



**REQUEST FOR
QUALIFICATIONS (RFQ)
City of Conway Public Art**

RFQ DUE DATE/TIME: Thursday, May 5, 2022 @ 3:00 p.m. local time

POINT OF RECEIPT: RFQ for Public Art
City of Conway
Attention: Mary Catherine Hyman
229 Main Street
Conway, SC 29526

ADVERTISEMENT

CITY OF CONWAY

Qualified artist and artist teams are invited to submit statements of Interest, Qualifications and Experience Proposals to the City of Conway. These public art projects should capitalize on Conway's history, culture, and uniqueness, as well as being visually and physically accessible to the public. This could include murals, sculptures, memorials, mosaics, integrated architecture or landscape architectural work, painting of crosswalks, etc.

All Statements of Qualifications **MUST** be received at the City of Conway City Hall at 229 Main Street, Conway, South Carolina 29526 no later than **3:00 p.m., local time, on May 5, 2022, at which time only the names of the Offerors will be announced.** Any submission received later than the specified time/date will **NOT** be accepted/considered. Hand-delivered submissions should be delivered to the same above referenced address. No facsimile, email, or telephone proposals will be accepted. Statements of Qualifications **MUST** be enclosed in a sealed envelope, clearly marked **“RFQ Statements of Interest and Qualifications – City of Conway Public Art”** on the outside of the envelope.

Contact Information for this Project:

Mary Catherine Hyman
MHyman@cityofconway.com
(843) 248-1760

I. INSTRUCTIONS TO OFFERORS

General

This solicitation will be conducted in accordance with City of Conway Procurement Code and Regulation.

City of Conway hereby notifies all those responding to this RFQ that, in accordance with the provisions of the Civil Rights Act of 1964 (Chapter 21, Title 42, of the U.S. Code) and Regulations promulgated in connection therewith, that it will affirmatively ensure that any contract entered into pursuant to this RFQ, disadvantaged business enterprises will be afforded full and fair opportunity to make submittals in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Submitting a Statement of Qualifications

Statements of Qualifications must be received by the City of Conway City Hall at 229 Main Street, Conway, South Carolina 29526, no later than **3:00 p.m., local time on May 5, 2022**. Any Statements of Qualifications received later than the specified time and date will be considered a “Late Proposal” and will not be accepted or considered. No facsimile, email, or telephone proposals will be accepted. Submissions shall contain all information requested and shall be submitted in the format shown within this solicitation document. Submissions must be sealed and clearly identify the name of the RFQ on the outside of the envelope/package, as well as the Submitter’s business name, address, and license number (if applicable). No other information shall be included or written on the outside of the proposal envelope/package. City of Conway shall not be responsible for unidentified proposals.

Examination of RFQ Document

Prior to submitting qualifications, each offeror shall carefully examine the RFQ document, study and thoroughly familiarize himself/herself with the requirements thereof and notify Owner of all conflicts, errors, or discrepancies.

The proposer shall sign his proposal correctly by submitting the required Proposal Certification form. The submission shall remain firm for not less than one hundred-twenty (120) calendar days from the date established for receipt of qualifications submissions.

By submission of a Statement of Qualifications, the proposer guarantees that all services offered meet the requirements of the solicitation.

Questions / Addendum

Submit written questions to Mrs. Mary Catherine Hyman via email at mhyman@cityofconway.com. All questions related to this Request for Qualifications must

clearly identify the name of the RFQ. The deadline for questions is **3:00 p.m., local time, on April 22, 2022.**

Questions will be answered and the responses to inquiries shall be in the form of an Addendum. If it becomes necessary to revise any part of this RFQ, revisions will be made in writing, in the form of an addendum. All addenda will be posted on the City of Conway website. All addenda issued by City of Conway must be acknowledged in writing by the Proposer. It shall be the Proposer's responsibility to ensure they have all addenda which have been issued, by visiting the City's website at <http://www.cityofconway.com/departments/procurement/index.php>. Verbal information obtained otherwise will not be considered in the awarding of the RFQ.

Licenses

All Proposers must be properly licensed to do business in the State of South Carolina and must comply with the Code of Laws of South Carolina. The Proposer's company does not need to be based in South Carolina, but should be licensed to do business in South Carolina, and specifically City of Conway, if awarded a contract. **The successful offeror must have all appropriate business license(s) prior to contract execution.** Proposers that fail to comply with this requirement, may subject their Statement of Qualifications to being rejected as non-responsive.

