

CITY OF CONCORD



**PUBLIC ART CONSULTANT/ TEMPORARY ART SHOW CURATOR**

**Request for Proposals (RFP) # 2628**



**Focus: Establish & Curate Inaugural Annual Art Show, on Downtown Streetscape in Historic Downtown Concord, NC**

**NEW SUBMISSION DEADLINE: May 22, 2024 by Noon**



## 1. PROJECT OVERVIEW / PURPOSE

The City of Concord and the Concord Public Art Commission (PAC), seek qualifications from professional Public Art consultants with demonstrated expertise and experience, for **Curating and Launching Concord's inaugural, Annual Temporary Sculpture/ Revolving Art Program** in the Historic Downtown Streetscape.

The right candidate should be skilled at wielding a process which actively engages relevant artists, staff, Commissioners, and community members as needed; creates well-designed documents & outreach; is transparent and communicative; and delivers results on deadline, within agreed-upon timelines.

This project will establish an Annual Revolving Art Show program, including the selection and installation of four (4) loaned sculptures, plus one commissioned mural, on the newly renovated Downtown Streetscape on Union Street. The sculptures are to remain on display for a period of one year. Locations have been determined. The mural will cover a temporary fence and remain on display until that fence is demolished or moved to make way for construction on a currently vacant lot.

The consultant Curator will work collaboratively with City staff, the Concord Public Art Commission (PAC), and interested artists.

The project should be completed within 6-12 months of contract execution. City of Concord will consider technical expertise, range of experience including knowledge of city, state and federal regulations and ordinances, project innovation, familiarity with NC cities of comparable size that have active temporary public art programs, availability to work within the timeframe as established, and demonstrated ability to work closely with a varied group of stakeholders.

**A detailed Scope of Services is provided in Section 3 of this solicitation.**

**Evaluation Criteria are shared in Section 6 of this solicitation.**

Information related to this solicitation, including any addenda, will be posted to the City of Concord's Purchasing website under "RFPs, RFPs and Bids."

<https://concordnc.gov/Departments/Finance/Purchasing>

All questions related to this solicitation must be submitted in writing (via email) to the following individual: **Sarah Gay, ClearWater Arts Center & Studios Coordinator & Staff Liaison** to Concord Public Art Commission (PAC), at the following email address:

[GayS@concordnc.gov](mailto:GayS@concordnc.gov).

## 2. PROJECT BACKGROUND & CONTEXT

### Concord's Public Art Master Plan Directive and Public Art Commission

Concord's first-ever Public Art Master Plan document\* was presented to City Council in February 2023, and adopted by Council vote in March 2023. Following that, the City Council duly carried out the first directive in the Master Plan, and appointed a new Public Art Commission, in June 2023. The new PAC commenced Regular Monthly Meetings in August 2023.

