

HEMISFAIR PARK / PUBLIC ART PLAN (revised 041912)

REQUEST FOR QUALIFICATIONS (RFQ)

RFQ Issue Date: April 9, 2012

Submittal Deadline: May 8, 2012

Budget: \$88,500

ABOUT HEMISFAIR PARK

HemisFair Park was built to host the 1968 World's Fair. The park is located in downtown San Antonio adjacent to the Henry B. Gonzalez Convention Center and features cascading waterfalls, fountains, landscaped areas, historic buildings, children's playground, and the world-famous San Antonio landmark "Tower of the Americas."

In February 2011, the City of San Antonio adopted the HemisFair Park Master Plan put forth by the HemisFair Park Area Redevelopment Corporation (HPARC) that manages and oversees the development of the park and its surrounding area. The Master Plan outlines six big ideas for the redevelopment of HemisFair Park, including plans for expanding the Convention Center eastward, developing more public and open space, incorporating a multi-use amphitheater, integrating water features, accommodating public transit, pedestrian and automobile access through the park, redeveloping space to accommodate family-friendly mix of recreation, retail and other cultural amenities.

A critical part of the HemisFair Park Area Redevelopment is integrating public art and cultural programs throughout the park in a bold and impactful way. The City's Office of Cultural Affairs, through Public Art San Antonio, and in coordination with HemisFair Park Area Redevelopment Corporation, is seeking qualifications submitted by a team of professional artists with experience working on similar urban park and civic art programs to transform, enliven and embrace HemisFair Park as downtown San Antonio's cultural epicenter.

A NEW VISION

To create a strategic and innovative public art plan designed to activate HemisFair Park with engaging, world-class art that builds upon past and present context, including:

- Historic neighborhood
- Multi-modal connectivity
- Adopted framework plan for HemisFair Park area redevelopment
- Complete streets
- SA2020 vision

The process to develop the plan should be both organic and dynamic, incorporating temporal and actual public art demonstration projects, utilizing recommendations

drawn from research and place-based reasoning, and designed for implementation with short- and long-term action plans with budgets, descriptions, and timelines.

SCOPE OF WORK

1. Create a public art plan for existing and proposed permanent artworks, including:
 - a. Existing HemisFair-era installations, including gifts and historic works;
 - b. Future art installations, including public, private, and donated works.
2. Identify temporal art strategies to activate and stimulate HemisFair:
 - a. Using public art exhibitions and events to increase public use activity;
 - b. Creating community collaboration to express culture and context.
3. Assess and recommend a plan that will enable HPARC to sustain and expand the public's interest, both residents and visitors, in public art activity at HemisFair:
 - a. Evaluation of cultural assets, including existing and future expectations of level of performance, demand and longevity;
 - b. Capacity of public spaces, facilities, and art audiences.

BUDGET

A budget of \$88,500.00, all-inclusive, has been identified to complete the art plan.

TIMELINE

Completion of the public art planning phase is anticipated by September 2012.

ELIGIBILITY

This opportunity is open nationally to professional artists or multi-disciplinary public art teams with proven experience in public art within downtown and redevelopment initiatives that involve placemaking and community engagement through planning art for public places. The following background experience is strongly encouraged:

- Energetic and creative professionals capable of developing a contemporary implementation model for realizing new works of public art that address permanent commissions, temporal exhibits, coordination with existing programs, and public/private redevelopment entities.
- Multi-disciplined teams possessing some combination of artists, public art consultants, civic art and environmental designers, and related professionals that bring together project experience and fresh ideas.

EVALUATION CRITERIA

City will conduct a comprehensive, fair and impartial evaluation of all submittals received in response to this RFQ. A selection committee will evaluate each submittal to determine overall responsiveness and qualifications pursuant to the RFQ. If necessary, the selection committee may select all, some or none of the Respondents for interviews. If City elects to conduct interviews, Respondents may be interviewed and re-scored based upon these same criteria, or other criteria, to be determined by the selection committee. City also may request additional information from

Respondents at any time prior to final approval of a selected Respondent. City reserves the right to select one, 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.

SUBMITTAL REQUIREMENTS

Submittals must be sent in both **digital format**, including one .pdf file of the entire submittal package on a PC-compatible CD or flash drive, and a hard copy of the following, in 8 ½" x 11" format:

1. Artist team statement of interest, to include any unique method, concept or preliminary approach to delivering this project;
2. Current resumes for each team member if applying as a team;
3. Up to three references per team member pertinent to related projects completed within the last ten years (name, address, phone number, email);
4. Up to ten digital images of previous related art and civic design projects, artworks, plans, or related proposals. Image files should be in .jpeg format and not exceed 600 x 800 pixels nor 1.8 megabytes in size;
5. Corresponding image list stating project title, description, dimensions, site, and dates;
6. Discretionary Contracts Disclosure Form (Attachment A) – Respondents shall complete the form online at:
<http://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>, print a copy and include the completed form with proposal. If Respondent is proposing as a team or joint venture, then each party to that team or joint venture shall complete and submit a separate form with the submittal; and
7. Proof of Insurability (**Exhibit A**) -- Respondent shall submit a copy of its current insurance certificate.

