

CITY OF SAN ANTONIO

Convention, Sports and Entertainment Facilities (CSEF) Department



**REQUEST FOR PROPOSAL
("RFP")
for
Audio Visual and Rigging Services
RFP-011-009-TC**

**Release Date: Thursday, December 23, 2010
Proposals Due: Monday, February 7, 2011, 2:00 p.m. Local Time**

This solicitation has been identified as High-Profile.

Notice Regarding Prohibition on Campaign or Officeholder Contributions for Individuals and Entities Seeking High-Profile Contracts. Under Section 2-309 of the Municipal Campaign Finance Code, the following are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded ("black out" period):

- 1 legal signatory of a high-profile contract;
- 2 any individual seeking a high-profile contract;
- 3 any owner or officer of an entity seeking a high-profile contract;
- 4 the spouse of any of these individuals;
- 5 any attorney, lobbyist or consultant retained to assist in seeking contract.

A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the "black out" period.

Table of Contents		
Section		Page Number
I.	Background	3
II.	Scope of Services	4
III.	Term of Contract	6
IV.	Pre-Proposal Conference and Site Tour	6
V.	Proposal Requirements	7
VI.	Amendments to RFP	9
VII.	Submission of Proposals	10
VIII.	Restrictions on Communication	11
IX.	Evaluation Criteria	13
X.	Award of Contract and Reservation of Rights	14
XI.	Schedule of Events	15
RFP Attachments		
Respondent's proposal must contain the following documents. These forms can be found as attachments to this RFP or web links, as indicated.		
Attachment A	Respondent Questionnaire	15
Attachment B	Compensation Schedule	31
Attachment C	Discretionary Contracts Disclosure Form	38
Attachment D	Litigation Disclosure Form	39
Attachment E	Small Business Economic Development Advocacy (SBEDA) Forms	41
Attachment F	Signature Page	47
Attachment G	Proposal Checklist	49
RFP Exhibits		
RFP Exhibit 1	Small Business Economic Development Advocacy (SBEDA) Program Policy	51
RFP Exhibit 2	Agreement	55

I. BACKGROUND

The City of San Antonio, Convention, Sports and Entertainment Facilities Department (“City”) seeks proposals from qualified Respondents interested in providing the services as described in this RFP.

The selected Respondent(s) will enter into contract(s) (“Agreement(s)”) to provide **1) preferred (non-exclusive) audio visual services (“AV Services”) only, or 2) preferred AV Services and exclusive rigging services (“Rigging Services”)**, for events held at the Henry B. González Convention Center (“Facility”). These services shall include audio visual and rigging sales, service, equipment and labor, as applicable.

The Henry B. González Convention Center (“Convention Center”) is a 1.3 million sq. ft. facility including fifty-nine (59) meeting rooms with 115,646 sq. ft. of meeting space, three ballrooms with prefunction areas, six (6) exhibit halls with over 440,000 sq. ft. of contiguous exhibit space, seven (7) registration areas, and forty-five (45) loading dock bays with drive-in exhibit hall access. The Convention Center hosts a variety of conventions, meetings, trade and consumer shows, and civic and community events.

The Convention Center complex is marketed by the San Antonio Convention & Visitors Bureau.

The Convention, Sports and Entertainment Facilities (CSEF) Department has had a preferred AV Services provider contract since July 1, 2005, which will expire on April 30, 2011. In the event of a new contractor, a transition period will be negotiated between all parties, if necessary. Note: CSEF does not currently have a contract for Rigging Services; therefore, no historical data is available.

Table 1: Events by Calendar Year

Event Type	2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Projected
Trade Shows/Conventions/Corporate	99	105	111	99	95
Consumer Shows	24	20	14	14	14
Meetings	114	132	95	68	53
Dances/Sporting Events/Family Shows/ Concerts	54	42	52	41	29
Social Events/Banquets	27	34	28	30	19
Other	31	43	49	30	28
TOTAL	349	376	349	282	238

Table 2: AV Services Gross Sales and City Commissions by Calendar Year

Year	Gross Sales	Commissions	Commission Rate(s)
¹ 2005	\$ 395,747	\$ 35,119	5%, 10%
2006	\$ 1,370,793	\$ 107,648	5%, 10%
2007	\$ 1,580,744	\$ 189,078	5%, 10%, 15%
2008	\$ 1,881,321	\$ 365,067	15%, 27%
2009	\$ 1,431,905	\$ 334,436	27%
² 2010	\$ 1,860,883	\$ 460,591	27%
TOTAL	\$ 8,080,925	\$ 1,289,421	

¹ Partial Year: July 1, 2005 – December 31, 2005

² Partial Year: January 1, 2010 – November 30, 2010

II. SCOPE OF SERVICES

The selected Respondent(s) will be required to provide quality sales, service, equipment and labor at competitive pricing for the Facility’s short-term licensees, event producers/management, contractors, subcontractors and tenants (collectively “Clients”). Additionally, the selected Respondent(s) will provide, maintain, and manage all activities associated with the sale, installation, operation, and removal of services and equipment as requested by the Clients. Service areas include, but are not limited to, exhibit halls, ballrooms, meeting rooms, banquet rooms, arcades, galleries, lobbies, service areas, and registration areas of the Facility.

Specifically, the selected Respondent(s) will be granted the following service rights under the Agreement(s) for one of the following options:

Option 1: Preferred AV Services only

- a. Exclusivity to patch into in-house sound systems and equipment, including public address systems, on the behalf of other audio visual service providers.
- b. Non-exclusivity (preferred) to provide all other AV Services.

Option 2: Preferred AV Services and Exclusive Rigging Services

1. Preferred AV Services
 - a. Exclusivity to patch into in-house sound systems and equipment, including public address systems, on the behalf of other audio visual service providers.
 - b. Non-exclusivity (preferred) to provide all other AV Services.
2. Exclusive Rigging Services
 - a. Exclusivity to establish and attach to rigging points in all areas, except for meeting rooms and the Lila Cockrell Theatre, for equipment weighing in excess of 250 lbs.

This only includes establishing rig points and supplying and attaching steel cables or other rigging equipment to rig points.

- b. Non-exclusivity to provide all other Rigging Services in all other areas, including the Lila Cockrell Theatre, including supplying all other rigging equipment (i.e. chain hoists, trusses, etc.) and assembling items to be rigged.

The selected Respondent(s) will have advance access to Client event and contact information, as well as pre-event meetings with Clients. Additionally, the selected Respondent's(s') marketing and contact information will be provided to each Client via CSEF's prospective Client packets and website.

The selected Respondent(s) will be responsible for marketing their services and equipment to Clients. The City does not guarantee sales volume for AV Services; however, the City will require through its short-term license agreements with Clients that Rigging Services, if applicable, may only be provided by the selected Respondent(s) for events held at the Facility, if applicable.

Respondents may submit proposals for Option 1 or Option 2 only as indicated below and must clearly identify in their proposal response which of the two options they are proposing. The two options are:

Option 1: Preferred AV Services only

Option 2: Preferred AV Services and Exclusive Rigging Services

Note: Any proposal responses received for Exclusive Rigging Services only will not be considered.

Minimum Qualifications

The minimum qualifications of the selected Respondent(s) are as follows:

1. Experience in providing audio visual and/or rigging services, in a convention center, exposition center, or major hotel.
2. Average annual gross income from audio visual and/or rigging services of not less than \$1,000,000.00 for the last three (3) years.
3. At least three (3) independent events with gross sales of audio visual and/or rigging services of \$50,000.00 within the last two (2) years.
4. Financial resources, which in the opinion of the City, are sufficient to meet the operating requirements, including staff and equipment required to provide Preferred AV Services or both Preferred AV Services and Exclusive Rigging Services.
5. Ability to commence operations within thirty (30) days of contract execution (regardless of whether an onsite office and/or warehouse space is provided).

Additional Information

In addition to the assigned office and service areas (“Designated Spaces”) within the Facility, the City may make available up to approximately 3,385 sq. ft. of warehouse space for lease to the selected Respondent(s) adjacent to the Convention Center. If such space is leased, terms of the lease agreement including competitive market lease rate, will be negotiated between the parties.

It is critical that all Respondents carefully review RFP Exhibit 2 - Agreement and its attachments with qualified legal counsel, as they contain the AV and Rigging Services requirements. The selected Respondent(s) will be required to execute Agreement(s) in substantially the form attached.