Independent Contractor Status

The contractor shall not, by entering into a contract become a servant, agent, or employee of City of Conway, but shall remain at all times an independent contractor to the City. The contract resulting from this RFQ shall not be deemed to create any joint venture, partnership, or common enterprise between the Contractor and City of Conway, and the rights and obligations of the parties shall not be other than as expressly set forth.

Insurance Requirements

The successful proposers shall provide proof of all required insurance(s), including worker's compensation, auto and general liability. Worker's compensation shall include a minimum limit of \$100,000 and commercial general liability coverage shall provide minimum limits of liability of \$1,000,000 per occurrence Combined Single Limit for Bodily Injury and Property Damage. This shall include coverage for premises/operations, products/completed operations, contractual liability, independent contractors, and vehicles used in premises/operations, and errors and omissions. Errors & omission coverage shall include a minimum limit of \$1,000,000 per occurrence. Insurance shall indemnify City against any and all claims arising under or as a result of the performance of the resulting contract. The City of Conway shall be named as an additional insured on all liability policies and expressed on the Certificate of Liability Insurance. Insurance shall indemnify City against any and all claims arising under or as a result of the performance of the contract resulting from this solicitation. The City of Conway must be provided notice prior to cancellation, modification or reduction in limits of any stipulated insurance. It is the responsibility of the vendor/contractor to ensure that all subcontractors / subconsultants comply with all insurance requirements of this solicitation and the resulting contract.

Tax Information

City of Conway Government is required to pay sales tax. The tax rate in City of Conway is (8%) eight percent.

Evaluation

City of Conway reserves the right to reject any or all offers and further reserves the right to waive technicalities and informalities in proposals as well as to accept in whole or in part such proposal or proposals where it deems it advisable in protection of the best interest of the City. The City shall be the sole judge as to whether proposals submitted meet all requirements contained in this procurement.

Acceptance of Proposal Content

The contents of the qualifications submission of the successful proposer may become part of the contractual obligations, if a contract ensues. Failure of a successful proposer to accept these obligations may result in non-award.

Contract Award

This procurement does not commit the City of Conway to award a contract, to pay any costs incurred in the preparation of the proposal, or to procure or contract for goods of services listed herein. Costs associated with proposal preparation, oral interviews, or presentations shall be the sole responsibility of the proposer.

Only those interested parties who respond to the RFQ, may be considered for contract- award. City of Conway prefers to award only one (1) contract from this RFQ, but reserves the right to make multiple awards if determined most advantageous to the City.

Grievance

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the bid solicitation or award of this contract may protest to Adam Emrick, City Administrator. The protest must be submitted in writing no later than fourteen (14) days after the acceptance of the bid. The City Administrator will attempt to resolve the issue. If the protest is not resolved by mutual agreement, a decision will be issued in writing within ten (10) days after the last meeting to reach an agreement. If all attempts have failed to resolve the disagreement, the protestor has the right to bring the issue to City Council.

Freedom of Information Statement

Procurement information shall be a public record to the extent required by Chapter 4 of Title

30, Code of Laws of South Carolina (1976, as amended The Freedom of Information Act), with the exception that commercial or financial information obtained in response to a “Request for Qualifications” which is privileged and confidential if so designated by the proposer shall be protected from disclosure. Such information must be clearly marked as “CONFIDENTIAL” by those submitting responses for each section of information so affected. Privileged and confidential information is information in specific detail not customarily released to the general public, the release of which might cause harm to the competitive position of the party supplying the information.

Legal Statement

Responders to this RFQ must disclose involvement in any litigation within the last five (5) years in which a claim has been made against any team member (individual or company) asserting a cause of action other than Employment issues or Contracts not related to your professional work. Explain the issues in these cases (or the fact there are none) as part of your submittal.

II. REQUEST FOR QUALIFICATIONS

1. PROJECT OBJECTIVE AND SCOPE OF SERVICES BACKGROUND

The City of Conway is inviting artists and artist teams to submit their qualifications to be considered for one or more permanent public art commissions.

