurance may result in exclusion from the process. These insurances are a mandatory requirement for contract execution.

Ability to comply with the Sample Contract

**Please indicate whether you intend to comply with the Sample Contract and Annexures? \***

- ☐ Yes  
☐ Yes, with clarifications  
☐ No

By including a Sample Contract and Annexures Council aims to avoid delays and disruption caused by prolonged contract negotiations. Council may at any time, and at its own discretion deem an Applicants inability to comply with the Sample Contract as Non Compliant.

**Please list clarifications and the relative contract clause number/s \***

Please note,

Have you read and accepted the Conditions of this Expression of Interest (EOI)

**Conditions are outlined in Section 7 - How to Complete This Form and EOI Conditions \***

- ☐ Yes  
☐ No

Referees

**Referee 1**

- ☐ Individual ☐ Organisation

Organisation Name

Title First Name Last Name

<input type="text"/>	<input type="text"/>	<input type="text"/>
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**Referee 1 Mobile or Phone Number \***

Must be an Australian phone number.

**Referee 1 Email**

Must be an email address.

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### Referee 1 Website

Must be a URL.

### Referee 2 \*

☐ Individual ☐ Organisation

Organisation Name

Title First Name Last Name

<input type="text"/>	<input type="text"/>	<input type="text"/>
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### Referee 2 Mobile or Phone Number

Must be an Australian phone number.

### Referee 2 Email

Must be an email address.

### Referee 2 Website

Must be a URL.

## The Artist's professional experience

### Please select all that apply \*

- ☐ Public and private Public Art commissions
- ☐ Public Art - Government and Institutions
- ☐ Public Art - Commercial Developments
- ☐ Public Art - Wall Based
- ☐ Public Art - Standalone
- ☐ Project management and stakeholder relationships
- ☐ Technical and production proficiency
- ☐ Engineering certification and safety and design for Public Art commissions
- ☐ Community consultation and engagement
- ☐ Exhibition record
- ☐ Collaborations
- ☐ Gallery practice
- ☐ Publications
- ☐ Screenings and festivals
- ☐ Prizes and awards
- ☐ Tertiary studies
- ☐ Other:

## CV

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**Please upload your CV as a PDF \***

Attach a file:

CV's must be no more than 2-pages per person

### Submission of Relevant Artwork Examples

Please upload a PDF containing a minimum of five (5) and a maximum of ten (10) examples of public artworks which represent your own original creative work and reflect artistic merit relevant to this project. Examples should demonstrate artistic excellence, examples relevant to this brief, your ability to interpret the Artist Brief, project lifecycle (concept design through to installation), and where you have worked collaboratively with multiple stakeholders.

**Please upload your relevant public artwork project examples \***

Attach a file:

A maximum of 1 file may be attached.  
Maximum 5MB.

### Qualitative Criteria

**\* indicates a required field**

The Artist's demonstrated understanding of creating a wall based Public Artwork for the public domain.

**Please demonstrate your understanding and experience of the process of creating and delivering a wall based public artwork using relevant examples from your practice. \***

Word count:  
Must be no more than 220 words.

The Artist's demonstrated ability to deliver creative and intelligent responses to project challenges.

**Please provide a relevant example from your professional practice which demonstrates your creative and intelligent response to a specific project challenge. \***

Word count:

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Must be no more than 220 words.

The Artist's demonstrated ability to work productively with various project stakeholders.

**Please outline relevant examples of your ability to work productively with various project stakeholders including the client, consultants, designers, engineers, fabricators and installation teams. \***

Word count:

Must be no more than 220 words.

The Artist's practical understanding of engineering certification and safety in design in materials selection, fabrication and installation methodologies.

**Please outline your practical understanding of engineering certification and safety in design in materiality, fabrication and installation methodologies as they pertain to the scope of works for this public art commission. \***

Word count:

Must be no more than 220 words.

## Declaration

\* indicates a required field

### Declaration

I declare that to the best of my knowledge the information in this application is correct. I undertake to advise City of Parramatta staff should there be any alterations or additions to the information supplied.

I acknowledge that the City of Parramatta may seek further information regarding this application if required.

**Authorised person \***

Title

First Name

Last Name

**I, the applicant, agree to the above declaration \***

- ☐ Agreed  
☐ Dont Agree



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**Date of acknowledgement \***

Remember to SUBMIT your application

If you have completed all questions, click NEXT PAGE to review your application. Please remember to hit the SUBMIT button. Smarty Grants will alert you if there are compulsory questions that you have not completed.