Respondents are encouraged to conduct their own independent assessment of this RFP, as well as the information provided herein. Respondents assume all risks arising from reliance upon any such information and hereby acknowledge and knowingly waive any claim for damages or loss, including consequential damages, arising from reliance upon any such information.

III. TERM OF CONTRACT

Contract(s) awarded in response to this RFP will be for a minimum five (5) year period, commencing May 1, 2011, through April 30, 2016. The City shall have the option to renew for one additional three-(3) year period through April 30, 2019, upon City Council approval.

IV. PRE-PROPOSAL CONFERENCE AND SITE TOUR

A Pre-Proposal Conference and Site Tour will be held at the **Henry B. Gonzalez Convention Center, Administrative Offices, Conference Room 1, located at 200 East Market Street** at the intersection of Market and Alamo Streets, beginning at **9:00 a.m., Local Time, on Monday, January 10, 2011**. Respondents are encouraged to prepare and submit their questions in writing seven (7) calendar days in advance of the Pre-Proposal Conference and Site Tour in order to expedite the proceedings. City’s responses to questions received by this due date may be distributed at the Pre-Proposal Conference and Site Tour and posted on the City’s website at <http://www.sanantonio.gov/RFPListings/>. The Site Tour will immediately begin at the conclusion of the Pre-Proposal Conference. Attendance at the Pre-Proposal Conference and Site Tour is optional, but highly recommended. Note: This will be the only opportunity for Site Tours.

This meeting place is accessible to disabled persons. The Convention Center, Administrative Offices are wheelchair accessible. The accessible entrances are located at 200 East Market Street. Accessible parking spaces are located on Convention Way along the front of the Convention Center on East Market Street. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting. For assistance, call (210) 207-7245 Voice/TTY.

Any oral responses provided by City staff at the Pre-Proposal Conference and Site Tour shall be preliminary. A written summary of the Pre-Proposal Conference and Site Tour shall contain

official responses, if any. Any oral response given at the Pre-Proposal Conference and Site Tour that is not confirmed in the written summary of the Pre-Proposal Conference and Site Tour or by a subsequent addendum shall not be official or binding on the City. Only written responses shall be official and all other forms of communication with any officer, employee or agent of the City shall not be binding on the City. Respondents are encouraged to resubmit their questions in writing, to the City Staff person identified in Section VIII, Restrictions on Communication, after the conclusion of the Pre-Proposal Conference and Site Tour.

V. PROPOSAL REQUIREMENTS

Respondents' proposals shall include the following items in the following sequence, tabbed and noted with the appropriate heading as indicated below. If Respondent is proposing as a team or joint venture, provide the same information for each member of the team or joint venture.

Reminder: Respondents must clearly identify in their proposal response whether they are proposing for Option 1: Preferred AV Services only or Option 2: Preferred AV Services and Exclusive Rigging Services, as detailed in RFP Section II, Scope of Services.

TABLE OF CONTENTS

TAB 1 – GENERAL INFORMATION & REFERENCES: Complete and submit RFP Attachment A, Part One.

TAB 2 – EXPERIENCE, BACKGROUND & QUALIFICATIONS: Complete and submit RFP Attachment A, Part Two.

PROPOSED PLAN: Complete and submit RFP Attachment A, Part Three.

TAB 3 – OPERATING PLAN

TAB 4 – MARKETING AND SALES PLAN

TAB 5 – CUSTOMER SERVICE AND QUALITY ASSURANCE PLAN

TAB 6 – EQUIPMENT PLAN

TAB 7 – STAFFING PLAN

TAB 8 – SAFETY PLAN

TAB 9 – EXCEPTIONS

TAB 10 – ADDITIONAL INFORMATION

Note: The remaining document requirements listed for TABs 11 – 18 are to be placed within Respondent’s ORIGINAL proposal only. Additional copies are not required unless otherwise indicated.

TAB 11 – COMPENSATION SCHEDULE: Complete and submit RFP Attachment B.

TAB 12 – DISCRETIONARY CONTRACTS DISCLOSURE FORM: Use the RFP Attachment C which is posted separately or Respondent may download at:
<https://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>.

Instructions for completing the Discretionary Contracts Disclosure form:

1. Download form and complete all fields. All fields must be completed prior to submitting the form.
2. Click on the “Print” button and place the copy in your proposal as indicated in the proposal Checklist.

TAB 13 – LITIGATION DISCLOSURE FORM: Complete and submit the Litigation Disclosure Form, found in this RFP as Attachment D. If Respondent is proposing as a team or joint venture, then all persons or entities who will be parties to the contract (if awarded) shall complete and return this form.

TAB 14 – SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY (SBEDA) PROGRAM FORM: Complete, sign and submit the SBEDA form, found in this RFP as Attachment E.

Place **original and one (1) copy** as Tab 14 within Respondent’s ORIGINAL proposal. Additional copies are not required.

TAB 15 – PROOF OF INSURABILITY: Submit a letter from insurance provider stating provider’s commitment to insure the Respondent for the types of coverages and at the levels specified in this RFP if awarded a contract in response to this solicitation. Respondent shall also submit a copy of their current insurance certificate.

TAB 16 – PROPOSAL BOND: Respondent must submit a Proposal Bond, in a form acceptable to City, made payable to the City of San Antonio, executed by a corporate surety acceptable to the City who is licensed pursuant to the Texas Insurance Code and listed on the United States Department of the Treasury’s Listing of Approved Sureties (Dept Circular 570) in the amount of **\$25,000.00**.

The proposal Bond must provide assurance that the proposal has been submitted in good faith, the Respondent intends to enter into the contract in accordance with the

proposal, and will provide the required performance bond, if awarded the contract. It shall provide that failure to enter into the contract, if awarded, or to provide the required performance bond, may result in a forfeiture of the proposal Bond. The proposal Bond shall be valid for **one-hundred twenty (120) days** following the deadline for submission of proposals.

The proposal Bond must be accompanied by an original signed and notarized Power-of-Attorney bearing the seal of the issuing surety company and reflecting that the signatory to the bond is a designated Attorney-in-Fact. If Respondent is not selected, the City will not collect on the bond, but will keep the original document pursuant to the Local Government Records Act and applicable retention schedule.

TAB 17 – SIGNATURE PAGE: Respondent must complete, sign and submit the Signature Page found in this RFP as Attachment F. The Signature Page must be signed by a person, or persons, authorized to bind the entity, or entities, submitting the proposal. Proposals signed by a person other than an officer of a corporate Respondent or partner of partnership Respondent shall be accompanied by evidence of authority.

TAB 18 – PROPOSAL CHECKLIST: Complete and submit the Proposal Checklist found in this RFP as RFP Attachment G.

CD Copy - FINANCIAL INFORMATION: Submit an electronic copy of Respondent's three (3) most recent annual financial statements, prepared in accordance with Generally Accepted Accounting Principles (GAAP), audited by an independent Certified Public Accountant (CPA). Also, submit a recent an electronic copy of a Dun and Bradstreet financial report, or other credit report, on Respondent and its partners, affiliates and subtenants, if any.

Submit these financial statements in Adobe PDF version on the same compact disk (CD) as Respondent's entire proposal. See RFP Section VII, Submission of Proposals for more information.

Respondent is expected to examine this RFP carefully, understand the terms and conditions for providing the services listed herein and respond completely. **FAILURE TO COMPLETE AND PROVIDE ANY OF THESE PROPOSAL REQUIREMENTS MAY RESULT IN THE RESPONDENT'S PROPOSAL BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.**

VI. AMENDMENTS TO RFP

Amendments to the RFP, including written responses to questions received in compliance with Section VIII, Restrictions on Communication, may be posted as addendums on the City's website at <http://www.sanantonio.gov/RFPListings/>. It is Respondent's responsibility to review

this site and ascertain whether any amendments have been made prior to submission of a proposal. A Respondent, who does not have access to the Internet, must notify City in accordance with Section VIII, Restrictions on Communication, that Respondent wishes to receive copies of addendums by mail or fax.

No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFP, and changes to the RFP – if any – shall be made in writing only.

VII. SUBMISSION OF PROPOSALS

- A. Respondent shall submit: **One (1) original**, signed in ink, **ten (10) copies** of the proposal, and one (1) compact disk (CD) containing an Adobe PDF version of the entire proposal and financial statements. Respondent shall submit these items in a sealed package, clearly marked on the front of the package: **Audio Visual and Rigging Services**.