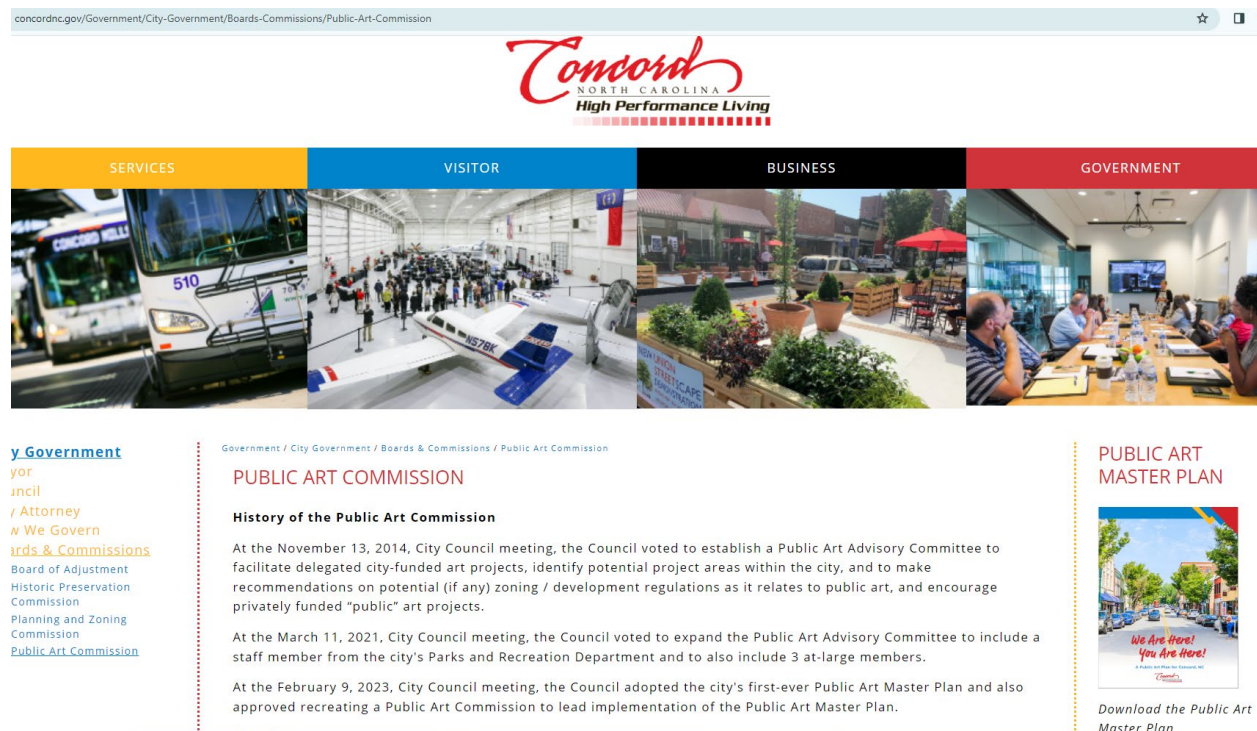
In March 2024 the PAC's proposed, Inaugural FY 2025 Annual Work Plan (AWP) for public art was formally approved by City Council. The Temporary Revolving Art Show is one of the projects in the new AWP.

This is a direct reflection of priorities outlined in the new Master Plan for Public Art. **All applicants are strongly encouraged to read and digest this Master Plan**, to better familiarize yourself with Concord's history with public art until now, and its wishes for public art going forward. The Master Plan comprises 86 pages of photos, distilled reflections of many community-input processes held in 2022, and project recommendations. There is a discussion of Downtown Streetscape Temporary Sculpture Show and other Downtown opportunities.

**\*The Concord Public Art Master Plan can be found, read and/or downloaded, on the City's website, via a link found on the City's page for the Public Art Commission. Locate this page by navigating to 'Boards & Commissions' under the red, 'Government' tab at top of Concordnc.gov homepage; OR by using this link:**

<https://concordnc.gov/Government/City-Government/Boards-Commissions/Public-Art-Commission>

Screenshot of that webpage:



## Downtown Streetscape Focus

Over the past decade, there has been a growing interest in public art in Concord, N.C., a rapidly growing city just to the northeast of Charlotte. This can be seen in the historical and interpretive projects that have been incorporated into buildings and pedestrian passageways downtown; murals that have been sponsored by the City of Concord, businesses downtown, and in surrounding neighborhoods; interpretive sculptures that were recently added along the greenway system; and temporary sculptures that are on display in the neighborhoods around downtown.

As laid out in the Concord Public Art Master Plan, the **Union Street Streetscape, Downtown** is one of the first project opportunities named, and has long been desired as a site for a rotating, or temporary sculpture exhibition.

Following the Public Art Master Plan's recommendations, a priority identified in the PAC's new FY25 AWP is to launch a Revolving Sculpture & Art program as part of the **Downtown Streetscape**, which is currently under construction to meet the City's vision for wider sidewalks and more tree cover, and to foster more pedestrian engagement, comfort, and outdoor dining opportunities. Construction is expected to be completed by late Fall 2024.

*Please see the City's webpage for the Downtown Streetscape Redevelopment Project:*

<https://concorddowntown.com/streetscape/>

### Screenshot of Downtown Streetscape webpage:

The screenshot shows the website [concorddowntown.com/streetscape/](https://concorddowntown.com/streetscape/). The navigation bar includes links for VISIT, PROJECTS, STREETScape, CONCORD (with logo), GET INVOLVED, BUSINESS RESOURCES, and ABOUT. A prominent red banner features a compass icon and the text "Downtown Streetscape".