When you hit submit you will receive a confirmation e-mail. If you do not receive this confirmation, you may not have submitted successfully.

## How to Complete This Form

### How to Complete This Form

Parramatta City Council uses the Smarty Grants online system for its grants, Expressions of Interest, RFQ and Design Competition management for commissions valued under the Tender threshold of \$250,000. If you have used Smarty Grants for any other grants program, you can use the same login.

### **Navigating (moving through) the application form:**

At the left of every screen is a menu which links directly to every page of the application. Click on any page to jump to that page. You can also click 'next page' or 'previous page' on the top or bottom of each page.

*Do not click on the 'back' button in your internet browser as this will remove the work you have just completed.*

### **Completing an application in a group/team:**

A number of people can work on an application using the same log in details as long as only one person is working at a time, and the final submission is represented by one nominated entity, ABN and contact details.

### **Saving your draft application and returning later:**

You can press 'save' at any point and log out. When you log back in, your draft application will be saved and you can start where you left off.

### **Submitting your application:**

The submit button is on the final page. You will not be able to submit your application until all the required questions are completed and within any specified word limits.

When you submit your application you will receive an automated e-mail confirming your submission. A PDF copy of your completed application form will be attached. This will be sent to the email you used to register.

Please contact [sbuljan@cityofparramatta.nsw.gov.au](mailto:sbuljan@cityofparramatta.nsw.gov.au) if you do not receive this e-mail.

## EOI Conditions

## EOI Conditions

### How to Prepare Your Expression of Interest

In connection with the preparation and submission of the EOI you must:

- carefully read all parts of this Invitation to EOI
- ensure that you understand the Scope of Work
- prepare and return a response to this EOI strictly in accordance with the Conditions of the EOI and respond to all of the Selection Criteria, paying particular attention to the mandatory criteria
- ensure that the EOI Response is signed
- lodge your EOI before the Deadline

### Contact Person

Name: Suzanne Buljan

Position: Manager Cultural Projects

Email: [sbuljan@cityofparramatta.nsw.gov.au](mailto:sbuljan@cityofparramatta.nsw.gov.au)

### Evaluation Process

#### (a) Council will evaluate the EOI's in accordance with:

- 1.the framework established under this EOI;
- 2.the Selection Criteria;
- 3.the laws relating to procurement; and
- 4.policies and procedures relating to procurement adopted by Council from time to time.

**(b) Subject to the Conditions of the EOI**, only the information and materials submitted with an EOI will be considered in the evaluation of the EOI.

#### (c) Council will evaluate the EOI using the evaluation methodology described below:

- 1.EOI's are checked for completeness and compliance. EOI's may be excluded from evaluation if they do not contain all information requested or are otherwise incomplete in any way (for example, an incomplete EOI Response).
- 2.EOIs are evaluated using the Selection Criteria which includes qualitative criteria and mandatory criteria.

#### (d) Council may:

- 1.decline to accept any EOI; or
- 2.shortlist any number of Applicants (including only one Applicant) it wishes to invite to progress to Stage 2 - RFQ Concept Design

### Selection Criteria

(a) Council will apply the mandatory compliance and quantitative criteria in the Artist Selection section above, in the evaluation of the EOI.

(b) The Selection Criteria are not listed in any special order, may not be accorded equal weight and may not be exhaustive.

(c) Interested Applicants are asked to submit a formal proposal addressing the Selection Criteria by uploading a PDF with their SmartyGrants application.

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(d) EOI's are expected to be brief.

(e) Compliance Criteria will not be point scored and each EOI will be evaluated on a "YES/NO" basis as to whether the criterion has been satisfactorily been met. A "No" evaluation against any mandatory compliance criterion will eliminate the EOI from further evaluation or result in an EOI being categorised as 'non-conforming'.

(f) Qualitative criteria will be point scored in accordance with an evaluation plan adopted by the Council for the purpose of evaluating responses received to this EOI. The 'point scored' basis of evaluation will evaluate the degree to which the qualitative criterions have been satisfactorily met.

- It is essential that the Applicant address each qualitative criterion.
- Failure to provide the information and materials that address one or more criteria may result in your EOI application being eliminated.

### **Lodgement of Expression of Interest (EOI)**

(a) The EOI **MUST** be lodged by the deadline. The deadline for this invitation to EOI is in Australian Eastern Standard Time.