All proposals must be received in the City Clerk's Office no later than **2:00 p.m., Local Time, on Monday, February 7, 2011**, at the address below. Proposals submitted prior to the above time and date may be modified provided such modifications are sealed and received by the City Clerk's Office prior to the time and date set for submission of proposals. Any proposal or modification received after this time shall not be considered, and will be returned, unopened to the Respondent. Respondents should note that delivery to the P.O. Box address in a timely manner does not guarantee its receipt in the City Clerk's Office by the deadline for submission. Therefore, Respondents should strive for early submission to avoid the possibility of rejection for late arrival.

Mailing Address:

City Clerk's Office, Attn: CSEF Department
P.O. Box 839966
San Antonio, Texas 78283-3966

Physical Address:

City Clerk's Office, Attn: CSEF Department
100 Military Plaza
2nd Floor, City Hall
San Antonio, Texas 78205

Proposals sent by facsimile or email will not be accepted.

- B. Proposal Format: Each proposal shall be typewritten, single spaced and submitted on 8 ½" x 11" white paper with original placed inside a three ring binder and each copy to be securely bound in a more economical fashion (i.e. – heat bond, spiral bond, etc.). The use of recycled paper and materials is encouraged. Unnecessarily elaborate brochures, artwork, bindings, visual aides, expensive paper or other materials beyond that sufficient to present a complete and effective submission are not required. Font size shall be no less than 12-point type. All pages shall be numbered and printed two-sided. Margins shall be no less than 1" around the perimeter of each page. A proposal response to RFP Attachment A – Respondent

Questionnaire, Part 2 and Part 3, may not exceed **one-hundred fifty (150) pages** in length. Page limitation does not include responses provided for Tab 1 and Tabs 11 – 18. Electronic files, websites, or URLs shall not be submitted in lieu of the printed proposal. Each proposal must include the sections and attachments in the sequence listed in the RFP Section V, Proposal Requirements, and each section and attachment must be indexed and divided by tabs and indexed in a Table of Contents page. Failure to meet the above conditions may result in disqualification of the proposal or may negatively affect scoring.

- C. Respondents who submit proposals to this RFP shall correctly state the true and correct name of the individual, proprietorship, corporation, and/or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or short-hand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller's Taxpayer Number on the General Information form found in this RFP as Attachment A, Part One.

If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the General Information form, the Director of the Convention, Sports and Entertainment Facilities Department shall have the discretion, at any point in the contracting process, to suspend consideration of the proposal.

- D. All provisions in Respondent's proposal, including any estimated or projected costs, shall remain valid for **one-hundred twenty (120) days** following the deadline date for submissions or, if a proposal is accepted, throughout the entire term of the contract.
- E. All proposals become the property of the City upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where confidential information is contained; however, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law, or pursuant to a Court order.
- F. Any cost or expense incurred by the Respondent that is associated with the preparation of the proposal, the Pre-Proposal Conference and Site Tour, if any, or during any phase of the selection process, shall be borne solely by Respondent.

VIII. RESTRICTIONS ON COMMUNICATION

- A. Respondents are prohibited from communicating with: 1) elected City officials and their staff regarding the RFP or proposals from the time the RFP has been released until the contract is posted as a City Council agenda item; and 2) City employees from the time the RFP has been released until the contract is awarded. These restrictions extend to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of

the RFP and/or proposal submitted by Respondent. Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent's proposal from consideration.

Exceptions to the Restrictions on Communication with City employees include:

1. Respondents may ask verbal questions concerning this RFP at the Pre-Proposal Conference and Site Tour.
2. Respondents may submit written questions concerning this RFP to the Staff Contact Person listed below until **8:00 a.m., Local Time, on Tuesday, January 18, 2011**. Questions received after the stated deadline will not be answered. All questions shall be sent by email to:

Terri Canal, CTPM, Contract Coordinator
City of San Antonio, Purchasing and General Services Department
terri.canal@sanantonio.gov

Questions submitted and the City's responses will be posted in the form of an Addendum to the City's web site at <http://www.sanantonio.gov/RFPListings/>.

3. Respondents and/or their agents are encouraged to contact the Small Business Office of the International and Economic Development Department for assistance or clarification with issues specifically related to the City's Small Business Economic Development Advocacy (SBEDA) Program policy and/or completion of the SBEDA form. The point of contact is Ms. Grace Luna and may be reached by telephone at (210) 207-3900 or by e-mail at grace.luna@sanantonio.gov. Contacts to the Small Business Office regarding this RFP after the proposal due date is not permitted.
 4. Respondents may provide responses to questions asked of them by the Staff Contact Person after responses are received and opened. During interviews, if any, verbal questions and explanations will be permitted. If interviews are conducted, Respondents shall not bring lobbyists. The City reserves the right to exclude any persons from interviews as it deems in its best interests.
 5. Upon completion of the evaluation process, Respondents shall receive a notification letter indicating the recommended firm and anticipated City Council agenda date. Respondents desiring a review of the solicitation process may submit a written request no later than seven (7) calendar days from the date letter was sent. The letter will indicate the name and address for submission of requests for review.
- B. City reserves the right to contact any Respondent to negotiate if such is deemed desirable by City. Such negotiations, initiated by City staff persons, shall not be considered a violation by Respondent of this section.

IX. EVALUATION CRITERIA

The City will conduct a comprehensive, fair and impartial evaluation of all proposals received in response to this RFP. The City may appoint a selection committee to perform the evaluation. Each proposal will be analyzed to determine overall responsiveness and qualifications under the RFP. Criteria to be evaluated may include the items listed below. The selection committee may select all, some or none of the Respondents for interviews. If the City elects to conduct interviews, Respondents may be interviewed and re-scored based upon the same criteria. The City may also request additional information from Respondents at any time prior to final approval of a selected Respondent. The City reserves the right to select one, or more, or none of the Respondents to provide services. Final approval of a selected Respondent is subject to the action of the City of San Antonio City Council.

Evaluation criteria:

- A. Experience, Background, Qualifications (15 points)
- B. Proposed Plan (40 points)
- C. Compensation (25 points)
- D. Small Business Economic Development Advocacy Program (SBEDA) (20 points):

- 1. A maximum of ten percentage (10%) points for Local Business Enterprises (LBEs).

Prime contractors who have a local branch office will receive six percent (6%) of the selection points.

Non-local prime contractors can receive points for subcontracting with local businesses proportional to the amount of work performed by those local subcontractors. (For example, if a non-local prime contractor subcontracts with a local subcontractor for 50% of the work, they are eligible for up to five points).

- 2. A maximum of five percentage (5%) points for companies designated as Historically Underutilized Enterprises (HUEs).

Prime contractors who subcontract with HUEs can receive points proportional to amount of work performed by those HUEs. (For example, if a prime contractor subcontracts with a small, minority and/or a small, woman business enterprise for 50% of the work, they are eligible for up to 2.5 points).

S/MBEs and/or S/WBEs must be certified by the South Central Texas Regional Certification Agency, the City's certifying agency, or approved by the Director of International and Economic Development or designee to be considered HUEs.

- 3. A maximum of five percentage (5%) points for Prime Contractor compliance with the SBEDA Program policy:
 - a. One percent (1%) for submission/approval of the SBEDA form.

- b. One percent (1%) for meeting/exceeding the MBE goal.
- c. One percent (1%) for meeting/exceeding the WBE goal.
- d. One percent (1%) for meeting/exceeding the AABE goal.
- e. One percent (1%) for meeting/exceeding the SBE goal.

X. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

- A. City reserves the right to award one, more than one or no contract(s) in response to this RFP.
- B. The contract, if awarded, will be awarded to the Respondent(s) whose proposal(s) is deemed most advantageous to City, as determined by the selection committee, upon approval of the City Council.
- C. City may accept any proposal in whole or in part. If subsequent negotiations are conducted, they shall not constitute a rejection or alternate RFP on the part of City. However, final selection of a Respondent is subject to City Council approval.
- D. City reserves the right to accept one or more proposals or reject any or all proposals received in response to this RFP, and to waive informalities and irregularities in the proposals received. City also reserves the right to terminate this RFP, and reissue a subsequent solicitation, and/or remedy technical errors in the RFP process.
- E. City will require the selected Respondent(s) to execute a contract in substantially the form as attached with the City, prior to City Council award. No work shall commence until City signs the contract document(s) and Respondent provides the necessary evidence of insurance as required in this RFP and the contract. Contract documents are not binding on City until approved by the City Attorney. In the event the parties cannot negotiate and execute a contract within the time specified, City reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.
- F. This RFP does not commit City to enter into a contract, award any services related to this RFP, nor does it obligate City to pay any costs incurred in preparation or submission of a proposal or in anticipation of a contract.
- G. If selected, Respondent will be required to comply with the Insurance and Indemnification Requirements established herein.
- H. Conflicts of Interest. Respondent acknowledges that it is informed that the Charter of the City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with City or any City agency such as City-owned utilities. An officer or employee has a “prohibited financial interest” in a contract with City or in the sale to City of land materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: the City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten (10) percent or more of the voting stock or shares of the business entity, or ten (10) percent or more of the fair market value of the business entity; or

a business entity in which any individual or entity above listed is a subcontractor on a City contract, a partner or a parent or subsidiary business entity.

Respondent is required to warrant and certify that it, its officers, employees and agents are neither officials nor employees of the City, as defined in Section 2-42 of the City’s Ethics Code. (Discretionary Contracts Disclosure – form may be found online at <https://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>.)

- I. **Independent Contractor.** Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a contract, are and shall be deemed to be an independent contractors, responsible for their respective acts or omissions, and that City shall in no way be responsible for Respondent’s actions, and that none of the parties hereto will have authority to bind the others or to hold out to third parties, that it has such authority.

- J. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that persons, or their agents, who seek to contract for the sale or purchase of property, goods, or services with the City, shall file a completed conflict of interest questionnaire with the City Clerk not later than the 7th business day after the date the person: (1) begins contract discussions or negotiations with the City; or (2) submits to the City an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the City. The conflict of interest questionnaire form is available from the Texas Ethics Commission at <http://www.ethics.state.tx.us/forms/CIQ.pdf>. Completed conflict of interest questionnaires may be mailed or delivered by hand to the Office of the City Clerk. If mailing a completed conflict of interest questionnaire, mail to: Office of the City Clerk, P.O. Box 839966, San Antonio, TX 78283-3966. If delivering a completed conflict of interest questionnaire, deliver to: Office of the City Clerk, City Hall, 2nd floor, 100 Military Plaza, San Antonio, TX 78205. Respondent should consult its own legal advisor for answers to questions regarding the statute or form.

XI. SCHEDULE OF EVENTS

Following is a list of **projected dates/times** with respect to this RFP:

RFP Release Date	Thursday, December 23, 2010
Pre-Proposal Conference and Site Tour	Monday, January 10, 2011 9:00 a.m., Local Time
Final Questions Accepted	Tuesday, January 18, 2011, 8:00 a.m., Local Time
Proposals Due	Monday, February 7, 2011, 2:00 p.m., Local Time
City Council Consideration	March – April 2011
Contract Commencement	Sunday, May 1, 2011

RFP ATTACHMENTS

THE DOCUMENTS THAT FOLLOW ARE FORMS THAT MUST BE COMPLETED BY RESPONDENT AND INCLUDED WITH RESPONDENT'S PROPOSAL. ATTACH THESE DOCUMENTS TO YOUR PROPOSAL IN THE ORDER INDICATED IN RFP SECTION V, WHICH IS ENTITLED "PROPOSAL REQUIREMENTS"

RFP ATTACHMENT A, PART ONE

GENERAL INFORMATION & REFERENCES

To be submitted with Respondent's Proposal as TAB 1

GENERAL INFORMATION

Check the box that indicates the Service Option that is included in Respondent’s proposal response.

Option 1: Preferred AV Services only

Option 2: Preferred AV Services and Exclusive Rigging Services

Note: Respondents may propose on either Option 1 or Option 2 only. Proposal responses received for Exclusive Rigging Services only will not be considered.

1. **Respondent Information:** Provide the following information regarding the Respondent.
(NOTE: Co-Respondents are two or more entities proposing as a team or joint venture with each signing the contract, if awarded. Sub-contractors are not Co-Respondents and should not be identified here. If this proposal includes Co-Respondents, provide the required information in this Item #1 for each Co-Respondent by copying and inserting an additional block(s) before Item #2.)

Respondent Name: _____
(NOTE: Give exact legal name as it will appear on the contract, if awarded.)

Principal Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No: _____ Fax No: _____

Website Address: _____

Year Established: _____ Number of years in business under present name: _____

Social Security Number (SSN) or Federal Employer Identification Number (FEIN): _____

Texas Comptroller’s Taxpayer Number, if applicable: _____
(NOTE: This 11-digit number is sometimes referred to as the Comptroller’s TIN or TID.)

DUNS NUMBER: _____

Business Structure: Check the box that indicates the business structure of the Respondent.

- Individual or Sole Proprietorship If checked, list Assumed Name, if any: _____
- Partnership
- Corporation If checked, check one: For-Profit Nonprofit
- Also, check one: Domestic Foreign
- Other If checked, list business structure: _____

Provide any other names under which Respondent has operated within the last 10 years and length of time under for each:

Provide address of office from which this project would be managed: _____

City: _____ State: _____ Zip Code: _____

Telephone No: _____ Fax No: _____

Annual Revenue: \$ _____ Total Number of Employees: _____

Total Number of Current Clients/Customers: _____

Briefly describe other lines of business that the company is directly or indirectly affiliated with: _____

List Related Companies: _____

2. **Contact Information:** List the one person who the City may contact concerning your proposal or setting dates for meetings.

Name: _____ Title: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No: _____ Fax No: _____

Email Address: _____

3. Does Respondent anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel within the next twelve (12) months?

Yes No

4. Is Respondent authorized and/or licensed to do business in Texas?

Yes No If "Yes", list authorizations/licenses.

5. Where is the Respondent's corporate headquarters located? _____

6. **Local/County Operation:** Does the Respondent have an office located in San Antonio, Texas?

Yes No If "Yes", respond to a and b below:

a. How long has the Respondent conducted business from its San Antonio office?

Years _____ Months _____

b. State the number of full-time employees at the San Antonio office: _____

If "No", indicate if Respondent has an office located within Bexar County, Texas:

Yes No If "Yes", respond to c and d below:

c. How long has the Respondent conducted business from its Bexar County office?

Years _____ Months _____

d. State the number of full-time employees at the Bexar County office: _____

7. **Debarment/Suspension Information:** Has the Respondent or any of its principals been debarred or suspended from contracting with any public entity?

Yes No If "Yes", identify the public entity and the name and current phone number of a representative of the public entity familiar with the debarment or suspension, and state the reason for or circumstances surrounding the debarment or suspension, including but not limited to the period of time for such debarment or suspension.

8. **Surety Information:** Has the Respondent ever had a bond or surety canceled or forfeited?

Yes No If "Yes", state the name of the bonding company, date, amount of bond and reason for such cancellation or forfeiture.

9. **Bankruptcy Information:** Has the Respondent ever been declared bankrupt or filed for protection from creditors under state or federal proceedings?

Yes No If "Yes", state the date, court, jurisdiction, cause number, amount of liabilities and amount of assets.

10. **Disciplinary Action:** Has the Respondent ever received any disciplinary action, or any pending disciplinary action, from any regulatory bodies or professional organizations? If "Yes", state the name of the regulatory body or professional organization, date and reason for disciplinary or impending disciplinary action.

11. **Previous Contracts:**

a. Has the Respondent ever failed to complete any contract awarded?

Yes No If "Yes", state the name of the organization contracted with, services contracted, date, contract amount and reason for failing to complete the contract.

b. Has any officer or partner proposed for this assignment ever been an officer or partner of some other organization that failed to complete a contract?

Yes No If "Yes", state the name of the individual, organization contracted with, services contracted, date, contract amount and reason for failing to complete the contract.

c. Has any officer or partner proposed for this assignment ever failed to complete a contract handled in his or her own name?

Yes No If "Yes", state the name of the individual, organization contracted with, services contracted, date, contract amount and reason for failing to complete the contract.

REFERENCES

Provide three (3) references, that Respondent has provided services to within the past three (3) years. The contact person named should be familiar with the day-to-day management of the contract and **be willing to respond to questions** regarding the type, level, and quality of service provided.