**A New Downtown Streetscape**

The plan for a new Downtown Streetscape includes 22 foot wide sidewalks, reduced 11-foot travel lanes, 11 parking spaces remaining on Union Street including two new ADA accessible spaces, sharrow markings, new concrete sidewalks with brick paver accents, added street trees and landscaping, new smart light poles, decorative lighting, updated utilities, space allotted for public art and outdoor dining/cafes, designated loading/unloading zones, and pedestrian drop-off zones.

Below are before and conceptual after images representative of the final Downtown Streetscape design.

**CONSTRUCTION UPDATES**

**Specifications**

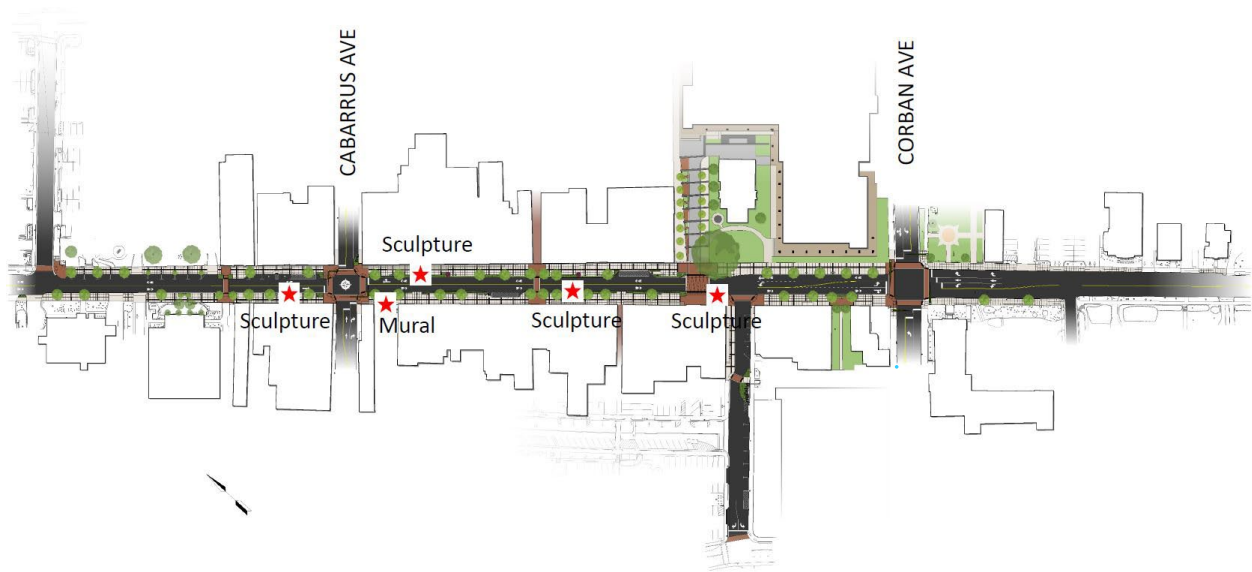
- 22-ft wide sidewalks
- 11-ft travel lanes
- 11 parking spaces on Union Street including two new ADA accessible spaces
- Designated loading/unloading zones, and vehicle drop-off zones
- Three additional ADA accessible parking spaces on Barbrick Avenue
- Sharrow markings
- Poured concrete sidewalks with brick paver accents
- Added street trees and landscaping
- New smart light poles
- Updated utilities
- Space for public art and outdoor dining

English

Four (4) initial sites for temporary sculpture have been identified, and Staff is working with the City's Engineering, Transportation and Planning Departments as well as the current Streetscape construction contractor, to prepare those sites with concrete foundations and installation connections for support of a variety of sculptures. The installed foundation anchors will dictate a set of baseline size & weight limits. In addition, one (1) temporary site for a painted Mural has been identified, on a section of fence to be installed along the Downtown sidewalk. The fence – to be built and owned by the City – is to block a drop-off into a currently vacant lot, until such time as the lot's owner decides to build, sell or otherwise develop it.