The City of San Antonio and its sponsors, contractors, and/or consultants are not responsible for the loss or damage of the materials returned. Original artwork and incomplete or late submittals will not be accepted. Submission of application materials constitutes agreement to all the rules and guidelines of the RFQ as presented in this document.

The above material **MUST** be received no later than **3:00 pm on Tuesday, May 8, 2012.**

Submittals may also be delivered in person in a sealed package, clearly marked on the front of the package "**RFQ: HemisFair Park – Public Art Plan.**" When submitting a bid proposal in person, visitors to City Hall must allow time for security measures. Visitors to City Hall will be required to enter through the east side of the building. The public will pass through a metal detector and x-ray machine located in the lobby. All packages, purses and carried items will be scanned during regular business hours of 7 a.m. – 7 p.m. After the public proceeds through the metal detector, they will sign in and receive a visitor's badge. For those that might require the use of a ramp, entry is available on the south side of the building (Dolorosa side). Security will meet the visitor in the basement with a hand scanner.

THE CITY IS NOT AT FAULT IF ANY SUBMITTALS ARE NOT DELIVERED TO, OR RECEIVED AT, THE FOLLOWING ADDRESS BY THE SUBMITTAL DEADLINE.

MAILING ADDRESS

City Clerk's Office, Attn: Office of Cultural Affairs/Public Art San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

Physical Address:

City Clerk's Office, Attn: Office of Cultural Affairs/Public Art San Antonio
100 Military Plaza
City Hall, 2nd Floor
San Antonio, Texas 78205

PRE-SUBMITTAL INFORMATION SESSION

Interested parties may also attend a Pre-submittal Information Session from **4:30 pm to 5:30 pm on Thursday, April 19, 2012** at the PASA Studio located at 400 N. St. Mary's, Suite 101, San Antonio, Texas 78205. Attendance is not mandatory.

Respondents are encouraged to prepare and submit their questions to Carisa Gamez in writing three (3) calendar days in advance of the Pre-Submittal Conference, in order to expedite the proceedings. Contact information for Carisa Gamez can be found on page 5 of this RFQ.

City's responses to questions received by this due date may be distributed at the Pre-Submittal Conference and will be posted on the City's website at <http://epay.sanantonio.gov/RFPListings/>.

This meeting place is accessible to disabled persons. 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-Submittal Conference shall be preliminary. A written summary of the Pre-Submittal Conference shall contain official responses, if any. Any oral response given at the Pre-Submittal Conference that is not confirmed in the written summary of the Pre-Submittal Conference or by a subsequent addendum shall not be official or binding on City. Only written responses shall be official. All other forms of communication with any officer, employee or agent of City shall not be binding on City.

AMENDMENTS TO RFQ

Changes, amendments or written responses to questions received in compliance with Restrictions on Communication may be posted on City's website at <http://epay.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 which does not have access to the Internet must notify City in accordance with "Restrictions on Communication," that Respondent wishes to

receive copies of changes, amendments or written responses to questions by mail or facsimile.

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

RESTRICTIONS ON COMMUNICATION

Once this RFQ has been released, Respondents are prohibited from communicating with City staff regarding the RFQ or Submittals, with the following exceptions:

A. Respondents are prohibited from communicating with elected City officials and their staffs regarding the RFQ or submittal from the time the RFQ has been released until the contract is posted as a City Council agenda item. Respondents are prohibited from communicating with City employees from the time the RFQ has been released until the contract is awarded. These restrictions extend to “thank you” letters, phone calls, emails and any contact which results in the direct or indirect discussion of the RFQ and/or submittal submitted by Respondents. Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent’s submittal from consideration. Exceptions to the restrictions on communication with City employees include:

1. Respondents may ask verbal questions concerning this RFQ at the Pre-Submittal Conference;
2. Respondents may submit written questions concerning this RFQ to the Staff Contact Person listed in the address below until **4:00 PM on Friday, April 20, 2012**. Questions received after the stated deadline will not be answered. It is suggested that all questions be sent by electronic mail or by fax to:

Carisa Gamez, Contract Coordinator, (210) 207-4034 (via fax) or Carisa.Gamez@sanantonio.gov

However, questions sent by certified mail, return receipt requested, will also be accepted and should be addressed to:

Carisa Gamez, Contract Coordinator
City of San Antonio, Capital Improvements Management Services Department
Contract Services Division
114 W. Commerce Street, Room 900, San Antonio, TX 78205

3. 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 such selection committee meetings as it deems in its best interests;

- B. City reserves the right to contact any Respondent to negotiate if such is deemed desirable by City.