Reference No. 1:

Firm/Company Name: _____
Name: _____ Title: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Telephone No: _____ Fax No: _____
Email Address: _____
Date and Type of Service(s) Provided: _____

Reference No. 2:

Firm/Company Name: _____
Name: _____ Title: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Telephone No: _____ Fax No: _____
Email Address: _____
Date and Type of Service(s) Provided: _____

Reference No. 3:

Firm/Company Name: _____
Name: _____ Title: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Telephone No: _____ Fax No: _____
Email Address: _____
Date and Type of Service(s) Provided: _____

RFP ATTACHMENT A, PART TWO

EXPERIENCE, BACKGROUND, QUALIFICATIONS

To be submitted with Respondent's Proposal as TAB 2

Prepare and submit narrative responses to address the following items. If Respondent is proposing as a team or joint venture, provide the same information for each member of the team or joint venture.

1. Please provide a brief history of your firm describing your audio visual and rigging experience, including the length of time you have been providing these services.
2. How many meeting facilities does your firm presently provide audio visual and rigging services for? Please identify the facility and define if these services are provided on an exclusive or non-exclusive basis.
3. Please provide a history of your firm's experience in providing audio visual and rigging services in a comparable-sized facility.
4. Describe Respondent's experience relevant to the Scope of Services requested by this RFP. List and describe relevant projects of similar size and scope performed over the past four years. Identify associated results or impacts of the project/work performed.
5. If Respondent is proposing as a team or joint venture or has included sub-contractors, describe the rationale for selecting the team and the extent to which the team, joint venturers and/or sub-contractors have worked together in the past.
6. What is the management structure of your firm locally, regionally and company-wide? Please provide a brief professional history of each employee that will be assigned full-time to the Facility.
7. How many full-time employees are on staff within your firm? Do not include independent contractors or individuals who are not on your regular payroll.
8. Identify the number and professional qualifications (to include licenses, certifications, associations) of staff to be assigned to the project and relevant experience on projects of similar size and scope.
9. State the primary work assignment and the percentage of time key personnel will devote to the project if awarded the contract.
10. State the ability to begin work and the capacity of your firm to dedicate resources needed to provide the services requested.
11. Please identify your firm's total sales company wide and also your firm's total sales in San Antonio over the past three (3) years.

12. What person(s) will be responsible for financial accounting of revenue generated at the Facility? Provide a description of their qualifications and experience.
13. Submit a recent monthly billing statement for services you currently provide at a similar facility.
14. Describe Respondent's specific experience with public entities, especially large municipalities. If Respondent has provided services for the City in the past, identify the name of the project and the department for which Respondent provided those services.
15. Have any of your firm's contracts been terminated prior to their expiration? If so, what were the circumstances?
16. List other resources, including total number of employees, number and location of offices, number and types of equipment available to support this project.
17. Additional Information. Identify any additional skills, experiences, qualifications, and/or other relevant information about the Respondent's qualifications.

RFP ATTACHMENT A, PART THREE

PROPOSED PLAN

To be submitted with Respondent's Proposal as TABS 3 – 10

Proposed Plan. Prepare and submit the following items.

TAB 3 – Operating Plan. Provide an Operating Plan that includes the following:

1. Statement regarding Respondent’s understanding of the RFP.
2. Detailed method of approach to the Scope of Work, which indicates the services proposed to be performed by the Respondent.
3. Conduct of operations, including service categories, specific tasks, staff assigned and schedule of events.
4. Describes life cycle of an event including initial point of contact, pre-planning and negotiations, installation, event support, post-event activities and removal, invoicing and accounting, and closeout. Include samples of:
 - a. Order forms.
 - b. Invoice.
5. Describes ability to support the schedule and equipment demands of the Facility and its Clients.
6. Clearly distinguishes tasks that the Respondent will undertake from those which are the responsibility of the City. Absence of this distinction shall mean that Respondent is assuming full responsibility for all tasks.
7. Identifies all subcontractors that Respondent intends to use in the performance of its duties under the Agreement, other than those provided in the Good Faith Effort Plan in RFP Attachment E.
8. Incorporation of the following:
 - a. **Transition Plan** – *Applicable to all Respondents except for the current preferred audio visual services contractor.* A detailed 30-day transition plan which describes plans to commence operations and ensure a smooth transition of the work to be performed. Include a schedule that addresses management of any anticipated issues, equipment, staffing, and coordination with City.
 - b. **Standard Operating Procedures (SOPs)** – that will be utilized in conducting operations at the Facility that incorporate the requirements of the RFP and attached Agreement.
 - c. **Gross Sales Projections** – by contract year. These projections should be consistent with Tab 11 Compensation Schedule, and should be based on Respondent’s Price List below.

- d. **Annual Operating Budget** (projected revenue and expenses by category) for operations under this Agreement. Include proposed budget for personnel services (salaries and labor), contractual services, commodities, and capital outlay (equipment).
- e. **Price List** – including all proposed services, equipment and labor rates. This should include both Client and City rates. This schedule should include the rates for all of the equipment and labor specified in the Equipment Plan and Staffing Plan below that will be charged to Clients or City. Comparison pricing from similar convention centers in the primary market should be provided. This Price List should derive the Gross Sales Projections above and Tab 11 Compensation Schedule. This should be the only attachment that includes rates – no other components of the Proposed Plan should include rates.

TAB 4 – Marketing and Sales Plan. Provide a Marketing and Sales plan that includes the following:

1. Respondent’s marketing and sales philosophy.
2. Collaboration with City sales (CVB) and booking staff to ensure that Clients receive the highest quality services that are efficient and profitable.
3. Approach to soliciting and retaining potential and existing Clients of the Facility.
4. Customer outreach and utilization of specific media.
5. Minimum annual expenditures to be dedicated to marketing efforts.
6. Collateral and sales materials.
7. Internet services.

TAB 5 – Customer Service and Quality Assurance Plan. Provide a Customer Service and Quality Assurance plan that includes the following:

1. Customer service philosophy.
2. Service standards and methods of measuring quality of service and obtaining Client feedback, including performance measures.
3. Collaboration with City event and operations staff.
4. Customer support and resolution program, including hours of support, and anticipated response and resolution time.
5. Innovative customer service and service delivery practices and their costs.

6. Plans for continuous improvement in all aspects service delivery.

TAB 6 – Equipment Plan. Provide an Equipment Plan that includes the following:

1. Quantity, make, model, description, age, value, ownership (Respondent, third-party, or leased/rented), and location (onsite or offsite) of all equipment. Include all ancillary and support equipment including, but not limited to, office, lift and safety equipment. If any equipment is to be stored off-site from the Facility, Respondent must:
 - a. Provide information regarding the specific items to be stored off-site, the proposed location of off-site storage (including information regarding distance from the Facility).
 - b. The method Respondent will employ to transport equipment to and from the Facility.
 - c. The method Respondent will employ to guarantee availability of equipment to the Facility.
2. Maintenance and certification of equipment that meet the requirements of this RFP, attached Agreement, codes and regulations, and industry requirements.
3. Replacement program, including intervals, that ensures equipment is continuously current.

TAB 7 – Staffing Plan. Provide a Staffing Plan that includes the following:

1. All permanent and part-time staff, including names, position classifications, number of personnel in each classification, resumes (or qualifications and experience), and job descriptions.
2. Labor terms and working conditions.
3. Certification of rigging personnel with either the Entertainment Technician Certification Program (ETCP), or an equivalent certification program.
4. Training and professional development program.
5. Organizational chart.
6. Pre-employment screening and background checks, including drug testing and criminal background checks.
7. Equal Employment Opportunity (EEO) policy.

8. Performance appraisal and recognition program.
9. Dress code, identification and code of conduct.

TAB 8 – Safety Plan. Provide a Safety Plan that includes the following:

1. Safety philosophy.
2. Policy statement that acknowledges Respondent’s responsibility and commitment to safety and its intention to comply with all applicable local, state and federal safety requirements and appropriate industry standards.
3. Commits resources, responsibility and accountability to all levels of management and staff for the safety program.
4. Defines responsibility for safety for management, supervisors, safety coordinator and employees.
5. Safety rules.
6. Inspection schedule.
7. Safety meeting schedule.
8. Safety training program.
9. Record keeping program for safety reports, safety training, inspection and accident investigation reports, and workers compensation reports.
10. First aid program.
11. Emergency preparedness program.
12. The following sample documents:
 - a. Inspection report.
 - b. Accident investigation report.
 - c. Safety meeting report.

TAB 9 – Exceptions. Provide a list of exceptions to the requirements of the RFP, Agreement and attached documents, if any, stated on a separate page labeled “Exceptions Statement”.