Consistent with the City’s downtown master plan and long-term strategic vision ([https://www.cityofconway.com/ConwayMP%20\(4\).pdf](https://www.cityofconway.com/ConwayMP%20(4).pdf)), the City of Conway has been focused on public arts projects, specifically murals. They enliven where we work and live, helps boost foot traffic for businesses, and adds color to areas that often go unnoticed. They are also inclusive – anyone can stop and enjoy public art at any time. Conway plans to continue to advance public art across the City, and enhance the impact for the benefit of both residents and visitors. This could include murals, sculptures, memorials, mosaics, integrated architecture or landscape architectural work, painting of crosswalks, etc. These art projects should capitalize on Conway’s history, culture, and uniqueness, as well as being visually and physically accessible to the public.

2. RFQ PURPOSE

Local artists with little or no public art experience who are interested in entering the public art field are encouraged to apply. Artists working in any media may apply individually or as an artist team. Artists with no public art experience should demonstrate:

- An interest in learning about and working in the public art realm;
- An interest in or prior experience working on community-centered projects;
- Artistic merit and conceptual strength;
- Respect and acknowledgment of the social and/or historical context of the local community;

and Artists with prior public art experience should demonstrate:

- Innovative approaches to materials, methodologies, and public engagement;
- Prior work done with or in affiliation with the City of Conway;
- Professional and technical capacity to plan, coordinate, and execute a public artwork in collaboration with City representatives, contractors, and the general public;
- Ability to respond to the built environment; and

3. Submittal Requirements

RESPONSE TO THIS REQUEST FOR QUALIFICATIONS MUST INCLUDE THE FOLLOWING:

Those artists interested in providing professional services for this project must submit one printed copy and one digital copy in PDF format to the City of Conway by **3:00 PM on April 28, 2022**. Packages received after **3:00 PM** will not be considered. It is the responsibility of the submitting artist or team to ensure the delivery of the qualifications package on time.

The detailed requirements set forth in the Qualifications Format are mandatory. Failure by any Proposer to respond to a specific requirement may result in disqualification. The City reserves the right to accept or reject any or all proposals. Proposers are reminded that proposals will be considered exactly as submitted. Points of clarification will be solicited from proposers at the discretion of the City. Those proposals determined not to be in compliance with provisions of this RFQ and the applicable law and/or regulations will not be processed.

All costs incurred by the proposer associated with RFQ preparations and subsequent interviews and/or negotiations, which may or may not lead to execution of an agreement, shall be borne entirely and exclusively by the proposer.

The City of Conway reserves the right to enter into negotiations with a single artist OR create a short list of artists, based upon qualifications and pricing and may conduct interviews, engage in further discussion, or negotiate pricing terms.

Proposal format:

The format requirements were developed to aid submitters in their RFQ development. They also provide a structured format so reviewers can systematically evaluate several proposals. These directions apply to all proposals submitted.

The purpose of the RFQ is to demonstrate the technical capabilities, professional qualifications, and past project experiences. Proposer's proposal must address all the points outlined herein as required, in the following order.

1. Transmittal Letter: A transmittal letter must be submitted which shall include:
 - The RFQ subject.
 - Name of the artist or artist team responding, including mailing address, e-mail address, telephone number, and name of primary contact person, as well as contact information for each artist on the team.
 - A brief profile of the artist or team, outlining the history, philosophy, and target market of the artist or team.

- The signature of the person authorized to make representations on behalf of the submitting artist or team.
2. Statement of Interest and Project Approach Outline: The submitter shall prepare a one-page statement of interest in creating a public art project as well as a project approach narrative.
 3. Public Outreach Approach: The submitter shall prepare a one-page statement of their approach and philosophy to public outreach including any creative approaches used.
 4. References: A minimum of three (3) separate references from past projects of similar nature completed must be provided. The references shall:
 - Provide demonstration of success on similar projects, including a brief project description and a contact name and address for reference.
 - Preference will be given towards projects completed within the past five years.
 5. Personnel Qualifications: Proposer is required to provide a description of the proposed project team, staff qualifications, experience and credentials:
 - A brief description of the artist or team, organization structure and location of the artist or each member of the team.
 - A qualification summary containing a description of the artist or team's qualifications and the resumes of all the personnel to be employed on this project. If submitting as a team, provide a history of the team's history working together on similar projects.
 - The name and relevant experience of the project manager who will have direct and continued responsibility for the project. This person will be the City's contact on all matters dealing with the project and will handle all day-to-day activities from project initiation to completion.
 6. Artworks of past projects/media files (max 10 files; jpg format only; 72 dpi min; 5 MB max per file): Proposer is required to provide a description of related projects of similar scope.
 - Submit images of completed artwork; teams are encouraged to include projects created by the team.
 - Each of the image files must include the title of the image, year, size, materials, and brief description.
 - For any commissioned project(s), also include the client, budget, and location.