**Artwork Sites** are indicated in this map of the main Downtown section of Union Street:

## Downtown Streetscape



*Please see the Concord Master Plan for Public Art*, under “Downtown Catalyst Projects” (page 22), which delineates, among other things, the Project Goals:

### **Goals**

- ◆ Celebrate revamped Union Street
- ◆ Provide opportunities for sculptors in the region to display their work
- ◆ Provide an additional attraction for people to come downtown
- ◆ Create features that encourage and support informal gathering

There is more contextual information in the **Public Art Master Plan**, to which the consultant Curator is referred (see above).

Note - There is also relevant background information in pages 4-8 of *the RFP for the Master Plan Consultant*, written in 2021; please contact the Staff Liaison, Sarah Gay, to request a copy if you are interested in reading that.

### 3. ESTIMATED SCOPE OF WORK/ REQUESTED SERVICES

**Tasks & Deliverables** under this contract are anticipated to include, but are not solely limited to:

1. Establish and Document **Program Structure** including Calendar & Schedules, Rules & Policies, Strategies & Scope for artist outreach, Outreach contact databases, etc.;
2. Adapt/ Craft **Program Publicity Materials**, in concert with Staff (i.e., brochures, Call to Artists, social media schedule/ content, content for a Program webpage, etc.);
3. Carry out the bulk of **Program Outreach & Communication** including co-writing Press Releases, publishing Announcements/ Call to Artists to relevant Arts Circles, Platforms & Opportunity Lists; maintaining target contact info and fielding incoming queries & applications, interactions with artists and discussions with PAC members; some collaboration on finalizing City's Agreements with Selected Artists; and close communication with Staff for any needed clarifications;
4. Facilitate **Artwork Selections** including narrowing initial selections to a selected group of final recommendations, presenting proposed artworks to Concord PAC, and facilitating (or co-facilitating) final Artist Selection discussions with Commissioners (PAC shall approve final selections);
5. Deliver **Stipend Payments to selected Artists**, out of encumbered funds included in this contract;
6. Co-Coordinate **Artwork Installations**, with the help of Staff;
7. **Deliver all Program materials** developed under this contract to PAC and City of Concord.
8. **Finally**, while carrying out this work it should be clear that the individual brought under contract will need to be accessible to the Commission or Staff and sometimes at hand, as well as physically in the City periodically for assessment of sites; Attendance at Regular, and/or special meetings of the PAC will be necessary.

#### **City and PAC Support to Curator**

Commissioners and City staff will be available to assist the Curator in co-developing the Commission's planned Revolving Art Program on the Downtown Streetscape; in this first year, the aim is for the Curator to assist the PAC, by creating processes & publicity materials, seeking/screening artists, and creating other framework needed to establish Concord's new program and manage the bulk of project coordination—in the process, creating a replicable and inclusive approach to hosting and managing a temporary, yet robust public art display on an annual basis. This should be achieved such that, in following years, annual program management could be assumed by the PAC and staff, using the program infrastructure created by the Curator.

**Support that City Staff Members of the PAC shall provide**, will include:

1. Crafting the City Artist Contracts to be used, in consultation with City Legal Counsel and the Contract Curator; and shepherding such contracts through the City Contract-Execution process;
2. Staff can build / manage a new Program Webpage, using content generated by Curator and working with Curator to upload & manage content in a timely fashion;
3. Co-managing communication with Concord PAC and other City Staff as needed;
4. Providing direction/liaison assistance regarding City processes and/or schedules which may need to be integrated with the Revolving Art Program;
5. Assisting with recruiting additional Sculpture Installers or Installation Experts, leveraging City's FY25 budget for Installers if/as needed;
6. Coordination with City departments for successful artwork installations and publicity, as needed.

### **Funding & Budget**

**Budget for this project & contract has been approved by City Council and will not exceed \$25,000.00;**

#### **This budget shall cover:**

1. payment to the Curator for work under this contract;
2. payment of stipends to each of four (4) participating 3-D artists for a total of four (4) sculptures, to cover delivery and 1-year loan;
3. payment to one (1) selected/ commissioned artist for one (1) small mural, including design and execution; and
4. contingency.

➔ *Please provide your proposed budget, to cover these four specifics, within your application.*

Payments (2) and (3) are to be disbursed to selected artists by the Curator, under the contract. The final budget breakout of the Contract Amount shall be negotiated and finalized as part of Scope of Work, prior to executing the Curator's consultant contract with City of Concord. The City will be cc'd on all disbursements to selected artists.