1. Identify the requirement, nature of the deviation, and an explanation.
 - a. If there are no deviations or exceptions to any portion of this RFP, Respondent shall state so on the page entitled “Exceptions Statement”. If no deviations or exceptions are identified and Respondent’s submittal is accepted by the City, Respondent shall conform to all of the requirements specified in the RFP.
 - b. Respondent shall not take any exception to any mandatory provision or material requirement of this RFP, or the submittal shall be deemed non-responsive and disqualified from further consideration.
 - c. It is the intent of the City to award a contract on a fair, competitive basis. For this reason, the City may view the notation of any “Exception” in response to any material conditions or requirement of the RFP as an attempt by the Respondent to vary the terms of the RFP which, in fact, may result in giving such Respondent an unfair advantage over other Respondents. For this reason, the City will, at its option, not allow exceptions to any material requirement if, in the opinion of the City, the exceptions alter the overall intent of this RFP, unless the exception would be of material benefit to the City. Additionally, the City may, at its option, deem any proposal non-responsive based on the number and nature of any exceptions noted by the Respondent.

TAB 10 – Additional Information. Provide any additional plans and/or relevant information about Respondent’s approach to providing the required services.

1. Include any auxiliary services that Respondent recommends be offered to customers in addition to those services required in this RFP.

RFP ATTACHMENT B

COMPENSATION SCHEDULE

To be submitted with Respondent's Proposal as TAB 11

COMPENSATION SCHEDULE

Respondents must complete the Projected Gross Sales table on the following pages using historical events and sales provided in RFP Section II, Scope of Services, as well as Respondent's own independent assessment of future sales volume.

For and in consideration of the selected Respondent(s) rights under any resulting contract(s), Respondent must agree to pay the City a percentage commission based on the ¹gross sales of all services, labor and equipment to Clients. Respondents must complete one of the tables on the following pages based on one of the following options to propose the City's compensation. In each Option below, a Minimum Annual Guarantee (MAG) may also be proposed by Respondents in addition to or instead of commission, but is not required; however, the City regards MAGs as a way for the City to ensure a baseline level of revenue annually.

- **Option A:** Provides Respondents the opportunity to propose commission rates by sales categories for each contract year.
- **Option B:** Provides Respondents the opportunity to propose commission rates by gross sales for each contract year.

Important Information

1. Respondents submitting proposals for both Preferred AV Services and Exclusive Rigging Services should complete both the AV Services and Rigging Services portions on the Projected Gross Sales table, as well as on the Option A or Option B tables. Failure to complete both portions will result in your proposal being deemed non-responsive.
2. Respondents submitting proposals for Preferred AV Services only, should complete only the AV Services portion on the Projected Gross Sales table, as well as on the Option A or Option B tables. Do not complete the Rigging Services portion on any of the tables.
3. For the Projected Gross Sales and Option A tables, following is a description of the sales categories:
 - a. AV Services – this includes all AV Services billed to Clients for design, operation and package services, including third party and subcontracted services. This includes packages that entail equipment and labor, but individual equipment and labor charges should be addressed in AV Equipment and AV Labor categories.
 - b. AV Equipment – this includes all AV Equipment billed to Clients, including third-party and rental equipment.
 - c. AV Labor – this includes all audio visual labor billed to Clients for installation, operation and removal of services and equipment, including third-party and subcontracted labor.

¹ Gross sales are the aggregate amount of gross billings less taxes for all equipment rentals, labor and services rendered in and about the Facility, whether for cash or credit and whether collected or uncollected.

- d. Rigging Services – this includes all rigging services billed to Clients for consultation, design and package services, including third party and subcontracted services. This includes packages that entail equipment and labor, but individual equipment and labor charges should be addressed in Rigging Equipment and Rigging Labor categories.
 - e. Rigging Equipment – this includes all equipment billed to Clients, including third-party and rental equipment.
 - f. Rigging Labor – this includes all labor billed to Clients for consultation, installation and removal of services and equipment, including third-party and subcontracted labor.
4. Respondents may provide additional sales categories and correlating commission rates if they feel this information will increase the competitiveness of their proposal. Respondents must carefully specify the nature of any additional sales categories and their impact on Client cost and overall revenue to the City. The City retains the unilateral right to accept or reject any additional sales categories submitted by Respondents.
 5. In the tables, Gross Sales should be provided in whole dollars, percentages in whole percents, and MAGs in whole thousands of dollars.
 6. The City will utilize the Gross Sales data (Table 2) listed in Section II - Scope of Services, as well as Respondents' Projected Gross Sales, to calculate the City's proposed revenue and the Compensation Schedule scores for each Respondent.
 7. For events at the Facility during the term of the contract(s) that are already contracted by Respondents, Respondent(s) must pay the City the full commission rate for these events. The City will not allow reduced commission rates for these events.
 8. Due to the non-exclusivity of the resultant contract(s), the selected Respondent(s) must agree to pay the City the established commission rate on all AV Services derived from sales leads provided by the City for events held at the Facility for a period of up to twelve (12) months after contract termination.
 9. If the selected Respondent(s) use the Designated Spaces in the attached Agreement to solicit and provide services to third parties not using the Facility, the selected Respondent(s) must agree to pay the City the established commission rate for these services.
 10. Starting with the contract year commencing May 1, 2012, and each anniversary thereafter, the selected Respondent(s) must agree that the MAG shall be automatically adjusted to 85% of prior year's actual City revenue, rounded to the nearest whole thousand dollars.

Additional Consideration

In exchange for the rights granted in this RFP, the City is seeking additional consideration in monetary form and/or equipment form. Respondents must determine the form and value of this additional consideration. Additional consideration in the form of equipment must be turnkey and include:

- All equipment (Respondent and third-party equipment), including hardware and software;
- All demolition and installation, including all wiring and cabling; all permits, licenses and warranties;
- All integration and services (third-party or otherwise) required either on a one-time or continuous basis; as-built drawings, and operation and maintenance manuals, and;
- All rights to intellectual property of all equipment, hardware, software, and computer code as applicable and allowed by law.

Provide any Additional Consideration in narrative format following Respondent's Projected Gross Sales table, and either the Option A or Option B table.

PROJECTED GROSS SALES

	Contract Year	Projected AV Gross Sales			Projected Rigging Gross Sales		
		Services	Equipment	Labor	Services	Equipment	Labor
Initial	5/1/2011-4/30/2012	\$	\$	\$	\$	\$	\$
	5/1/2012-4/30/2013	\$	\$	\$	\$	\$	\$
	5/1/2013-4/30/2014	\$	\$	\$	\$	\$	\$
	5/1/2014-4/30/2015	\$	\$	\$	\$	\$	\$
	5/1/2015-4/30/2016	\$	\$	\$	\$	\$	\$
Renewal	5/1/2016-4/30/2017	\$	\$	\$	\$	\$	\$
	5/1/2017-4/30/2018	\$	\$	\$	\$	\$	\$
	5/1/2018-4/30/2019	\$	\$	\$	\$	\$	\$

Note: Amounts should be provided in whole dollars.

OPTION A

	Contract Year	Proposed City Commission for AV Services				Proposed City Commission for Rigging Services			
		Services	Equipment	Labor	MAG	Services	Equipment	Labor	MAG
Initial	5/1/2011-4/30/2012	%	%	%	\$	%	%	%	\$
	5/1/2012-4/30/2013	%	%	%	\$	%	%	%	\$
	5/1/2013-4/30/2014	%	%	%	\$	%	%	%	\$
	5/1/2014-4/30/2015	%	%	%	\$	%	%	%	\$
	5/1/2015-4/30/2016	%	%	%	\$	%	%	%	\$
Renewal	5/1/2016-4/30/2017	%	%	%	\$	%	%	%	\$
	5/1/2017-4/30/2018	%	%	%	\$	%	%	%	\$
	5/1/2018-4/30/2019	%	%	%	\$	%	%	%	\$

Note: Percentages should be provided in whole percents; MAGs should be provided in whole thousands of dollars.