4. Evaluation

The evaluation of qualifications submissions will be in accordance with the City of Conway Procurement Regulation, and this Request for Qualifications. The evaluation process shall determine the qualifications, interest, and availability to provide relevant services as requested. Staff will first review all written responses, which will result in a ranked list of fully qualified respondents. After ranking is completed by staff, informal interviews and/or presentations may be conducted, at the discretion of the City, for selected respondents determined to be the best qualified based upon the evaluation of the written responses. The determinations will be based upon the criteria below. The City of Conway reserves the right to enter into negotiations with a single artist OR create a short list of artists, based upon qualifications and pricing and may conduct interviews, engage in further discussion, or negotiate pricing terms. The commissioned artists will need to be available to present their proposal to the community and appropriate City agencies for review and approvals. The commissioned artworks will also be required to comply with all applicable City codes.

It is the intention of the evaluation team to select the vendor most qualified to provide the services as indicated herein. The following criteria will be used to evaluate Statements of Qualifications:

Artists' Qualifications and Project Team.

The Statement of Qualifications will be evaluated based on:

- the artist's qualifications and project team submitted.
- project approach to providing the professional services requested. Design services proposed shall be detailed.
- demonstrated successful professional project accomplishments for projects of similar technical nature, complexity, and time constraints, and for clients that are similar in size, location, and type to City.

5. Timeline, Questions, and Ex-Parte Contact

Artists interested in submitting shall email a simple statement of interest by April 20, 2022 to be placed on the communications list regarding this project. Any questions regarding this RFQ shall be submitted via email to mhyman@cityofconway.com by **April 22, 2022**. The City of Conway will provide answers to all questions to all artists who have submitted a statement of interest by **April 28, 2022**. Ex-parte contact with City Staff regarding the project does not bind the City of Conway to any verbal statements made and is discouraged.



REFERENCES

Please list a minimum of three (3) references for jobs performed in the past five (5) years that are similar in size and scope to this project, with contact names and telephone numbers. Attach additional sheets if necessary.

Reference: _____ Contact: _____

Address: _____ Phone: _____

Description and date(s) of project and service provided: _____

Reference: _____ Contact: _____

Address: _____ Phone: _____

Description and date(s) of project and service provided: _____

Reference: _____ Contact: _____

Address: _____ Phone: _____

Description and date(s) of project and service provided: _____



PROPOSAL CERTIFICATION and ACKNOWLEDGEMENT OF ADDENDA

In compliance with the request for proposal, and subject to all conditions thereof, the undersigned offers and agrees to furnish any or all items proposed.

DATE

AUTHORIZED SIGNATURE

COMPANY NAME

PRINT OR TYPE NAME ABOVE

COMPANY ADDRESS

COMPANY FAX #

CITY, STATE, ZIP+4

S.C. SALES TAX #
(ONLY IF OUT OF STATE)

CONTACT EMAIL ADDRESS

COMPANY TELEPHONE NUMBER

FEDERAL ID #

ACKNOWLEDGEMENT OF ADDENDA

(if any)

Submitter hereby acknowledges receipt of all Addenda through and including:

Addendum No. _____, dated _____.

Addendum No. _____, dated _____.

By: _____

SEAL



NON-COLLUSION AFFIDAVIT

STATE OF _____)
CITY OF _____)

_____)
being first duly sworn, deposes and says that he/she is

_____)
(Sole Owner, a Partner, President, Secretary, etc.)

of _____)
the party making the foregoing Proposal that such proposal is genuine and not collusive or sham; that said proposer has not colluded, conspired, connived, or agreed, directly or indirectly with any PROPOSER or person, to put in a sham proposal, or that such other person shall refrain from proposing and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person to fix the proposal of affiant or any other PROPOSER or to fix any overhead, profit or cost element of said Proposal or of that of any other PROPOSER or to secure any advantage against OWNER any person interested in the proposed contract; and that all statements in said Proposal are true; and further, that such PROPOSER has not, directly or indirectly submitted this Proposal, or the contents thereof, or divulged information or data relative thereto to any association or to any member or agent thereof.

Proposer

ACKNOWLEDGEMENT

Sworn to and subscribed before this _____ day
of _____, 2022.

Notary Public for South Carolina
My Commission Expires _____