**Please note:** This contract must be ready to be executed, or final negotiations concluded prior to June 1, 2024, to encumber funds into the next Fiscal Year. Please be prepared to be available in early-mid May to interview, and (if selected) negotiate contract details. Then, if selected, Curator should be prepared to start work directly and sustain work into Fall 2024. The PAC's wish is for this work to commence by July or (at latest) August, 2024 to get artists selected in time for coordinating installs at the time of, or soon after Streetscape renovations conclude. However, the Opening Date of the new Streetscape

Revolving Art Show, will depend upon completion of the Streetscape construction, currently under way and projected as: late Fall 2024.

The work period of the Curator for this project is anticipated not to exceed 3 to 6 months; Final Deadline for work completion & delivery will formally be 12 months after contract execution/ commencement, just to provide a contingency period - for any unforeseen delays caused by City agents or circumstances beyond the Curator's control. A personal schedule that involves travel, work on other contracts, and/or other incidentals on the part of the contracted Curator which cause significant delays, will not qualify as Unforeseen Contingency; and may result in cancellation of the contract. *Please be transparent.*

#### **4. RESPONSE / APPLICATION PACKAGE INSTRUCTIONS**

**Proposal responses shall be organized in the following manner:**

**A. Cover letter/ Letter of Intent** - Provide an introduction letter summarizing your unique qualifications to meet the needs of this project. This letter should be presented on an official letterhead and signed by the individual who has the required expertise and will be the party to enter into a contract with the City. Include the name, address, telephone, and email address in your letter.

**B. Consultant Background and Experience in Public Art Administration or Curating** -- Include background information and provide detailed information regarding your experience with similar projects. Provide a list of all similar contracts performed in the past 5 years, accompanied by at least 3 references. Include the total amount invoiced for each listed project, the length of the project, and list of any other personnel involved who are also proposed to be a party to the subject project named in this solicitation.

**C. Project Understanding, Approach and Schedule** – Include a summary demonstrating expected dates of services to be rendered. Provide a brief, but comprehensive narrative, outline, and/or graph demonstrating your understanding and approach to accomplishing the tasks outlined in the Scope of Work section of this RFP. A description of each task and deliverable and an overview schedule for accomplishing each shall be included.

**D. Project Budget** -- Also provide your proposed budget, to cover the four Budget Items outlined under "Funding and Budget," *above*, within your application. Sculpture Loan stipends should be in line with contemporary rates. Mural is small-scale and temporary.

**E. Three (3) References from Similar Projects** - The evaluation team reserves the right to contact any or all listed references, and to contact other public entities regarding past performance on similar projects. (Include contact persons, Applicant, telephone number and email address for all references listed.)

#### **Application Package Documents**

This RFP is comprised of the base RFP document, any attachments, and any addenda released before Contract award. All attachments and addenda released for this RFP in advance of any Contract award are incorporated herein by reference.



**Proposers must submit one (1) electronic version of the signed proposal.** The electronic version of the Proposal must be submitted as a viewable and printable Adobe Portable Document File (PDF) via email (or on a flash drive if email is not possible). This must be received by the City on or before the RFP date and time provided herein. Proposals received after the RFP deadline will not be considered.

The City reserves the right to reject any or all proposals or applications for any reason and to waive any informality it deems in its best interest. Any requirements in the RFP that cannot be met must be indicated in the proposal. Proposers must respond to the entire Request for Proposals (RFP). Any incomplete proposal may be eliminated from competition at the discretion of the City of Concord.

Submittals that arrive after the due date and time will not be accepted or considered for any reason whatsoever. If the Applicant elects to mail in its response –only accepted if for some reason using email is not possible - the Applicant must allow sufficient time to ensure the City’s proper receipt of the package by the time specified in **Section 5 RFP Timeline**. Regardless of the delivery method, it is the responsibility of the Applicant to ensure that their response arrives at the designated location specified in this Section by the due date and time specified as Application Submission Deadline.