(b) EOI's must be prepared and submitted in accordance with the requirements of this EOI. The EOI must be submitted in writing, in format as outlined in Smarty Grants.

(c) EOI documentation must be obtained directly from Council via Smarty Grants to be eligible of assessment.

(d) EOI's must be submitted via Smarty Grants to be eligible for assessment.

(e) Contact enquiries should be directed to the Contact person via Smarty Grants.

(f) Late, verbal, facsimile or emailed EOI submissions will **NOT** be accepted.

### **Rejection of Expression of Interest**

An EOI will be rejected without consideration of its merits if:

- (a) it is not submitted before the deadline; or
- (b) it is not submitted at the place or in the manner or both specified in this EOI.

Council may reject any non-conforming EOI.

### **Acceptance of Expression of Interests**

(a) Council has no contractual or other legal obligation to an Applicant arising out of the EOI with respect to:

- 1.the consideration, evaluation, acceptance or rejection of any EOI; or
- 2.the failure to consider, evaluate or accept any EOI.

(b) Council may reject any or all EOI's submitted and may at its discretion waive any irregularities in any EOI.

(c) Council is not obliged to give reason for any decision it makes in respect of the EOI process.

(d) Any Applicant that is not shortlisted to progress to Stage 2 RFQ Concept Design they will have no recourse against Council or its respective employees, agents or advisors, in relation to any decisions of Council.

(e) By submitting an EOI, the Applicant acknowledges that:

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1. an EOI will not be deemed to have been accepted and no contract in respect of the EOI will arise between any Applicant and Council until the completion of Stage 2 RFQ Concept Design; and
2. the rights, powers and discretions given to Council in these Conditions of the Expression of Interest are not pursuant to any contract between Council and the Applicant but rather are rights, powers and discretions that Council has as part of the EOI process.  
(f) Council reserves the right to not proceed to Stage RFQ Concept Design but rather to select one EOI Applicant with which to seek to negotiate a contract based on the EOI submission. If this occurs the negotiation will be subject to separate process to be issued to the selected EOI Applicant.

### Confidentiality

(a) Information is made available on condition that it is treated as confidential. Information must not be disclosed, copied, reproduced, distributed or passed to any other person at any time except:

1. for the purpose of enabling a Applicant to prepare and deliver a response to this EOI;
2. where disclosure is otherwise permitted by law or the relevant Information is in the public domain; or
3. Council has given prior written consent to the Information disclosure.

(b) An example of permitted Information disclosure is giving Information to insurers or professional advisers of a Applicant, provided they have each given an undertaking at the time of receipt of the relevant information (and for the benefit of Council) to keep such information confidential.

### Non-Conforming Expressions of Interests

It is expected that all Applicants will submit a conforming EOI. Council reserves the right to accept a non-conforming EOI subject to receiving from the same applicant a conforming EOI as a prerequisite. The non-conforming EOI must be capable of being evaluated on the basis of the Selection Criteria on the same footing as the conforming EOI.

### Expression of Interest validity Period

An EOI will remain valid and open for acceptance for a minimum period of (240) days from the deadline (the **EOI Validity Period**) unless extended by mutual agreement between Council and the Applicants in writing. The Applicant may withdraw their EOI at any time after the expiration of the EOI Validity Period.

### Applicants to Inform Themselves

(a) Council provides the information in this EOI in good faith. It is intended only as an explanation of Council's requirements. The information provided does not purport to be all-inclusive or to contain all information that a prospective Applicant may require. Applicants and their advisers must take their own steps to verify information which they use and must make an independent assessment of the opportunity described in this EOI after making such investigation and taking such professional advice as they deem necessary.

(b) Applicants will be deemed to have:

1. examined the EOI and any other information available in writing to Applicants for the purpose of responding to this EOI;
2. examined all further information relevant to the risks, contingencies, and other circumstances having an effect on their EOI which is obtainable by the making of reasonable enquires;

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- 3.satisfied themselves as to the correctness and sufficiency of their EOI; and
- 4.satisfied themselves they have a complete EOI (including all attachments and addendums, if any).

(c) None of Council, the Council's members, directors, officers, employees, agents or advisors make any representation or warranty as to the adequacy, accuracy, reasonableness or completeness of the Information.

(d) Neither Council nor their professional advisors shall be liable for any loss or damage arising as a result of reliance on the information nor for any expenses incurred by Applicants at any time.