AWARD OF CONTRACT AND RESERVATION OF RIGHTS

City reserves the right to award more than one, or no contract(s) in response to this RFQ.

- A. The Contract(s), if awarded, will be awarded to the Respondent(s) whose submittal(s) is/are deemed most advantageous to City, as determined by the selection committee, upon approval of the San Antonio City Council.
- B. City may accept any submittal in whole or in part. If subsequent negotiations are conducted, said negotiations shall not constitute a rejection or alternate RFQ on the part of City. However, final selection of a Respondent is subject to San Antonio City Council approval.
- C. City reserves the right to accept one or more submittals or reject any or all submittals received in response to this RFQ, and to waive informalities and irregularities in the proposals received. City also reserves the right to terminate this RFQ, reissue a subsequent solicitation and/or remedy technical errors in the RFQ process.
- D. City will require the selected Respondent(s) to execute a contract with 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 RFQ and the contract. Contract documents are not binding until approved by the City Attorney. In the event the parties cannot negotiate and execute a contract within the time specified by City, City reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.
- E. This RFQ does not commit City to enter into a Contract, award any services related to this RFQ, nor does it obligate City to pay any costs incurred in preparation or submission of a response or in anticipation of a contract.
- F. The successful Respondent must be able to formally invoice City for services rendered, incorporating the SAP-generated contract and purchase order numbers that shall be provided by City. City administers its design and construction management through an Internet-based management system, referred to as the "Portal." All vendors will be required to use City's portal system and submit schedules using Primavera Project Manager 5.X or Primavera Contractor 4.1 or above.
- G. 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: City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten percent or more of the voting stock or shares of the business entity, or ten 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.

- H. Respondent is required to warrant and certify that it, its officers, employees and agents neither are officials nor employees of City, as defined in Section 2-42 of City's Ethics Code. (Discretionary Contracts Disclosure – Instructions and web-link to electronic form are included in Attachment A of RFQ.
- 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: (1) is/are and shall be deemed to be an independent contractor(s) responsible for its/their respective acts or omissions; (2) that City shall in no way be responsible for Respondent's actions; and (3) 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 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 City; or (2) submits to City an application, response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with City. The conflict of interest questionnaire form is available from the Texas Ethics Commission by accessing either of the following web addresses:
http://www.ethics.state.tx.us/whatsnew/conflict_forms.htm
<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 with questions regarding the statute or form.

- K. All submittals become the property of 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, 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.

- L. Any cost or expense incurred by the Respondent that is associated with the preparation of the submittal, the Pre-Submittal Conference, if any, or during any phase of the selection process, shall be borne solely by Respondent.
- M. Solicitation Review Process: Any respondent desiring a review of the solicitation process must deliver a written request to the Director of Capital Improvements Management Services (hereafter referred to as "CIMS") within seven (7) calendar days from the date the notice of non-selection was sent. When the CIMS Director receives a timely written request, the CIMS Director, or designee, shall review the Respondent's concerns and the solicitation process for legitimacy and procedural correctness. After performing a full review, the CIMS Director will notify the respondent in writing of his determination.
- N. Individual Submittal Debriefings: In an effort to improve solicitation responses, CIMS is making available on its web site a "Solicitation Response Tip List" which includes the top common items that "make or break" submissions. Providing this information prior to the due date of the submittal provides Respondents with an opportunity to develop a better response for each solicitation. As a result of this up-front effort, each respondent is entitled to one debriefing per calendar year after City Council has made an award if: (a) it is not the selected respondent and (b) it has not been debriefed in the previous 12-month period. Once a firm has been debriefed, it will not be eligible for future debriefings within that calendar year. Any Respondent meeting the above criteria and desiring an individual submittal debriefing must deliver a written request to the CIMS Contract Services within seven (7) calendar days from the date the notice of non-selection was sent.

RESOURCE LINKS

- [HemisFair Park Area Master Plan \(http://www.hemisfair.org/vision/master-plan/\)](http://www.hemisfair.org/vision/master-plan/)
- [HemisFair Links \(http://www.hemisfair.org/links/\)](http://www.hemisfair.org/links/)
- [SAHearts Website: \(http://www.sahearts.com/\)](http://www.sahearts.com/)
- [Public Art San Antonio: \(http://www.publicartsa.com/\)](http://www.publicartsa.com/)