#### **Submittal Requirements and Contact Information**

Proposals must follow the format as defined in this Section, “Application Package” and be addressed and submitted as follows:

**City of Concord Parks & Recreation Department**

**Attn: Sarah Gay**

**Clearwater Arts Center & Studios Coordinator & Public Art Liaison**

**223 Crowell Dr. NW.**

**Concord, NC 28025**

[gays@concordnc.gov](mailto:gays@concordnc.gov)

#### **5. RFP TIMELINE**

Provided below is a list of the anticipated schedule of events related to this solicitation. The City of Concord reserves the right to modify and/or adjust the following schedule to meet the needs of the project. All times shown are Eastern Time (ET):

RFP Advertisement Date:	April 12, 2024
<b>Submittal Due Date and Time:</b>	<b>Extended to May 22, 2024 by Noon</b>
Interviews (if required)	3 <sup>rd</sup> - 4th week of May, 2024
Selection Announcement (anticipated):	Last half of June, 2024

## Questions

Requests for clarification and questions to this RFP must be received by the City **not later than ~~APRIL 26<sup>th</sup>~~, May 17, 2024**. Applicant's failure to request clarification and submit questions by this date shall be considered to constitute the Applicant's acceptance of all City's terms and conditions and requirements.

No information, instruction or advice provided orally or informally by any City personnel, whether made in response to a question or otherwise in connection with this RFP, shall be considered authoritative or binding. Respondents shall be entitled to rely only on written material contained in an Addendum to this RFP.

It is important that all Respondents submitting to this RFP periodically check the City of Concord's website for any Addenda; as well as their email Inbox at their email address given on any Application document submitted to the City. It is the Respondents' responsibility to ensure that all addenda and/ or emailed notifications, have been reviewed.

## 6. EVALUATION AND SELECTION PROCEDURES

A review committee will be composed of City Staff and Public Art Commission Leadership. Consultants will be evaluated in part using the following criteria:

### Proposal Evaluation

#### Evaluation Criteria

This is not a bid. There will not be a public opening. Proposals will be evaluated based on the following criteria:

- Compliance with the response format required by this Request for Proposal.
- Innovative & tailored project approach.
- Understanding of government guidelines that may impact public art policy.
- Demonstrated project understanding.
- Experience and qualifications involving public art and Temporary Public Art.
- Experience in working within Concord jurisdiction or similar jurisdictions of comparable makeup, for temporary public art exhibitions.
- Public engagement experience.
- Availability and current workload permitting the Applicant to conduct the work within the time schedule indicated.
- The person must maintain a valid driver's license and maintain required insurance as dictated by the City of Concord.
- The person's geographic availability to the City of Concord, per #8 on p. 6.

## **Final Selection**

Proposals will be reviewed after opening and will be ranked in order of choice by the Selection Committee, at which point contract negotiations will begin with the most qualified Applicant. If negotiations are unsuccessful, the City will then pursue negotiations with the next most qualified Applicant.

The City shall not be bound or in any way obligated until both parties have executed a contract. The City also reserves the right to delay the award of a contract or to not award a contract. The RFP may be awarded by individual task or total proposal, whichever is most advantageous to the City of Concord. The general conditions and specifications of the RFP and the selected proposal, as amended by agreement between the City and the Contractor including e-mail or written correspondence relative to the RFP, may become part of the contract documents. Failure of the Contractor to perform as represented may result in elimination of the Contractor from competition or in contract cancellation or termination.

Individuals not selected will be notified.

## **7. RIGHTS RESERVED BY THE CITY OF CONCORD**

- Modify or cancel the selection process or schedule at any time.
- Waive minor irregularities.
- Reject any and all responses to this RFP and to seek new submittals if it is in the best interest of the City to do so.
- Seek clarification or additional information from responding individuals as it deems necessary to the evaluation of the response.
- This request does not obligate the City to enter into an agreement or pay any costs incurred by Applicants in preparation and submission of a statement of qualifications.
- Upon receipt by the City, each proposal becomes the property of the City. In general, documents that are submitted as part of the response to this RFP will become public records and will be subject to public disclosure. North Carolina General Statutes Section 132-1.2 and 66-152 provide a method for protecting some documents from public disclosure. If the responding Applicant follows the procedures prescribed by those statutes and designates a document "confidential" or "trade secret", the City will withhold the document from public disclosure to the extent that it is entitled or required to do so by applicable law. Any Applicant that designates its entire proposal as a trade secret may be disqualified from consideration. In submitting a proposal, each Applicant agrees that the City may reveal any trade secret materials contained in such response to all city staff and city officials involved in the evaluation process and to any outside consultant or other third parties who serve on the evaluation committee or who are hired by the City to assist in the evaluation process. If the City determines that a document that the responder has designated "confidential" or "trade secret" is not entitled to protection from public disclosure, the City will provide notice of that determination