(e) Any advisers or agents appointed by Council, whether legal, financial, technical or other, will not be responsible to anyone other than Council for providing advice in connection with the EOI.

### **Amendments to the EOI**

Council may make amendments to this EOI or provide additional Information by publishing an Addenda to all registered Applicants. Applicants must acknowledge receipt of any Addenda if requested by Council. All Addenda will be issued via Smarty Grants.

### **Risk / Financial Assessment**

In evaluating an EOI Council may have regard to:

- (a) any risk assessment undertaken by NSW Procurement (State Government) contracted organisation; or any other credit rating agency; and
- (b) any information produced by a bank, financial institution, or accountant of nominated by an Applicant; and
- (c) may consider such materials as tools in the EOI assessment process.

In submitting an EOI, the Applicant will be taken to have consented to Council accessing this risk assessment and information, including any personal information contained therein.

### **Ownership of Expression of Interests**

(a) All documents, materials, articles and information submitted by the Applicant as part of or in support of an EOI will become upon submission the absolute property of Council and will not be returned to the Applicant at the conclusion of the EOI process provided that the Applicant be entitled to retain copyright and other intellectual property rights therein, unless otherwise provided by the Contract.

(b) The Applicant does not acquire any intellectual property rights in the EOI as a result of participating in the EOI process. The Applicant must not reproduce the EOI or any part of it in any material form (including photocopying or storage in any medium by electronic means) without the prior written consent of Council other than for use strictly for the purpose of preparing EOI.

### **Canvassing of Officials**

Any Applicant who, to solicit support for their EOI or otherwise seek to influence the outcome of the EOI process:

- (a) offers any inducement, fee or reward to any Councillor, member or officer of Council or any person acting as an advisor for Council; or
- (b) canvasses any of the persons referred to above (a); or

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(c) contacts any member or officer of Council other than the Contact Officer about the EOI or any process relating to the EOI, except as authorised by this EOI including (but without limitation) for the purposes of discussing the possible transfer to the employment of the Applicant of such member or officer, may, at Council's discretion, be disqualified from any further involvement in this EOI process (without prejudice to any other civil remedies available to Council and without prejudice to any criminal liability which such conduct by an Applicant may attract).

### Identity of the Applicant

(a) The identity of the Applicant is fundamental to Council. The Applicant will be the individual, individuals, corporation or corporations named in the Applicants response and who have signed the EOI response.

(b) If the Applicant comprises 2 or more persons (whether a joint venture, consortium, partnership or any other unincorporated grouping of 2 or more persons), the Applicant must include in its EOI submission:

1. for each of the persons who comprise the Applicant, all of those details about the Applicant that are required by the EOI; and
2. a copy of the agreement governing the arrangements between those persons (whether a joint venture agreement, consortium agreement, partnership agreement or other); and
3. each of those persons is jointly and severally bound by the EOI and these Conditions of the Expression of Interest.

### Expression of Interest Opening

(a) EOI's will be opened in Council's offices, after the deadline. All Applicants and members of the public may attend or be represented at the EOI opening.

(b) The names of the persons who submitted an EOI on or before the deadline will be recorded at the EOI opening. No discussions will be entered into between Applicant and Council's officers present or otherwise, concerning the EOI submitted.

### Costs of Expression of Interest

Applicants remain responsible for all costs incurred by them in connection with their EOI whether before or after the submission date and whether incurred directly by them or their advisors and regardless of whether such costs arise as a consequence direct or indirect of any amendments made to the EOI by Council at any time.

### Clarification of EOI

(a) If the Applicant has any doubt as to the meaning of any part of this EOI Council seeks then the Applicant should seek to clarify any point of doubt or difficulty with the Contact Officer before submitting an EOI. All requests for clarification must be made in writing and the Contact Officer will, so far as practicable, respond in writing.

(a) Contact enquiries should be directed to the Contact Person via Smarty Grants. Requests for additional information may also be made via Smarty Grants.

(c) At its absolute discretion, Council will respond to that specific request privately, providing that Council of "*equal availability of information to all Applicants*" is not breached. If Council is not prepared to respond privately, Council will ask the Applicant to retract the query or remove its confidentiality requirement. Council reserves the right not to answer requests for clarifying information.

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### **Non Collusion**

Any Applicant who:

- (a) enters into any agreement or arrangement with any other Applicant that it shall refrain from EOI or;
- (b) canvasses any of the Council officers referred to above in connection with the EOI or the outcome of the EOI process; or
- (c) offers or agrees to pay or give or does pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other EOI or proposed EOI any act or omission; or may, at the discretion of Council, be disqualified from any further involvement in this EOI process (without prejudice to any other civil remedies available to Council and without prejudice to any criminal liability which such conduct by an Applicant may attract).