OPTION B

	Contract Year	Proposed City Commission for AV Services				Proposed City Commission for Rigging Services				
		Gross Sales		Rate	MAG	Gross Sales		Rate	MAG	
		From	To			From	To			
Initial	5/1/2011-4/30/2012	\$0	\$	%	\$	\$0	\$	%	\$	
		\$	\$	%		\$	\$	%		
		\$	+	%		\$	+	%		
	5/1/2012-4/30/2013	\$0	\$	%	\$	\$0	\$	%	\$	
		\$	\$	%		\$	\$	%		
		\$	+	%		\$	+	%		
	5/1/2013-4/30/2014	\$0	\$	%	\$	\$0	\$	%	\$	
		\$	\$	%		\$	\$	%		
		\$	+	%		\$	+	%		
	5/1/2014-4/30/2015	\$0	\$	%	\$	\$0	\$	%	\$	
		\$	\$	%		\$	\$	%		
		\$	+	%		\$	+	%		
	5/1/2015-4/30/2016	\$0	\$	%	\$	\$0	\$	%	\$	
		\$	\$	%		\$	\$	%		
		\$	+	%		\$	+	%		
	Renewal	5/1/2016-4/30/2017	\$0	\$	%	\$	\$0	\$	%	\$
			\$	\$	%		\$	\$	%	
			\$	+	%		\$	+	%	
5/1/2017-4/30/2018		\$0	\$	%	\$	\$0	\$	%	\$	
		\$	\$	%		\$	\$	%		
		\$	+	%		\$	+	%		
5/1/2018-4/30/2019		\$0	\$	%	\$	\$0	\$	%	\$	
		\$	\$	%		\$	\$	%		
		\$	+	%		\$	+	%		

Note: Gross Sales should be provided in whole dollars; percentages should be provided in whole percents; MAGs should be provided in whole thousands of dollars.

RFP ATTACHMENT C

DISCRETIONARY CONTRACTS DISCLOSURE FORM

To be submitted with Respondent's proposal as TAB 12

Discretionary Contracts Disclosure Form may be downloaded at <https://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>.

Instructions for completing the Discretionary Contracts Disclosure form are listed below:

1. Download form and complete all fields. Note: All fields must be completed prior to submitting the form.
2. Click on the "Print" button and place the copy in proposal response as indicated in the proposal Checklist.

RFP ATTACHMENT D

LITIGATION DISCLOSURE FORM

To be submitted with Respondent's proposal as TAB 13

LITIGATION DISCLOSURE

Respond to each of the questions below by checking the appropriate box. Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Yes No

2. Have you or any member of your Firm or Team to be assigned to this engagement been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Yes No

3. Have you or any member of your Firm or Team to be assigned to this engagement been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Yes No

If you have answered “Yes” to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

RFP ATTACHMENT E

GOOD FAITH EFFORT PLAN FORM

To be submitted with Respondent's proposal as TAB 14

GOOD FAITH EFFORT PLAN
(Page 1 of 4)

NAME OF PROJECT: Audio Visual and Rigging Services RFP

BIDDER/PROPOSER INFORMATION:

Name of Bidder/Proposer: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Is your firm certified? Yes No (If yes, please submit Certification Certificate.)

1. List all subcontractors/suppliers that will be used for this contract. (Indicate all MBEs-WBEs-AABEs-SBEs. Use additional sheets as needed.)

Name and Address of Subcontractor's/Supplier's Company	Contract Amount	% Level of Participation	MBE-WBE-AABE- SBE Certification Number

Only companies certified as an MBE, WBE, AABE or SBE by the City of San Antonio or its certifying organization can be applied toward the contracting goals. All MBE-WBE-AABE-SBE subcontractors or suppliers must submit a copy of their certification certificate through the Prime Contractor. Proof of certification must be attached to this form. If a business is not certified, please call the Small Business Office at (210) 207-3900 for information and details on how subcontractors and suppliers may obtain certification.

GOOD FAITH EFFORT PLAN
(Page 2 of 4)

It is understood and agreed that, if awarded a contract by the City of San Antonio, the Contractor will not make additions, deletions, or substitutions to this certified list without consent of the Director of International and Economic Development and Director of the appropriate contracting department (through the proposal of the Request for Approval of Change to Original Affirmed Good Faith Effort Plan).

NOTE: If MBE-WBE-AABE-SBE contracting goals were met, skip to #9.

2. If MBE-WBE-AABE-SBE contracting goals were not achieved in a percentage that equals or exceeds the City’s goals, please give explanation.

3. List all MBE-WBE-AABE-SBE Listings or Directories utilized to solicit participation.

4. List all contractor associations and other associations solicited for MBE-WBE-AABE-SBE referrals.

5. Discuss all efforts aimed at utilizing MBE-WBE-AABE-SBEs.

6. Indicate advertisement mediums used for soliciting bids from MBE-WBE-AABE-SBEs.

GOOD FAITH EFFORT PLAN
(Page 3 of 4)

7. List all MBE-WBE-AABE-SBE bids received but rejected. (Use additional sheets as needed.)

Company Name	MBE-WBE-AABE-SBE Certification Number	Reason for Rejection

- 8. Please attach a copy of your company’s MBE-WBE-AABE-SBE policy.

- 9. Name and phone number of person appointed to coordinate and administer the Good Faith Efforts of your company on this project.

- 10. This Good Faith Effort Plan is subject to the International & Economic Development Department’s approval.

GOOD FAITH EFFORT PLAN
(Page 4 of 4)

GOOD FAITH EFFORT PLAN AFFIRMATION

I HEREBY AFFIRM THAT THE INFORMATION PROVIDED IN THIS GOOD FAITH EFFORT PLAN IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER UNDERSTAND AND AGREE THAT, IF AWARDED THE CONTRACT, THIS DOCUMENT SHALL BE ATTACHED THERETO AND BECOME A BINDING PART OF THE CONTRACT.

SIGNATURE OF AUTHORIZED OFFICIAL

TITLE OF OFFICIAL

DATE PHONE

FOR CITY USE

Plan Reviewed By: _____

Recommendation: Approval_____ Denial_____

Action Taken: Approved_____ Denied_____

Director of International and Economic
Development

RFP ATTACHMENT F

SIGNATURE PAGE

To be submitted with Respondent's proposal as TAB 17

SIGNATURE PAGE

The undersigned certifies that (s)he is authorized to submit this proposal on behalf of the entity named below:

Respondent Entity Name

Signature: _____

Printed Name: _____

Title: _____

(NOTE: If proposal is submitted by Co-Respondents, an authorized signature from a representative of each Co-Respondent is required. Add additional signature blocks as required.)

Co-Respondent Entity Name

Signature: _____

Printed Name: _____

Title: _____

By signature(s) above, Respondent(s) agrees to the following:

1. If awarded a contract in response to this RFP, Respondent will be able and willing to execute a contract in the form shown in the RFP, as attached and set out in RFP Exhibit 2, with the understanding that the scope and compensation provisions will be negotiated and included in the final document.
2. If Respondent is a corporation, Respondent will be required to provide a certified copy of the resolution evidencing authority to enter into the contract, if other than an officer will be signing the contract.
3. If awarded a contract in response to this RFP, Respondent will be able and willing to comply with the insurance and indemnification requirements set out in the Agreement in RFP Exhibit 2, Article XX & Article XXI.
4. If awarded a contract in response to this RFP, Respondent will be able and willing to comply with all representations made by Respondent in Respondent’s proposal and during proposal process.
5. Respondent has fully and truthfully submitted a Litigation Disclosure Form with the understanding that failure to disclose the required information may result in disqualification of proposal from consideration.
6. Respondent agrees to fully and truthfully submit RFP Attachment A, Parts One – Three and understands that failure to fully disclose requested information may result in disqualification of proposal from consideration or termination of contract, once awarded.
7. To comply with the City's Ethics Code, particularly Section 2-61 that prohibits a person or entity seeking a City contract - or any other person acting on behalf of such a person or entity - from contacting City officials or their staff prior to the time such contract is posted as a City Council agenda item.

RFP ATTACHMENT G

PROPOSAL CHECKLIST

To be submitted with Respondent's proposal as TAB 18

PROPOSAL CHECKLIST

Use this checklist to ensure that all required documents have been included in the proposal and that they are properly tabbed and appear in the correct order.