to the contact person designated by the Applicant, in any reasonable manner that the city can provide such notice, at least five business days prior to its public disclosure of the document. If the Applicant does not designate anyone to receive such notice, or if, within five business days after the designated person receives such notice, the Applicant does not initiate judicial proceedings to protect the confidentiality of the document, the City will not have any obligation to withhold the document from public disclosure.

- By submitting to the City a document that the Applicant designates as "confidential" or "trade secret", the Applicant agrees that in the event a third party brings any action against the City or any of its officials or employees to obtain disclosure of the document the Applicant will indemnify and hold harmless the City and each organization's affected officials and employees from all costs, including attorney's fees, incurred by or assessed against any defendant, of defending against such action. The Applicant also agrees that at the City's request the Applicant will intervene in any such action and assume all responsibility for defending against it, and that the Applicant's failure to do so will relieve the City of all further obligations to protect the confidentiality of the document.
- Selection of an Applicant by the City in response to this RFP does not guarantee these services will be required. The City maintains sole discretion in assigning projects, if any, to the selected Applicant(s) throughout the term of the contract. The City, additionally reserves the right to issue future Request for Proposals, as may be needed and to solicit responses from Applicants not selected as part of this process.

This project is being advertised via the City of Concord's Purchasing website under "RFQs, RFPs and Bids." <https://concordnc.gov/Departments/Finance/Purchasing>

**Notice:**

Applicants should have no contact related to this RFP with elected or appointed officials during the selection process outside the specified contact dictated herein.

*ClearWater Arts Center & Studios Coordinator/ Public Art Liaison, Sarah Gay*, is available for questions about the project scope. Other contacts with City Staff members regarding this RFP will subject the Applicant to immediate disqualification for consideration of services.

Contracting - Any contract developed for this work shall be construed and enforced in accordance with the laws of the State of North Carolina. Any controversy or claim arising as a result of contracting shall be settled by an action initiated in the appropriate division of the General Court of Justice in Cabarrus County, North Carolina.

Equal Employment Opportunity - The local government of the City of Concord does not discriminate administering any of its programs and activities. The Applicant awarded the contract for work will be required to assure that no person shall be denied employment or fair treatment, or in any way discriminated against on the basis of race, sex, religion, age, national origin, or disability.

Public Disclosure - All documentation and submittals provided to the City of Concord are subject to public records requirements and may be subject to disclosure.

Expenses of Applicants - The City accepts no liability for the costs and expenses incurred by Applicants in responding to this request.

Owner rights - The City reserves the right to reject any and all statements of qualifications, waive any informality or irregularity, revise the documents or schedule via an addendum, contact references who are not listed in the submittal, and to take any action affecting the RFP process or the project that is determined to be in the City's best interests.

Rights to Submitted Material - All proposals and supporting materials, as well as correspondence relating to this RFQ, shall become the property of the City. The content of all submittals is intended to be held confidential until a selection is made. However, documents may be subject to public information requests and nullify confidentiality. Proposals may be reviewed by the Selection Committee, as well as other City staff, Council members and members of the general public who submit public record requests. Any proprietary data must be clearly marked. In submitting a Proposal, each Firm agrees that the City may reveal any trade secret materials contained in such response to all City staff and City officials involved in the selection process and to any outside consultant or other third party who serves on the Evaluation Team or who is hired by the City to assist in the selection process. Proposals marked entirely as "confidential", "proprietary", or "trade secret" will be considered non-responsive and will be removed from the evaluation process.

Lobbying - By responding to this solicitation, the Applicant certifies that is has not and will not pay any person or Applicant to influence or attempt to influence an officer or employee of the City or the State of North Carolina, or any elected official in connection with obtaining a contract as a result of this RFP.

## **INQUIRIES**

Questions about the RFP, project schedule, or project budget should be directed to:

Sarah Gay ([gays@concordnc.gov](mailto:gays@concordnc.gov)).