### **Publicity**

- (a) Applicants must not make any disclosure or public statement relating to the EOI or any legally binding contractual relationship resulting from the EOI without the prior written consent of Council.
- (b) Applicants must not undertake any publicity activities with any part of the media in relation to the EOI without the prior written consent of Council.

### **Registration or Licensing of Contractors**

Where any law requires a person to be registered or licensed in order to carry out any work or services described in the EOI, the Applicant must include in the EOI all relevant details in respect of the registration or licence held by the Applicant or any staff or contractor of the Applicant.

### **Variation of Expression of Interest**

- (a) At any time before Council accepts an EOI, the Applicant may, subject to subparagraphs (b) and (c) below, vary the EOI:

- 1. by providing Council with further information by way of explanation or clarification, or
- 2. by correcting a mistake or anomaly. (b) Such a variation may be made either:

- 1. at the request of Council, or
- 2. with the consent of Council at the request of the Applicant, but only if, in the circumstances, it appears to Council reasonable to allow the Applicant to provide the information or correct the mistake or anomaly. (c) If an EOI is varied in accordance with this paragraph, Council will notify in writing all other Applicants whose EOI have the same or similar characteristics as the varied EOI, and provide them with the opportunity of varying their EOI in a similar way. (d) Council will not consider a variation of an EOI made under this paragraph if the variation would substantially alter the original EOI.

### **Other Probity Issues**

Further to other statements regarding probity issues in this document, Applicants are bound by Council's Code of Conduct and Statement of Business Ethics. Both documents can be found on Council's website. Any breach of Council's contained in the documents may, at the discretion of Council, disqualify the Applicant from further involvement in this EOI process. If the EOI process has proceeded to the formation of a contract it may be considered a breach of the contract, and appropriate action and remedies may be



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undertaken by Council. <https://www.cityofparramatta.nsw.gov.au/sites/council/files/inline-files/CodeOfConduct25Feb2021.pdf>

<https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-07/statement-business-ethics.pdf>

### **GIPA Requirements (where relevant)**

Where the arrangement involves the Applicant providing services on behalf of Council, s121 of the *GIPA Act* requires that the following be included in any contract, and this will be part of the contract with Council:

(a) The Contractor must, within seven (7) days of receiving a written request by Council, provide Council with immediate access to the following information contained in records held by the Contractor:

1. information that relates directly to the performance of the services provided to Council by the Contractor pursuant to the Contract;
2. information collected by the Contractor from members of the public to whom it provides, or offers to provide, the services pursuant to the Contract; and
3. information received by the Contractor from Council to enable it to provide the services pursuant to the Contract. (b) For the purposes of (a) above, information does not include:
  1. information that discloses or would tend to disclose the Contractor's financing arrangements, financial modelling, cost structure or profit margin;
  2. information that the Contractor is prohibited from disclosing to Council by provision made by or under any Act, whether of any State or Territory, or of the Commonwealth;
  - or 3. information that, if disclosed to Council, could reasonably be expected to place the Contractor at a substantial commercial disadvantage in relation to Council, whether at present or in the future.(c) The Contractor will provide copies of any of the information in (a) above, as requested by Council, at the Contractor's own expense. (d) Any failure by the Contractor to comply with any request pursuant to (a) or (c) above will be considered a breach of an essential term and will allow Council to terminate the Contract by providing notice in writing of its intention to do so with the termination to take effect seven (7) days after receipt of the notice. Once the Contractor receives the notice, if it fails to remedy the breach within the seven (7) day period to the satisfaction of Council, then the termination will take effect seven (7) days after receipt of the notice.

### **FAQs**

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## 12. What does Engineering Certification and Safety in Design mean?

In this context, Engineering Certification means a review of the artwork's detailed design package by a suitably qualified structural engineer, followed by a signed document which confirms that all structural requirements of this design have been met, and which is accompanied by all supporting documentation, calculations, and other information upon which the certification is based.

In this context, Safety in Design is a risk management process that integrates control measures for identified risks associated with the design, early in the process to eliminate or mitigate risks to health and safety associated with the lifecycle of the structure. This includes the design, fabrication, construction, maintenance and repair, and demolition at the end of the life cycle of the structure.