Tab in Respondent's Proposal	Document	Initial to Indicate Document is Attached to Proposal
	Table of Contents	
1	General Information and References (RFP Attachment A, Part One)	
2	Experience, Background & Qualifications (RFP Attachment A, Part Two)	
	Proposed Plan (RFP Attachment A, Part Three)	
3	<ul style="list-style-type: none"> • Operating Plan 	
4	<ul style="list-style-type: none"> • Marketing and Sales Plan 	
5	<ul style="list-style-type: none"> • Customer Service and Quality Assurance Plan 	
6	<ul style="list-style-type: none"> • Equipment Plan 	
7	<ul style="list-style-type: none"> • Staffing Plan 	
8	<ul style="list-style-type: none"> • Safety Plan 	
9	<ul style="list-style-type: none"> • Exceptions 	
10	<ul style="list-style-type: none"> • Additional Information 	
<p>NOTE: Remaining items listed in Tabs 11 – 18 are required in the ORIGINAL proposal only. Additional copies are not required, unless otherwise instructed.</p>		
11	Compensation Schedule RFP Attachment B: <ul style="list-style-type: none"> • Projected Gross Sales Table, • Option A <i>or</i> Option B Table, and • Additional Consideration Narrative, if applicable 	
12	Discretionary Contracts Disclosure Form (RFP Attachment C)	
13	Litigation Disclosure (RFP Attachment D)	
14	* SBEDA Form (RFP Attachment E); and <ul style="list-style-type: none"> • Associated Certificates, if applicable <i>Provide original and one (1) additional copy.</i>	
15	Proof of Insurability <ul style="list-style-type: none"> • Insurance Provider's Letter; and • Copy of Current Certificate of Insurance 	
16	Proposal Bond and Associated Power-of-Attorney	
17	* Signature Page (RFP Attachment F)	
18	Proposal Checklist (RFP Attachment G)	
	Financial Information <i>Provide on CD in Adobe PDF version.</i>	
	One (1) Original, ten (10) Copies, and one (1) CD of entire proposal and financial statements in PDF format.	

***Documents marked with an asterisk on this checklist require a signature. Be sure they are signed prior to submittal of proposal.**

RFP EXHIBIT 1

SMALL BUSINESS ECONOMIC DEVELOPMENT

ADVOCACY (SBEDA) PROGRAM POLICY

SMALL BUSINESS PROGRAM

1. **Small Business Participation**

Pursuant to Ordinance No. 2007-04-12-0396, it is the policy of the City of San Antonio to involve Small, Minority, Women and African-American Business Enterprises (S/M/W/AABE) to the greatest extent feasible in the City's discretionary contracts. The intent and purpose of the policy is to ensure that S/M/W/AABE firms have the opportunity to compete for City contracts without discrimination on the basis of race, color, religion, national origin, age, sex or handicap. To accomplish the objectives of the Small Business policy, the City has established specific goals for local S/M/W/AABE participation in this contract.

2. **DEFINITIONS** related to the Small Business Program Provisions:

- a. **Small Business Program:** the Small Business Economic Development Advocacy ("SBEDA") Program governed by this ordinance and managed by the SMALL BUSINESS Program Office.
- b. **Small Business Enterprises (SBE):** a corporation, partnership, sole proprietorship or other legal entity, for the purpose of making a profit, which is independently owned and operated and which meets the U.S. Small Business Administration (SBA) size standard for a small business. All firms meeting these thresholds will be considered an SBE.
- c. **Local Business Enterprise (LBE):** a corporation, partnership, sole proprietorship, or other legal entity which is headquartered within Bexar County for at least one year. For a branch office of a non-headquartered business to qualify as an LBE, the branch office must be located in Bexar County for at least one-year and employ a minimum of ten (10) residents of Bexar County for use at the local branch office.
- d. **Minority Business Enterprise (MBE):** a sole proprietorship, partnership, or corporation owned, operated, and controlled by a minority group member(s) who has at least 51% ownership. Minority group member(s) include African-Americans; Hispanic Americans; Asian-Pacific Americans; Asian-Indian Americans; American Indians; and Disabled Individuals. The minority group member(s) must have operational and managerial control, interest in capital, expertise and earnings commensurate with the percentage of ownership and be legal residents or citizens of the United States or its territories. To qualify as an MBE, the enterprise shall be headquartered in Bexar County or the San Antonio Metropolitan Statistical Area (the SAMSA) for any length of time, or shall be doing business in a locality or localities from which the City regularly solicits, or receives bids on or proposals for, City contracts within the MBE's category of contracting for at least one year.
- e. **Woman Business Enterprise (WBE):** a sole proprietorship, partnership, or corporation owned, operated and controlled by women who have at least 51% ownership. The woman or women must have operational and managerial control, interest in capital, expertise and earnings commensurate with the percentage of ownership and be legal residents or citizens of the United States or its territories. To qualify as a WBE, the enterprise shall be headquartered in Bexar County or the SAMSA for any length of time or shall be doing business in a locality or localities from which the City regularly solicits or receives bids

on or proposals for, City contracts within the WBE’s category of contracting for at least one year.

- f. **African-American Business Enterprise (AABE)**: a sole proprietorship, partnership, or corporation owned, operated and controlled by an African-American group member(s) who has at least 51% ownership. The African American Group member(s) must have operational and managerial control, interest in capital, expertise and earnings commensurate with the percentage of ownership and be legal residents or citizens of the United States or its territories. To qualify as an AABE, the enterprise shall be headquartered in Bexar County or the SAMSA for any length of time or shall be doing business in a locality or localities from which the City regularly solicits, or receives bids on or proposals for, City contracts within the AABE’s category of contracting for at least on year.

3. Goals for Small Business Participation

The goals for the utilization and participation of SBE-MBE-WBE-AABE businesses on this contract are as follows:

MBE	31%
WBE	10%
AABE	2.2%
SBE	50%

Please note that a small business could be classified in multiple categories and thus their utilization could in theory be counted in each category of goals. For example, **Prime Contractor X** submits a proposal, which specifies that they intend to subcontract with Subcontractor A for 10% of the contract. Subcontractor A is certified by the City as an SBE and MBE (a male-owned Hispanic Business owner can be certified as an SBE and MBE). **Prime Contractor X** also intends to subcontract with Subcontractor B for 13% of the contract. Subcontractor B is certified by the City as SBE, MBE and a WBE (a female-owned Hispanic Business owner can be certified as SBE, MBE and WBE). In addition, **Prime Contractor X** also intends to subcontract 10% of the contract to Subcontractor C—a City certified SBE, MBE and AABE (a male-owned African-American business owner can be certified as both a MBE and as an AABE Business). **Prime Contractor X** is also classified as a local SBE. **Prime Contractor X’s** compliance with the Small Business goals under this scenario would be as follows:

	City’s Small Business Goals	Prime Contractor X’s Compliance
MBE	31%	33%
WBE	10%	13%
AABE	2.2%	10%
SBE	50%	100%

Under this scenario, the contractor would be in full compliance with the Small Business policy.

Another example regarding compliance with the policy is as follows: **Prime Contractor Y** submits a proposal, which specifies that they intend to partner through a joint-venture

agreement with Company D. Company D is certified by the City as both an SBE and MBE (a male-owned Hispanic Business—certified as an SBE and MBE). As part of their joint-venture agreement, Company D will perform on 32.5% of the contract. **Prime Contractor Y** also intends to subcontract 13% of the contract with Subcontractor F. Subcontractor F is a City certified SBE/MBE/WBE and AABE business. **Prime Contractor Y** is also classified as a local SBE. **Prime Contractor Y** compliance with the Small Business goals would be as follows:

	City’s Small Business Goals	Prime Contractor Y’s Compliance
MBE	31%	45.5%
WBE	10%	13%
AABE	2.2%	13%
SBE	50%	100%

Under this scenario, the contractor would be in full compliance with the Small Business policy.

4. Good Faith Effort Required

Proposals shall include a Good Faith Effort Plan (GFEP—ATTACHED). The GFEP shall include specific documentation to utilize local, small, MBE-WBE-AABE businesses in a percentage, which equals or exceeds the above goals. **Any proposal that does not include this SBEDA form shall be declared non-responsive, and excluded from consideration.**

5. SBE-MBE-WBE-AABE Certification Required

Only companies certified as SBE, MBE, WBE, or AABE through the South Central Texas Regional Certification Agency (SCTRCA), or as approved by the City of San Antonio Director of International and Economic Development, can be applied towards the contracting goals. Proof of certification must be submitted.

6. Small Business Program Information

Interested Respondents are encouraged to contact the Small Business Office for information regarding the City’s Small Business Program in accordance with the City’s Communication Policy outlined in the solicitation document. Please call (210) 207-3900 or FAX: (210) 207-8151.

RFP EXHIBIT 2

AGREEMENT

Posted as a Separate Document