# Community Centre on Uhrig Rd Public Art Commission EOI Form

## Form Preview

The NSW Work Health and Safety Act 2011 requires that a Person Conducting a Business or Undertaking (PCBU) that designs a structure and the person who commissions that structure must ensure that the structure is without risks to health and safety so far as is reasonably practicable. The Designer also has a duty under the Act to provide information to each person who is issued with the design documents, indicating the purpose of the structure, the results of any analyses, testing or calculations, and any conditions necessary to ensure that the structure is without risks to health and safety.

What is required in the response to the question: 'Please outline your practical understanding of engineering certification, safety in design, materiality and fabrication methodologies as they pertain to public art projects you have delivered.'

This means Council wants to know about your experience in dealing with these requirements. In your response you may consider drawing connections between these items and your experience within your practice.

For instance, have you worked with a structural engineer to design a structure that needs to be safe and support itself when installed?

Or, have you had to consider things safety and risk elements such as finger entrapment, foot holds, hand holds or risk of falling when designing an artwork that the public will engage with?

Or, what types of materials do you use in the construction of your physical/sculptural works; describe how you have worked with fabricators to bring your artwork to life? One aspect of this commission, is that Council will engage an Artist for the design, instruction and advisory requirements only to deliver the integrated artwork. The Principal Construction Contractor will work with the Artist to engineer, fabricate and install the artwork. In order to do this successfully, Council requires the Artist to understand and demonstrate their experience with these requirements, so that they can communicate, coordinate and collaborate with the Principal Construction Contractor and bridge designers effectively.

What types of materials can be used in this context?

To withstand the external estuarine site conditions the Artist must ensure the integrated artwork design is robust, has structural integrity and incorporates fabrication methodologies that are easily replaced and constructed from high quality materials designed to meet the required minimum 100 year lifespan. Materials that are toxic in nature or emit toxic gases, fumes, or droplets are not permitted.

All materials used must comply with Australian regulatory and fire safety requirements. All fixtures and fittings must be made from high quality materials. Council strongly recommends that any design that incorporates lighting must use high quality, waterproof, easily accessed, warrantied and readily available proprietary items and consider the maintenance and care regime required during the lifespan of the artwork. The primary materials palette includes stainless steel and Corten steel. Fixtures and fittings to be either stainless steel or galvanised steel.

What is Stage Two Concept Design?

# Community Centre on Uhrig Rd Public Art Commission EOI Form

## Form Preview

Stage Two Concept Design follows Stage One EOI. A shortlist of suitably qualified artists will be identified through the EOI process and invited to submit a concept design with a concept rationale.

The Artist is required to submit a staged budget in response to the set lump sum commission budget of \$70,000, a detailed indicative program of works, a materials palette, indicative fabrication methodology, artist's team and list of key subconsultants. All shortlisted Artists will be assessed against the Stage Two Selection Criteria.

### Do we need to engage the services of an engineer as part of our artist team?

If your EOI is shortlisted for concept design, you may wish to consult a structural engineer as part of your initial concept design process. The Principal Construction Contractor who will deliver the bridge (which includes the integrated artwork) will review the detailed design stage documentation (shop drawings) along with their engineers and bridge designers BECA. Consultation and coordination between the commissioned artist and the Principal Construction Contractor and Bridge Designers BECA throughout the project lifecycle is a requirement of the contract.

### Which bridges are pedestrian only?

All three bridges are pedestrian/cyclist only bridges.

### Artwork Samples: Do I need to show sketches of concept design with the installed works and written brief for my artworks?

It is really up to each applicant, but suggest keeping it simple. You could think about including an overview of the artist brief or curatorial theme and showing the final installed work on one page or showing a concept sketch and final artwork on one page. Public art is as much about problem solving as it is about artistic vision, so you may choose to include the examples that show this as well.

### What is required for this question about the Contract - Please list clarifications and the relative contract clause number/s'?

This question relates to the sample contract provided at the end of the Artist Brief (Download Guidelines). This is the baseline contract used to procure Artists for this commission.

Council requires applicants to read and understand the sample contract and Annexures at this stage to avoid delays and disruption caused by prolonged contract negotiations. If you have any questions or require clarifications, we ask that you please list these and include any relevant clause numbers in the contract. If you don't have any questions or clarifications, then you can simply select "yes." Council may at any time, and at its own discretion deem an Applicants inability to comply with the Sample Contract as non-Compliant.

